



Memorandum

Date: May 11, 2017
To: Treasure Island Mobility Management Agency Committee
From: Eric Cordoba – Deputy Director for Capital Projects
Subject: 05/16/17 Committee Meeting: Approval of a Memorandum of Understanding with the Alameda-Contra Costa Transit District

<p>RECOMMENDATION <input type="checkbox"/> Information <input checked="" type="checkbox"/> Action</p> <p>Recommend approval of a Memorandum of Understanding (MOU) with the Alameda-Contra Costa Transit District (AC Transit).</p> <p>SUMMARY</p> <p>TIMMA and AC Transit have developed a draft MOU that defines roles and responsibilities associated with the new transit service that will be provided between the East Bay and Treasure Island. Key elements of the MOU include the proposed service plan, operating cost assumptions, and a strategy to pursue funding for zero-emission bus grant funding. Staff will provide an overview of the MOU at the meeting.</p>	<p><input type="checkbox"/> Fund Allocation</p> <p><input type="checkbox"/> Fund Programming</p> <p><input type="checkbox"/> Policy/Legislation</p> <p><input type="checkbox"/> Plan/Study</p> <p><input type="checkbox"/> Capital Project Oversight/Delivery</p> <p><input type="checkbox"/> Budget/Finance</p> <p><input checked="" type="checkbox"/> Contract/Agreement</p> <p><input type="checkbox"/> Procurement</p> <p><input type="checkbox"/> Other: _____</p>
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DISCUSSION

Background.

On April 21, 2011, in a joint session with the San Francisco Planning Commission, the Treasure Island Development Authority (TIDA) Board of Directors adopted the Disposition and Development Agreement (DDA) between TIDA and Treasure Island Community Development (TICD) for the Treasure Island/Yerba Buena Island Development Project. The DDA includes, among other exhibits, a Financing Plan, Infrastructure Plan, Transportation Plan Obligations, Schedule of Performance, and Developer Environmental Sustainability Obligations. On June 7, 2011, the San Francisco Board of Supervisors approved the same.

The DDA includes the purchase, by TICD, of nine new standard buses for use by AC Transit to provide new direct bus service to the Islands from two stops in downtown Oakland (at the 19th Street BART Station and the 12th Street Oakland City Center BART Station). The ongoing operation of the Treasure Island-East Bay Transit service is intended to be funded through: driver user fees from parking and a congestion toll; passenger fares; transit pass purchases; and incremental new federal formula funds associated with the new Treasure Island route.

Anticipated Bus Service.

Weekday and weekend Treasure Island-East Bay Transit service will be offered at least every 30 minutes throughout the service day, starting with the first Major Phase of the Development Project,

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anticipated January 1, 2020. As ridership increases, TIMMA will fund increased service frequency with peak period service offered as often as every 10 minutes during weekday peak periods based on demand and available revenues to support service. The AC Transit Board of Directors has the legal authority to set fares for the East Bay bus service. The fare for this service is anticipated to be set at the standard AC Transit Transbay fare.

Zero-Emission Vehicles.

AC Transit and TIMMA are exploring specification of clean fuel/zero-emission vehicles (ZEVs). Final vehicle specifications will be detailed in a Procurement Agreement between AC Transit and TIMMA, to be executed no later than 24 months prior to the start of services, likely in 2018. These vehicles are intended to become part of AC Transit's Transbay bus fleet. The recommended service plans, operating costs and funding assumptions for this service will be included in a TIMMA/AC Transit Operating Agreement anticipated to be executed no later than 12 months prior to the start of services, likely in 2019. The TIMMA Board and the AC Transit Board of Directors will each independently adopt the budget for operations of the East Bay bus service on an annual basis.

The AC Transit Board of Directors will consider approval of this MOU at its May 24, 2017 meeting. This MOU will remain in effect until replaced by a contract for service (the Operating Agreement), likely in 2019.

FINANCIAL IMPACT

The recommended action would not have an impact on the adopted Fiscal Year 2016/17 budget.

SUPPLEMENTAL MATERIALS

Attachment 1 – Draft Memorandum of Understanding

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Memorandum of Understanding Between the Alameda-Contra Costa Transit District and the Treasure Island Mobility Management Agency

This Memorandum of Understanding (“MOU”), dated for reference purposes as of _____, 2017, is by and between the Alameda-Contra Costa Transit District and the Treasure Island Mobility Management Agency.

RECITALS

- A. On April 21, 2011, in a joint session with the San Francisco Planning Commission, the Treasure Island Development Authority (TIDA) Board of Directors adopted a series of resolutions to approve numerous entitlement and transaction documents relating to the Treasure Island/Yerba Buena Island Development Project, including a Development Agreement and a Disposition and Development Agreement (DDA), with Treasure Island Community Development (TICD), adopting environmental findings pursuant to the California Environmental Quality Act. On June 7, 2011, the San Francisco Board of Supervisors approved the same.
- B. The Treasure Island Transportation Implementation Plan (TITIP) was adopted concurrent with the DDA and referenced in the DDA and outlined the goals, strategies, and implementation plan for a new transportation system, infrastructure, and services to support the development Project, including the designation of a Treasure Island Transportation Management Agency (TIMMA) to oversee the implementation and management of the transportation programs and revenues. The TITIP established a performance objective for the transportation programs that 50% of all trips on and off of the island be made via transit; and, secondly, that the operating subsidies required to provide enhanced transportation services on the island, particularly ferry and AC Transit bus service, should be funded from parking revenues on the island and proceeds from the congestion management tolls.
- C. On April 1, 2014, the San Francisco Board of Supervisors (BOS) approved a resolution designating the San Francisco County Transportation Authority (SFCTA) as the TIMMA. The purpose of TIMMA, as set forth in the Treasure Island Transportation Management Act of 2008 (State Assembly Bill 981), is to implement the TITIP.
- D. This MOU is intended to guide the parties as they carry out certain obligations related to implementation of the DDA, which DDA in turn is designed to implement the Project. Under the DDA, TICD has certain obligations-including building the infrastructure (such as the intermodal Transit Hub and ferry quay) making capital improvements, and providing operating subsidies described in this document, and as more particularly defined in the Infrastructure Plan and Financing Plan, both of which are attached to the DDA. Capitalized terms used in this MOU and not otherwise defined shall have the meanings set forth in these Recitals.
- E. The Project’s EIR included an evaluation of the adequacy of the transportation services proposed by the Project under two scenarios: a base transit scenario with more limited transit service and an alternative scenario with an expanded transit service program. The

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East Bay bus service operated by AC Transit would be the same in either scenario, and the EIR assumed that the Project would fund the purchase of nine new standard buses for use by AC Transit, as and when necessary, to provide new direct bus service to the Islands from two stops in downtown Oakland: (1) Broadway at 20th Street (19th Street BART Station and Uptown Transit Center) and (2) Broadway at 14th Street (12th Street Oakland City Center BART Station). The parties acknowledge that AC Transit may decide to offer additional service to the East Bay via the MacArthur BART Station or a similar location, although such services was not analyzed in the EIR.

