



# Memorandum

**Date:** June 11, 2018  
**To:** Treasure Island Mobility Management Agency Board  
**From:** Eric Cordoba – Deputy Director for Capital Projects  
**Subject:** 06/19/18 Committee Meeting: Authorization for the Executive Director to Accept on TIMMA’s Behalf All Interests in Real Property

<p><b>RECOMMENDATION</b>   <input type="checkbox"/> Information   <input checked="" type="checkbox"/> Action</p> <p>Adopt a resolution authorizing the Executive Director to accept all real property interests on TIMMA’s behalf.</p> <p><b>SUMMARY</b></p> <p>Treasure Island Development Authority (TIDA), the owner of the land along Macalla Road where the Treasure Island Mobility Management (TIMM) Program tolling hardware will be located, must grant TIMMA an easement allowing for the installation and maintenance of the equipment. Adoption of this resolution will authorize TIMMA to accept this and any additional easement that will be needed to allow TIMMA to engage in construction and operations.</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: _____</li> </ul>
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**DISCUSSION**

**Background.**

The Treasure Island Transportation Management Act (Assembly Bill (AB) 981 (2008); AB 141, (2014)) authorizes the implementation of a congestion pricing toll project on Treasure Island and Yerba Buena Island (YBI). As part of the congestion pricing program for the Treasure Island development, TIMMA will implement and operate a toll system that will charge drivers leaving and entering YBI from the San Francisco-Oakland Bay Bridge. Preliminary toll system engineering work has been completed and TIMMA will be procuring services for a Toll System Integrator in Fiscal Year 2018/19 to finalize the system design and to install, test and maintain the toll system.

The toll system will include tolling gantries and other hardware within portions of YBI along Macalla Road that are subject to the public trust pursuant to the Treasure Island Public Trust Exchange Act (Senate Bill 1873 (2004)). Since the toll system hardware is not strictly a permitted use under the public trust doctrine, TIDA, the fee owner of the land where this tolling hardware will be located, must grant TIMMA a public utility easement allowing the installation and maintenance of the hardware in the locations shown in Exhibit A. TIDA has recently conveyed similar utility and right-of-way easements to the San Francisco Public Utilities Commission and the San Francisco Public Works, and some additional toll system hardware will be installed within those easement areas pursuant to encroachment permits or other agreements.

## Agenda Item 5

California Government Code Section 27281 provides that instruments conveying an interest in or easement upon real property to a governmental agency may not be recorded without the consent of the grantee evidenced by a resolution or certificate of acceptance. Government Code Section 27281 also provides that a governmental agency may adopt a general resolution authorizing one or more officers to accept instruments conveying an interest in or easement upon real property by executing a certificate of acceptance rather than adopting separate resolutions each time the governmental agency needs to accept a real property interest.

### **Next Steps.**

The TIMMA Board will be requested to adopt Resolution 18-04 at its June 26 meeting, which is included as Exhibit B, which would authorize the Executive Director to accept on TIMMA's behalf all interests in real property as required by Government Code Section 27281. Adoption of this resolution will allow TIMMA to accept the currently offered easement which is required for TIMMA to utilize public trust land for the construction and operation of the toll system. Access to the public trust land is required so that TIMMA can proceed with the final design, installation, testing and operation of the toll system. This resolution will also allow TIMMA the flexibility to accept any additional real property interests that are offered relating to future TIMMA activities without the need to bring the matter to the TIMMA Committee and Board.

### **FINANCIAL IMPACT**

The recommended action would not have an impact on the amended Fiscal Year 2017/18 or proposed Fiscal Year 2018/19 budgets.

### **SUPPLEMENTAL MATERIALS**

Attachment 1 – TIDA / Public Trust Easement Locations

Attachment 2 – Draft Resolution Authorizing the Executive Director to Accept Real Property Interests

**TREASURE ISLAND**

**TREASURE ISLAND MOBILITY MANAGEMENT AGENCY**  
**ATTACHMENT 1**  
**TIDA / Public Trust Easement Locations**

**Off-ramp from Oakland**

**On-ramp to San Francisco**

**Conduit and communications to toll system host on Treasure Island.**

**On-ramp to Oakland**

**Southgate Road**

**Macalla Road**

**Off-ramp from San Francisco**

**Potential location for toll system host at Naval Quarters 8.**

**Treasure Island Road**







**YERBA BUENA ISLAND**

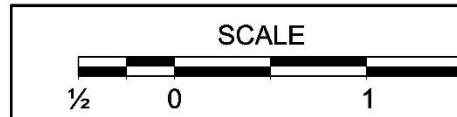
**Hillcrest Road**

**On-ramp to San Francisco**

**Off-ramp from San Francisco**

**LEGEND/ABBREVIATIONS**