F. Definitions: For the purpose of this MOU, certain words and terms used herein are defined as follows:

1. “AC Transit” is the Alameda-Contra Costa Transit District. AC Transit is an innovative, modern bus system, owned by the public of the East Bay. AC Transit’s mission is to provide safe, convenient, courteous, and reliable transit service. The District provides local bus transit service in 13 cities from Fremont to Richmond as well as regional express service to Downtown San Francisco. AC Transit previously operated the T line between the East Bay and San Francisco via Treasure Island.
2. “BOS” is the San Francisco Board of Supervisors.
3. “CCSF” is the City and County of San Francisco.
4. “CEQA” is the California Environmental Quality Act (Public Resources Code §§21000 *et seq.*), together with the State CEQA Guidelines (California Code of Regulations, Title 14 §§15000 *et seq.*), and Chapter 31 of the San Francisco Administrative Code.
5. “Conversion Act” is the California State Legislature adopted Assembly Bill 699, known as the Treasure Island Conversion Act of 1997.
6. “CTMP” is a Construction Traffic Management Plan prepared in accordance with EIR Mitigation Measure M-TR-1.
7. “DDA” is the Disposition and Development Agreement by and between TIDA and TICD, dated as of June 28, 2011. The DDA includes, among other exhibits, a Financing Plan, Infrastructure Plan, Transportation Plan Obligations, Schedule of Performance, and Developer Environmental Sustainability Obligations.
8. “East Bay Paratransit” is a consortium of BART and AC Transit for the purposes of providing services mandated by the Americans With Disabilities Act.
9. “EIR” is the Final Environmental Impact Report prepared for the Project pursuant to CEQA, and consists of the Draft Environmental Impact Report (“Draft EIR”) published by CCSF on July 10, 2010, and the Comments and Responses document published by CCSF on March 20, 2011, including revisions to the Draft EIR therein.

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10. “Fiscal Year” means AC Transit’s fiscal year, commencing on July 1 of each calendar year and ending on June 30 of the following calendar year.
11. “HOA Fees” are the fees that homeowners will pay for Master HOA activities including the mandatory purchase of a monthly transit pass for all non-low income residents.
12. “ICA” is the Interagency Cooperation Agreement between CCSF and TIDA dated for reference purposes as of June 28, 2011.
13. “Master HOA” is the Master Homeowners Association for the Project.
14. “MMRP” is the Project Mitigation Monitoring and Reporting Plan attached to the DDA as Exhibit C.
15. “NSTI” is the former Naval Station Treasure Island military base located on the Islands.
16. “OEWD” is the CCSF’s Office of Economic and Workforce Development.
17. “Operating Subsidy” or “Annual Operating Subsidy” is an amount equal to the cost of providing transit service less fare revenue and any other funds dedicated to this service. Annual operating subsidy will be estimated in advance of providing service and will be paid by TIMMA to AC Transit in quarterly payments in advance as agreed upon in the Operating Agreement. Actual operating subsidy will be reconciled based on actual service provided and fares and funding collected.
18. “Paratransit” refers to curb to curb transportation services provided to persons who are unable to utilize accessible fixed route service due to a disability, as defined by the Americans with Disabilities Act, also referred to as ADA.
19. “Project” is the Treasure Island/Yerba Buena Island Development Project, which generally includes: up to 8,000 new residential housing units, of which at least 25% will be made affordable to a broad range of very-low to moderate income households, the adaptive reuse of approximately 311,000 square feet of historic structures, up to approximately 140,000 square feet of new retail uses, 100,000 square feet of commercial offices space, 300 acres of parks and open space, up to 500 hotel rooms, and new or upgraded public facilities, including a joint police/fire station, a school, facilities for the Treasure Island Sailing Center and other community facilities. The proposed plan for redevelopment of NSTI contemplates the development of an intermodal transit terminal on the west side of Treasure Island which will serve as the on-island hub for transit services to Oakland and San Francisco.
20. “Schedule of Performance” is Exhibit JJ to the DDA, documenting the required timing for certain improvements under the DDA.
21. “SFCTA” is the San Francisco County Transportation Authority.

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22. “SFMTA” is the San Francisco Municipal Transportation Agency, the operating agency that provides MUNI and street operations services as approved in BOS Resolution 140224, approved by the BOS on April 1, 2014.
23. “Technical Advisory Committee” (TAC) is the advisory committee established by TIMMA to serve as a point of coordination between the transit operators and other transportation programs on the Islands, consisting of TIMMA staff, and staff representatives from key partner agencies including SFMTA, AC Transit, and WETA.
24. “TICD” is Treasure Island Community Development, LLC, the developer selected by TIDA and CCSF to carry out the Project.
25. “TIDA” is the Treasure Island Development Authority, a non-profit, public benefit agency dedicated to the economic redevelopment of NSTI. TIDA has the rights to administer Tidelands Trust property, and is the local reuse authority for purposes of the redevelopment and conversion of NSTI to productive civilian uses. TIDA also performs and administers vital municipal services for the residential and daytime population during the interim reuse of the former military base.
26. “TIMMA” is the Treasure Island Mobility Management Agency, also referred to in authorizing legislation, the DDA and related documents as the Treasure Island Transportation Management Agency. The creation of a Treasure Island transportation management agency was authorized by State Legislation in 2008 as part of AB 981 (“Transportation Authorizing Legislation”). The Transportation Authorizing Legislation authorized the San Francisco Board of Supervisors to designate a board or agency to act as the transportation management agency for Treasure Island and Yerba Buena Island. SFCTA was designated as the TIMMA in 2014. TIMMA is a separate legal entity currently staffed by SFCTA. The Transportation Authorizing Legislation authorizes TIMMA, among other duties, to establish parking fines, parking fees, and congestion pricing fees, and to collect all parking and congestion pricing revenues generated on-island to support the Project’s transit and transportation demand management programs, including the East Bay bus service described in this MOU. TIMMA will be responsible for contracting for East Bay bus service to be provided between Treasure Island and Oakland, including coordinating with AC Transit on setting routes and schedules, and subsidizing operating costs, in accordance with the terms of this MOU.
27. “TITIP” is the Treasure Island Transportation Implementation Plan, as adopted in June, 2011.
28. “Transit Hub” is the ferry quay/bus intermodal transit center.
29. “Treasure Island” or “Islands” is collectively Treasure Island and Yerba Buena Island, two islands located within the city limits of CCSF.
30. “WETA” is the Water Emergency Transportation Authority.

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AGREEMENT

1. Description of Physical Improvements. The physical improvements necessary for the commencement of transit services serving the Islands, including East Bay bus service, include intermodal transit hub facilities, layover and street improvements on Treasure Island as further described below:
 - 1.1 Intermodal transit hub facilities. The Infrastructure Plan attached to the DDA details the assumptions and conceptual level scope of work for the design, engineering and construction of the intermodal transit hub facilities. Excerpts from the Major Phase I Development Application addressing the construction of transit facilities are provided in Appendix I to this MOU. The transit hub, located along the Island's western shore, will also serve as a ferry and on-island shuttle terminal. The intermodal transit terminal will be designed to accommodate ticketing and passenger services, including providing covered waiting areas for transit passengers. Construction of the intermodal transit hub facilities are the responsibility of TIDA, and will be provided on behalf of TIDA by TICD pursuant to its obligations under the DDA, including but not limited to the Schedule of Performance.
 - 1.2 Layover. The Major Phase I development application details the assumptions and conceptual level of the bus layover zone that AC Transit and MUNI will share adjacent to the Job Corps property, as shown in Appendix I – Major Phase I Development Application. To provide slack and rest time and maintain schedule reliability, layover facilities for the AC Transit buses will be provided on both Treasure Island and in Downtown Oakland. On Treasure Island, buses share layover facilities with buses on the San Francisco service; while in Downtown Oakland, layover space could be shared with other existing routes or a new layover area could be designated. On the island, layover space shall be provided near the intermodal transit hub and on streets in the Island Center. TIDA is responsible for constructing the Treasure Island layover area pursuant to the DDA and the Schedule of Performance, while AC Transit will be responsible for any new layover facilities required in Oakland.
 - 1.3 Buses. There is currently no direct bus connection between the East Bay and Treasure Island. To initiate the new bus service to the East Bay under the proposed Project, TICD will fund the purchase of nine new standard buses, when and as necessary to provide service to the Islands. All buses will provide service on Treasure Island at the intermodal transit hub and make various stops on the island as detailed in Appendix II – Bus Stops on Islands.
 - 1.4 Facility Standards. All streets, bus stops and other facilities on the Islands which will be served by AC Transit will be designed to meet AC Transit's design standards for transit operation. All accessibility requirements will be met at all transit stops and facilities as required under the Americans With Disabilities Act.

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2. Phasing and Schedule of Performance. Infrastructure for the Project, including the transportation improvements necessary to establish the service that is the subject of this MOU, will be built by TICD on behalf of TIDA, in accordance with the terms of the DDA and the Schedule of Performance. The transportation improvements required for establishment of East Bay service are anticipated to be constructed in the first Major Phase and will be complete prior to the commencement of East Bay bus service.
3. Initial Service Plan Assumptions. The highest demand is anticipated during weekday peak period commute times. Initially, service may be less frequent, and over time peak period headways could be altered to provide sufficient capacity to meet demand. Mid-day and weekend service may be less frequent commensurate with demand. AC Transit, in coordination with TIMMA, will adjust service schedules and routes to meet actual ridership demands as the Project is built out and travel behavior changes over time.
 - 3.1 Headways. The Project's land use plan and development pattern is centered on transit, and prioritizes walking and cycling on Treasure Island. To be effective, transit service must be reliable and frequent. Weekday service will be offered at least every 30 minutes throughout the service day. As ridership increases, TIMMA will fund increased service frequency with peak period service offered as often as every 10 minutes during weekday peak periods based on demand and available revenues to support service. AC Transit, in conjunction with TIMMA, will review service provision annually as described in Section 7.4, concurrent with the drafting of each Operating Agreement and calculation of each Operating Subsidy and adjust headways as necessary to accommodate demand and budgetary constraints. On Saturdays and Sundays, buses are expected to leave the island every 30 minutes throughout the service day.
 - 3.2 Operating hours. AC Transit buses are assumed to initially operate between 5:00 am and 10:00 pm on weekdays with potential service adjustments as ridership demands. Weekend service needs may be different than weekdays, and service spans and frequencies will be reviewed at least annually to accommodate actual service demand.
 - 3.3 Paratransit Service. Residents of Treasure Island requiring paratransit services mandated by the Americans with Disabilities Act will be considered to be within the jurisdiction of SFMTA and will receive paratransit services from SFMTA. Eligible passengers coming to Treasure Island from East Bay destinations within the AC Transit service area boundaries for ADA services will receive ADA Paratransit services to the extent required by law from the East Bay Paratransit Consortium acting as the agent of AC Transit. In its capacity as the East Bay Paratransit Consortium lead, AC Transit will be fully compensated for all invoiced East Bay Paratransit trips to and from the East Bay, at a rate to be determined in the Operating Agreement.
4. Service Interruption Contingencies. Service interruptions may result from scheduled maintenance, or from unscheduled events such as vehicle failure or natural disasters. The

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following describes contingency plans for both scheduled and unscheduled interruptions in service.

- 4.1 Scheduled Maintenance. AC Transit is charged with regularly servicing the fleet, in line with standard industry practice, to avert unscheduled disruptions to transit service. AC Transit is responsible for ensuring that minimum service levels continue to be provided during fleet or facility maintenance activities by utilizing AC Transit's system wide spares as available. TIDA will provide or cause TICD to provide spare vehicles based on AC Transit's 20% spare guideline. The total number of vehicles to be provided per operating phase are shown in Appendix III – Fleet Procurement Schedule. AC Transit will be responsible for providing sufficient vehicles to ensure maintenance of service during scheduled outages of the primary fleet for routine maintenance and other needs.

All planned reductions in service will be noticed to TIDA and the TIMMA a minimum of 90 days in advance of the scheduled service change. TIMMA and AC Transit will coordinate efforts to post information in the intermodal transit terminal, on buses, and via other media as available to inform East Bay bus riders of any planned service interruption or reduction as well as alternate services and routes available for transit.

- 4.2 Unplanned Service Interruptions. AC Transit and TIMMA will meet to review AC Transit's established procedures for dealing with unplanned service disruptions and will establish policies for service interruptions that are consistent with AC Transit's practices, including roles and responsibilities for assisting passengers in the event of an unexpected service interruption. In the event that the East Bay bus service is unexpectedly interrupted, AC Transit will inform TIMMA, who will notify and coordinate with SFMTA and WETA to ensure that adequate alternative transportation can be provided. AC Transit will follow existing procedures for informing the 511 Transit Information line and all relevant media outlets so that information can be quickly and widely disseminated. AC Transit staff will direct passengers in Oakland on how to connect to alternative transportation services connecting to Treasure Island via mainland San Francisco.

The cost of unplanned service interruptions will be credited to TIMMA's quarterly service subsidy payment owed.

5. Bus Procurement Process

- 5.1 Design and type selection process. The Parties anticipate that AC Transit will operate standard 60-foot commuter coaches (or an equivalent high-capacity bus) on the proposed East Bay bus service. The buses will have approximately 52 seats, but could accommodate additional passengers (as standing passengers) on individual runs if demand exceeds the seated capacity of the coach. All vehicles will be designed to AC Transit's specifications for Transbay buses at the time of procurement. Vehicles will be designed to meet the requirements of the Americans with Disabilities Act (ADA), applicable air quality regulations, and all other

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applicable regulations pertaining to transit operations. The parties will explore specification of clean fuel / zero emission vehicles (ZEVs). Final vehicle specifications will be detailed in a Procurement Agreement between AC Transit and TIMMA, to be executed no later than 24 months prior to the start of services.

At full build out of the Project, the East Bay bus service will have a peak transit vehicle demand of seven coaches. After applying AC Transit's guideline of an additional 20% of the peak transit vehicle demand to serve as an active spare fleet to accommodate routine maintenance needs or supplementary service in case of breakdowns or service disruptions, an additional two coaches will be required, bringing the total fleet requirements for the East Bay bus service to nine coaches. Figure 1 in Appendix III – Fleet Procurement Schedule estimates the timing of fleet procurement for the East Bay/Treasure Island service. Actual fleet size and timing of procurement will be determined in response to ridership demand and specified in the Procurement Agreement, to be executed no later than 24 months prior to the start of services.

- 5.2 Terms of Purchase. TIMMA will coordinate funding through TICD and the available operating funds for the full cost of purchasing nine new standard 60-foot commuter coaches for the East Bay bus service. AC Transit estimates standard 60-foot commuter coach costs to be approximately \$800,000 each in 2017 dollars. AC Transit estimates ZEV bus costs to be approximately \$1.1million each in 2017 dollars. Standard buses may be purchased by AC Transit using AC Transit procurement policies and paid for by TICD. The incremental cost of ZEVs requires additional grant funding; AC Transit and TIMMA agree to develop a joint grant funding application strategy for the incremental costs of ZEVs, as described in Appendix IV, Potential ZEV Funding Sources.

These vehicles are intended to become part of AC Transit's Transbay bus fleet and will be replaced by AC Transit on a schedule set by AC Transit and the region for bus replacement. AC Transit will own all vehicles procured for Treasure Island service, provided AC Transit continues to provide Treasure Island/East Bay transit service for the useful life of any bus procured for this purpose, assumed to be 12 years.

If for any reason, AC Transit and TIMMA are unable to develop an appropriate and mutually agreeable service plan and reimbursement schedule for the Treasure Island/East Bay bus service during the useful life of buses paid for by TIDA, TICD or TIMMA, or if AC Transit is not able to provide the service levels specified in the Operating Agreement, AC Transit shall transfer such buses to TIMMA.

- 5.3 Schedule of procurement. Because bus procurement lead times can exceed two years, TIMMA, together with its partners TICD and TIDA, will work with AC Transit to ensure that adequate buses are available for opening day of service. The current service plan estimates that three (3) buses will be required for initial service levels (two in service, one spare), with the remaining six (6) buses phased in over time, per Appendix III – Fleet Procurement Schedule. No later than 24 months prior

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to the start of services, TIMMA and AC Transit will execute a Procurement Agreement to codify the procurement process and financial agreements needed to obtain the buses required for initial service levels.

In the event that new buses are not available in time for opening day service both parties will explore the use of existing AC Transit rolling stock if available. AC Transit will not be required to disrupt regular service to provide vehicles for the Treasure Island/East Bay service. As ridership demand warrants, additional buses will be procured when and as necessary to provide the anticipated level of service. It is not yet agreed upon which agency would procure these prospective future buses. Should demand increase during the peak periods, TIMMA and AC Transit will work together to determine whether additional buses are required, above the nine TICD funded buses, and to identify potential funding sources for their procurement. The estimated time of bus procurement is shown in Appendix III – Fleet Procurement Schedule.

- 5.4 Procurement Policies. TIMMA and AC Transit shall comply with all applicable laws, policies, regulations and requirements related to the use of supplemental funding sources used to acquire vehicles for this project.

6. Facilities Design

- 6.1 Design guidelines and design review process. As described in Section 2 above, TIDA is responsible for funding and constructing the transportation improvements that are more particularly described below. Excerpts from the Treasure Island Major Phase I Development Application describing these improvements are detailed in Appendix I – Major Phase I Development Application.

6.1.1 Transportation facilities. (roadways, bus stops, loading bays, and layover locations). Providing speedy and reliable access for buses to and from the Bay Bridge is critical to ensuring the viability and attractiveness of transit and reducing overall automobile use on and off the Islands. However, limitations on ramp and bridge mainline capacities can conflict with this need to provide high-quality transit, as buses must generally share the road with other automobiles. A special “queue jump” phase will be installed with the traffic signal near the intermodal transit hub to prioritize bus access to and egress from Treasure Island Road. In addition, under certain circumstances, EIR mitigation measure M-TR-24 will require a bike lane to be converted for bus only use, providing a bus-only travel lane for approximately 0.5 miles between the intermodal transit hub and the westbound on-ramp on the west side of Yerba Buena Island. AC Transit buses would have to merge into mixed-flow travel lanes for approximately one-third of a mile to reach the eastbound on-ramp if this mitigation measure is implemented. TIMMA will work with AC Transit staff to develop additional measures, including additional queue jump controls to improve the speed and reliability of AC Transit’s approach to the Bay Bridge to be

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implemented in concert with EIR Mitigation Measure M-TR-24, to the extent any such measures are determined to be feasible and practical.

- 6.1.2 Alighting stops. Alighting stops are to be provided immediately east of the Palm Drive and Clipper Cove Avenue intersection (on the south side of Clipper Cove Avenue) and immediately north of the Avenue D and Clipper Cove Avenue intersection (on the east side of Avenue D). A single boarding stop will be provided directly outside the intermodal transit hub on the west side of Palm Drive. All stops will be designed to AC Transit's operating standards and will meet all clearances required by the Americans With Disabilities Act. All bus stops will be designed to be safe and considerate of adjacent pedestrian crossings. AC Transit will not be responsible for maintenance of the bus stop amenities or the roadway surrounding bus stops.
- 6.1.3 Bus Stops. Bus stops at the intermodal transit hub shall be sufficient to stage two AC Transit buses at any one time; one loading bay and one layover bay. Two separate bays will be provided for MUNI buses. All stops will be designed to AC Transit's operating standards and will meet all clearances required by the Americans With Disabilities Act.
- 6.1.4 On-time schedule performance. To facilitate on-time schedule performance, layover facilities for the East Bay bus service shall be provided on both Treasure Island and in Downtown Oakland, as further described in Section 1.2. The layover area on Treasure Island, to be shared by AC Transit and MUNI, will include operator rest room facilities either at or adjacent to the layover location. On-time schedule performance goals will be identified in the Operating Agreement.
- 6.1.5 Fueling/maintenance facilities. No fueling or maintenance facilities will be provided on the Islands. AC Transit expects to use existing fueling and maintenance facilities to service buses providing service to the Islands. The closest existing AC Transit maintenance facility is Division 2 in Emeryville, near San Pablo Avenue and 47th Street. AC Transit and TIMMA agree to evaluate the use of electric buses for the Treasure Island service which may require the installation of electric charging stations at the layover facility. Grant funding applications for ZEV costs, described in Appendix IV, should include the costs of electric charging infrastructure.
- 6.1.6 Passenger amenities. (shelters, benches, restroom facilities, wayfinding and real-time passenger information) will be designed, funded and installed by TICD in consultation with TIMMA and TIDA. In general, both boarding and alighting stops will be designed with canopies or other shelter-type features to protect passengers from inclement weather, provide shade, and enhance comfort and safety at bus stops. Bus loading stops shall be equipped with other passenger amenities and safety features, including benches and adequate lighting. In consultation with TIDA and TIMMA,

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TICD will also be responsible for designing, funding, and installing transit wayfinding signs, in coordination with other Project wayfinding initiatives. AC Transit will not be responsible for maintenance of any new infrastructure unless specifically stipulated in a separate agreement. Bus shelters at loading locations should be designed to incorporate real-time traffic information displays, including projected arrival time of the next bus, traffic updates route, schedule and fare information, stop ID, and network map. All passenger information will conform to regional standards as determined by MTC and the Islands' Transit Operators. AC Transit will meet and confer with TIMMA and the other transit operators at regular Technical Advisory Committee Meetings to ensure maximum coordination between the operators and consistency in the look and feel of passenger information.

- 6.1.7 Restroom facilities. Restroom facilities at the intermodal transit hub shall be open to the public and conform to the San Francisco Building Code and ADA requirements.

7. Financial Commitments

- 7.1 Funding Framework. An underlying principle of the Project is that it be financially feasible. This principle is carried through to the Transportation Implementation Plan and specifically to the provision of East Bay bus service. An explicit goal of the East Bay bus service program is that it be financially feasible both in terms of upfront capital costs and long term operations. The Treasure Island-East Bay Transit service is intended to be funded through TIMMA / TICD contributions, passenger fares, transit pass purchases, incremental new federal formula funds associated with the new TI route, and grant funds. At no point will AC Transit be required to provide services that divert resources from its general fund. The parties agree to jointly advocate for ZEV vehicles and charging infrastructure in the FY 17/18 timeframe. Appendix IV identifies potential sources of grant funds for ZEV vehicles and charging infrastructure.
- 7.2 Funding for Capital Improvements. TIDA is responsible for constructing or causing TICD to construct the transportation improvements, in accordance with the terms of the DDA and the Schedule of Performance.
- 7.3 Funding for AC Transit Operating Costs.
 - 7.3.1 TIMMA Funding for East Bay Bus Service. Subject to availability of funds, TIMMA agrees to provide AC Transit an operating subsidy sufficient to cover the net operating costs associated with the East Bay Bus Service, which equals gross operating costs after accounting for revenue from fares collected by AC Transit (the "AC Transit Operating Subsidy") and operating funding received from other non-AC Transit sources. Fare revenue attributed to this line will be determined using a mutually agreeable methodology to be finalized before the start of service and included in the

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Operating Agreement. The amount of the AC Transit Operating Subsidy required for a coming year will be set during the annual budgeting process between AC Transit and TIMMA, as further described below. Detailed transit service planning including the development of initial service schedules and operating costs is anticipated to be completed in 2017. The recommended service plans, operating costs and funding assumptions for this service will be included in a TIMMA/AC Transit Operating Agreement anticipated to be executed no later than 12 months prior to the start of services.

7.3.2 Availability of Operating Subsidy and Service Levels. The AC Transit Operating Subsidy will be paid by TIMMA using the funding available to TIMMA which includes but is not limited to, on an interim basis, funding from TICD based on an annual schedule of payments, and on a long-term basis, revenues from commercial and on-street parking and congestion pricing. TIMMA will budget, at a minimum, enough AC Transit Operating Subsidy in each year to operate the minimum level of service. Service levels over time will be determined in partnership with AC Transit and will be dependent both on changes in demand and on available funding for additional service. AC Transit may adjust schedules, reduce headways or make additional changes to provide a financially sustainable East Bay bus service, with the prior written approval of TIMMA. To maintain a consistent level of service, service level changes are not anticipated during a given Fiscal Year. In any event, if service level changes are warranted and agreeable to both TIMMA and AC Transit, they may be implemented no more often than once during the Fiscal Year, and only with extensive public involvement and public information. If projected operating costs exceed the Project's available AC Transit Operating Subsidy, TIMMA and AC Transit will meet and confer to determine appropriate service level adjustments and/or identify additional outside funding sources available to maintain optimal service levels.

7.4 Budgeting Process.

7.4.1 Estimate of First Year Subsidy. The amount of the subsidy to be paid to AC Transit by TIMMA will be calculated annually as part of the budget process based on agreed upon service levels and operating assumptions. AC Transit and TIMMA will meet and confer at least 12 months prior to the start of service to finalize schedules, costs and AC Transit Operating Subsidy requirements for the initial service year.

The amount of the subsidy to be paid to AC Transit by TIMMA will incorporate incremental federal formula funding for maintenance received by AC Transit as a result of the TI line. TIMMA's subsidy owed will be credited for the amount of additional maintenance and operations formula funding received by AC as a result of the TI line.

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TIMMA reserves the right to audit the AC Transit Annual Operating Subsidy and unit operating and maintenance costs.

- 7.4.2 Payment of Subsidy for First Year of Service. TIMMA will pay AC Transit in advance of the first day of service, an amount equal to one fourth of the calculated annual subsidy required to operate the Treasure Island -East Bay service for the first year of service. TIMMA will advance operating subsidy payments to AC Transit in four equal payments on a schedule that is mutually agreed upon in the annual Operating Agreement. Actual subsidy required will be reconciled with actual fare revenues within 90 days of the close of the Fiscal Year after the completion of the first year of service. Actual subsidy required will credit any unplanned service interruptions to TIMMA.
- 7.4.3 Fares. The parties anticipate that the fare for this service will be set at the standard AC Transit Transbay fare, less any surcharges not applicable to this route. The AC Transit Board of Directors has the legal authority to set fares for the East Bay bus service. Given the unique partnership of AC Transit with TIMMA, the two agencies agree to meet and confer no less than annually, according to the timeframe described in Section 7.4.5, prior to the upcoming Fiscal Year to establish recommended schedules and fares for East Bay bus service in the coming year. Fare recommendations from AC Transit and TIMMA staff must be formally adopted by the AC Transit Board of Directors and by the TIMMA Board of Commissioners. Should the AC Transit Board of Directors adopt alternative fare schedules which impact the amount of revenue collected by AC Transit, TIMMA and AC Transit may be required to adjust service levels, service frequencies or service spans to ensure that adequate subsidy is available to operate the service. AC Transit and TIMMA will review all proposed bus schedules, fare levels and anticipated AC Transit Operating Subsidy requirements each year, and agree to adopt schedules based on a budget adopted by both agencies to their mutual satisfaction.
- 7.4.4 Other Funding Sources. TIMMA and AC Transit will cooperate to reduce the AC Transit Operating Subsidy requirements by working together to identify and secure additional regional state and federal funding sources. TIMMA and AC Transit agree to jointly seek funding from all available external sources and to support each other in developing mutual strategies for increasing funding from all available external sources for both capital and operating needs. Funding from these sources may be applied to capital and operating costs as applicable. It is assumed that residents on Treasure Island will be required to add value to a Clipper Card as part of their HOA Fees. TIDA and TIMMA intend to work with the Islands' transit providers and MTC to determine whether retained unused value on Clipper cards that are purchased under the Treasure Island HOA agreement can be captured to apply to island transit service. Funding from this source or any other sources applicable to the Treasure Island/East Bay service will be considered in the

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annual budget reconciliation process and may impact the amount of subsidy required by TIMMA to operate service.

- 7.4.5 Annual Reconciliation of Costs and Revenue. AC Transit and TIMMA will meet annually beginning in October of each calendar year to review the actual costs (based on scheduled service hours) and revenues from the prior service year. A “service year” will coincide with the Fiscal Year. Actual costs, revenues and subsidies from the prior service year will be reconciled based on actual experience. Any deviations from assumed fare revenue (higher or lower than projected) and scheduled service hours (higher or lower than expected) and/or any unanticipated costs or revenue approved during the Fiscal Year will be reconciled, and any additional cost or credit will be rolled into the budget for the subsequent year. The rate per revenue service hour will be set by contract and will not be adjusted after a service year has begun.
- 7.4.6 Ownership of Data. AC Transit will be solely responsible for collecting and reporting data to TIMMA regarding passenger boardings, load factors and fare revenue, in a format and following a timeframe that is mutually agreeable to the parties. Riders boarding the East Bay/TI service will be considered AC Transit riders and their fares will be considered AC Transit fares for purposes of National Transit Database (NTD), and any and all external reporting.
- 7.4.7 Budgeting for Future Service. Revenues and subsidy requirements for the coming service year will be determined based on a proposed operating schedule, estimated fare revenue, estimated revenue from other sources and operating subsidies to be provided by TIMMA. This data will be utilized in determining Project subsidy requirements for the upcoming year of operations.

TIMMA and AC Transit will meet at least annually, beginning no later than nine months prior to any proposed change in service level or subsidy requirement. AC Transit and TIMMA will review all proposed bus schedules, fare levels and anticipated AC Transit Operating Subsidy requirements each year, and agree to adopt schedules based on a budget adopted by both agencies to their mutual satisfaction. Service levels may be adjusted annually by mutual agreement as needed to ensure that TIMMA can fully cover the cost of service. AC Transit will not be required to fund Treasure Island transit services through general fund revenues.

- 7.4.8 Budget Adoption. The TIMMA Board of Commissioners and the AC Transit Board of Directors will each independently adopt the budget for operations of the East Bay bus service on an annual basis. The budget will include information about the amount of service to be operated, the schedule of service to be provided, the number of buses to be procured and in operation and the expected revenue from all sources including fares. In the

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unlikely event that the two agencies cannot develop a mutually agreeable funding level, buses procured by TIMMA will be returned to the agency in good working order, and all agreements between the two agencies will be voided with a minimum of 180 days' notice. Either TIMMA or AC Transit may take an action to terminate the Operating Agreement with a minimum of 180 days' written notice.

- 7.5 Payment of AC Transit Operating Subsidy. TIDA/TIMMA agree to pay the estimated AC Transit annual operating subsidy in four quarterly payments. Payments will be made to AC Transit no later than the first day of each quarter throughout the Fiscal Year an amount equal to one fourth of the estimated AC Transit Operating Subsidy requirement for the coming Fiscal Year. This amount will be adjusted based on the reconciliation of costs and fares from the prior Fiscal Year as described above.
- 7.6 Design and Engineering. The Project and the DDA contemplate that the design and engineering of the transportation improvements shall be conducted by TICD and overseen by TIDA with input from AC Transit.
- 7.7 TICD Obligations. As the master developer for the Project, TICD, pursuant to the DDA, Infrastructure Plan, and TITIP, is responsible for designing and engineering the transportation improvements to TIDA-approved specifications. In approving designs for intermodal transit hub improvements, TIDA will consult with AC Transit, and separately consult with SFMTA, WETA, and TIMMA.
- 7.8 TIDA Roles and Responsibilities. TIDA is responsible for supporting TICD in the design of applicable transportation improvements to the standards established in consultation with AC Transit. Within five (5) working days after TIDA's determination that the applicable Major Phase or Sub-Phase Application containing the intermodal transit hub improvements is a Complete Application or within five (5) working days after the date that such Application is deemed Complete, TIDA staff shall submit such Complete Major Phase or Sub-Phase Application, or applicable portions thereof, to AC Transit for review and comment.
- 7.9 AC Transit Roles and Responsibilities. Within thirty (30) days from AC Transit's receipt of a Complete Major Phase or Sub-Phase Application from TIDA, AC Transit shall use commercially reasonable efforts to complete its review of each Complete Major Phase or Sub-Phase Application, or applicable portions thereof. AC Transit's review will focus on applicable components of the transportation improvements within that Major Phase or Sub-Phase Application in order for AC Transit to provide review and comment on operational and design considerations.
8. Construction. The construction of the applicable transportation improvements shall be conducted by TICD and overseen by TIDA, with input from AC Transit as and to the extent appropriate.

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- 8.1 TICD Obligations. As the master developer for the Project, TICD, pursuant to the DDA, Infrastructure Plan, and TITIP, is responsible for constructing the transportation improvements that support the East Bay bus service. TICD will manage the construction of the transportation improvements and will be responsible for their timely construction in accordance with the Schedule of Performance.
- 8.2 TIDA Roles and Responsibilities. TIDA will oversee TICD's construction of the transportation improvements. CCSF, acting by and through its Department of Public Works' Bureau of Construction Management, will inspect and approve the improvements for acceptance by CCSF. TIDA will provide full cooperation and coordination with AC Transit to ensure minimal disruption to operations during construction. EIR Mitigation Measure M-TR-1 requires that TICD prepare a construction traffic management plan. The plan will be required, in part, to address the effects of construction on transit operations. TIDA will consult with AC Transit during its review of the plan. It is intended that any increases in operating costs due to construction will be passed through to TIMMA as part of the annual reconciliation process.
- 8.3 AC Transit Roles and Responsibilities. During construction, TIDA, in its capacity of inspecting work in progress of the applicable transportation improvements that support the East Bay bus service, shall consult with AC Transit as necessary, to provide an opportunity for review and input regarding conformance with approved plans and specifications.
9. Ownership, Operations and Maintenance of the Transportation Improvements. Upon completion and acceptance by CCSF and TIDA, the transportation improvements on the Islands described in this MOU shall be owned and maintained by either CCSF or TIDA, as applicable.
10. Special Events. From time to time, special events may occur on the Islands that require event-specific transportation arrangements. All special events will be required to register with the TIMMA or TIDA, and will be required to provide a detailed transportation plan for the event, including costs and revenues to support added service. TIMMA staff will meet with the event transportation coordinator and AC Transit staff a minimum of 90 days prior to any significant event to finalize transportation needs including additional transit service for the event. Funding for any added bus service required or requested for a special event will be entirely the responsibility of the event operator, and such service will be offered to the extent feasible through AC Transit's then-existing fleet, facilities, charter regulations and personnel.
11. Emergency Response Plan. TIMMA will coordinate with AC Transit's Safety and Security services to develop an emergency response plan consistent with regional mutual aid agreements for transit operators established by MTC.
12. Modification or Termination of This MOU. This MOU will remain in effect unless it is terminated or replaced by a contract for service (an Operating Agreement). The MOU may be amended as necessary, subject to the mutual approval of both the AC Transit Board of

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Directors and the TIMMA Board of Commissioners. AC Transit and TIMMA each retain the right to terminate this agreement for any reason with 30 days' notice.

Signature Page

Appendices Table

Appendix I – Major Phase I Development Application

Appendix II – Bus Stops on Islands

Appendix III – Fleet Procurement Schedule

Appendix IV – Zero Emission Vehicle and Charging Infrastructure Grant Sources

Appendix I

Major Phase I Development Application

3.2.4 TRANSIT NETWORK

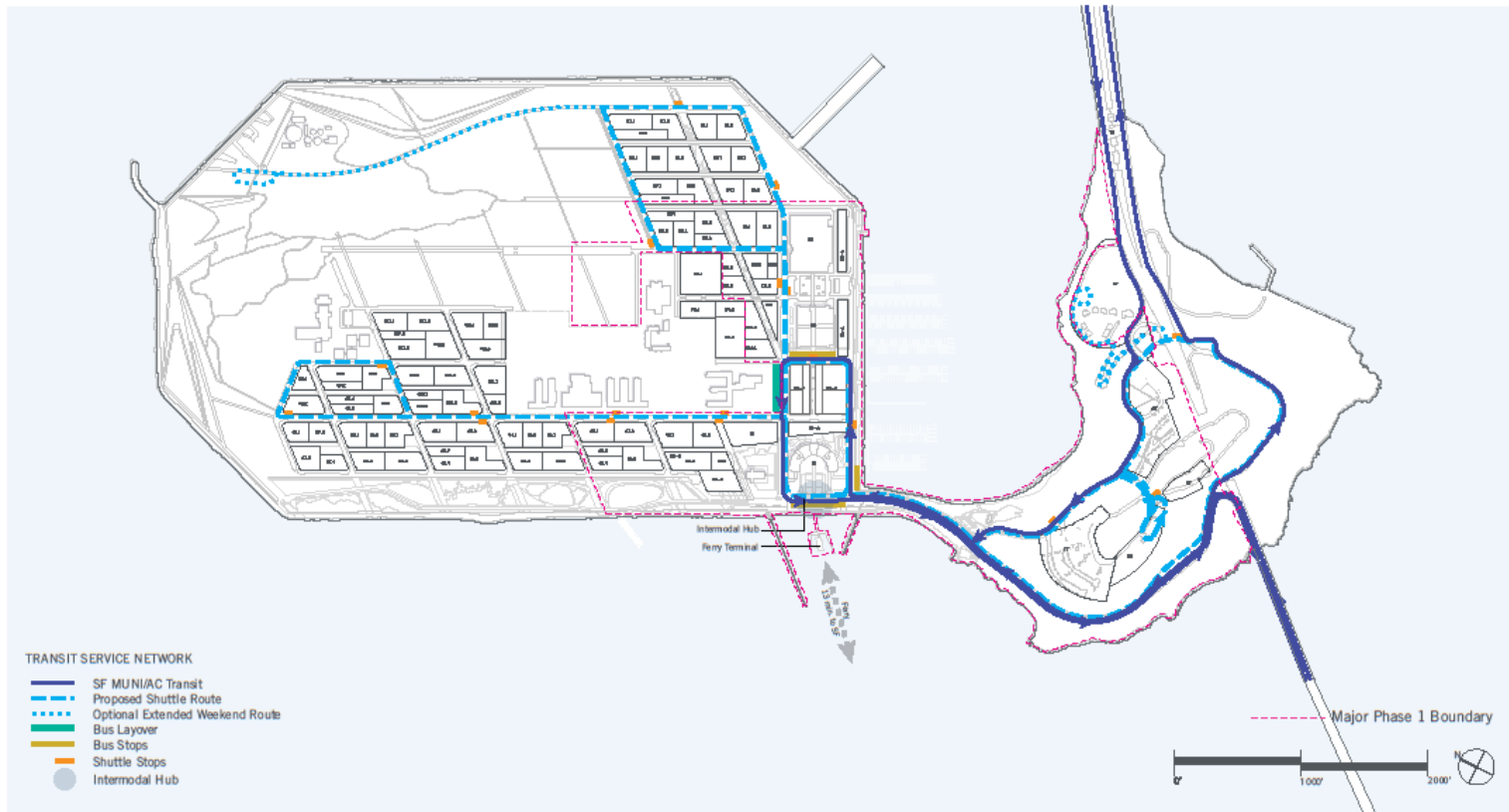


FIGURE 3.4 TRANSIT NETWORK SITE PLAN

Appendix II Bus Stops on Islands

3.3 INTERMODAL TRANSIT HUB

The Design for Development's strategy for compact development includes creating an intermodal transit hub on Treasure Island's southwest corner, which is the location of its most buildable site and its single point of access by land.

Both Muni and AC Transit buses will operate in a one-way clockwise manner through the Intermodal Transit "Loop", moving north from the TI Road Causeway, taking a right on Clipper Cove Avenue, a left on Avenue D, moving west on California Avenue, before stopping at Palm Drive and re-entering the Causeway. Bus stops are located on Clipper Cove Avenue near the TI Road Causeway intersection and on Avenue D near the Clipper Cove intersection. Buses will have the opportunity to layover on the south side of the Job Corps on California Avenue to recalibrate their arrival schedule before picking up passengers on the south side of Palm Drive. This location is currently planned as the only pick-up stop for Muni and AC Transit buses on the Island and a generous bus shelter will be provided here for the comfort and convenience of passengers.

The Treasure Island Shuttle circulates in the same direction around the Intermodal Transit "Loop" as the buses, however there is no layover zone for the shuttles. Both stop locations on Avenue D (near California Avenue) and on Palm Drive will accommodate pick-up and drop-off. Two additional shuttle "loops" connect residents in both the Cityside and Eastside neighborhoods and sixteen total stops are planned for the island – each including a transit shelter. The Treasure Island shuttle will be managed by the Treasure Island Mobility and Management Authority (TIMMA) and the specific shuttle vehicle will be determined in the future along with the detail of the shelter designs.

Through an extensive and collaborative process between the Treasure Island Interagency Streets Working Group and the design team, advances have been made to the Intermodal Transit Hub

since the Design for Development. Those improvements primarily improve bicyclist safety by reducing bus conflict on California Avenue and Palm Drive. Cyclists traveling west-bound on the California Avenue 81 block and south-bound on Palm Drive have been removed from the street and now travel through a two-way cycle track south of the Cultural Park and through a one-way cycle track east of the Ferry Shelter. Connections to these cycle tracks at both the Cityside Waterfront Park and the Treasure Island Road Causeway will be developed in future phases of the Open Space Plan to ensure both cyclist and pedestrian safety.

- INTERMODAL BARRER BUS LANE
- BUS STOP / DROP OFF
- BUS LAYOVER
- BUS STOP / PICK UP
- SHUTTLE STOP
- POTENTIAL TOUR BUS LOADING
- TRAVEL LANE
- PARKING / LOADING
- EMPLOYEE LOADING / POTENTIAL PARKING
- BIKES BBS
- BIKE LANE
- BUS TRAFFIC DIRECTION

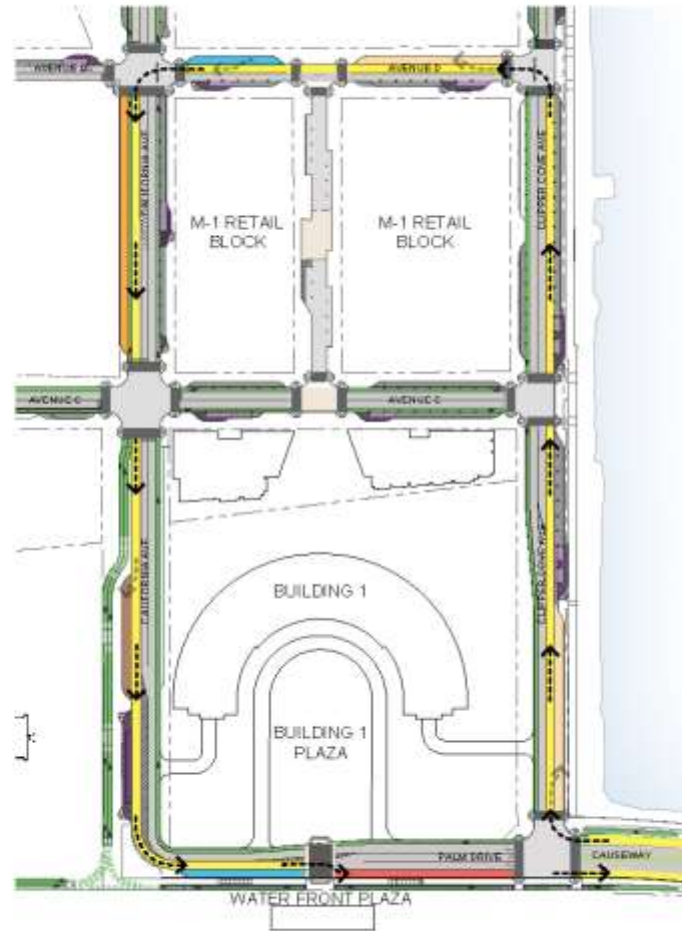


FIGURE 3.5 INTERMODAL TRANSIT HUB

Appendix III

Fleet Procurement Schedule

Treasure Island Transit Capital Needs

AC Transit East Bay Bus Service

There is currently no direct bus connection between the East Bay and Treasure Island. The Treasure Island Transportation Implementation Plan (TITIP) calls for new direct service between Treasure Island and downtown Oakland. At full buildout this route will operate at 10 minute headways.

TIMMA and AC Transit are currently coordinating transit service planning for the new line. It is anticipated that three 60' buses will be needed when service is initiated in 2019. At full buildout, a total of nine buses will be required. The following table shows the anticipated bus procurement schedule.

	2019	2021	2024	2026	2027	2029	2032
New Bus Purchases	3	1	1	1	1	1	1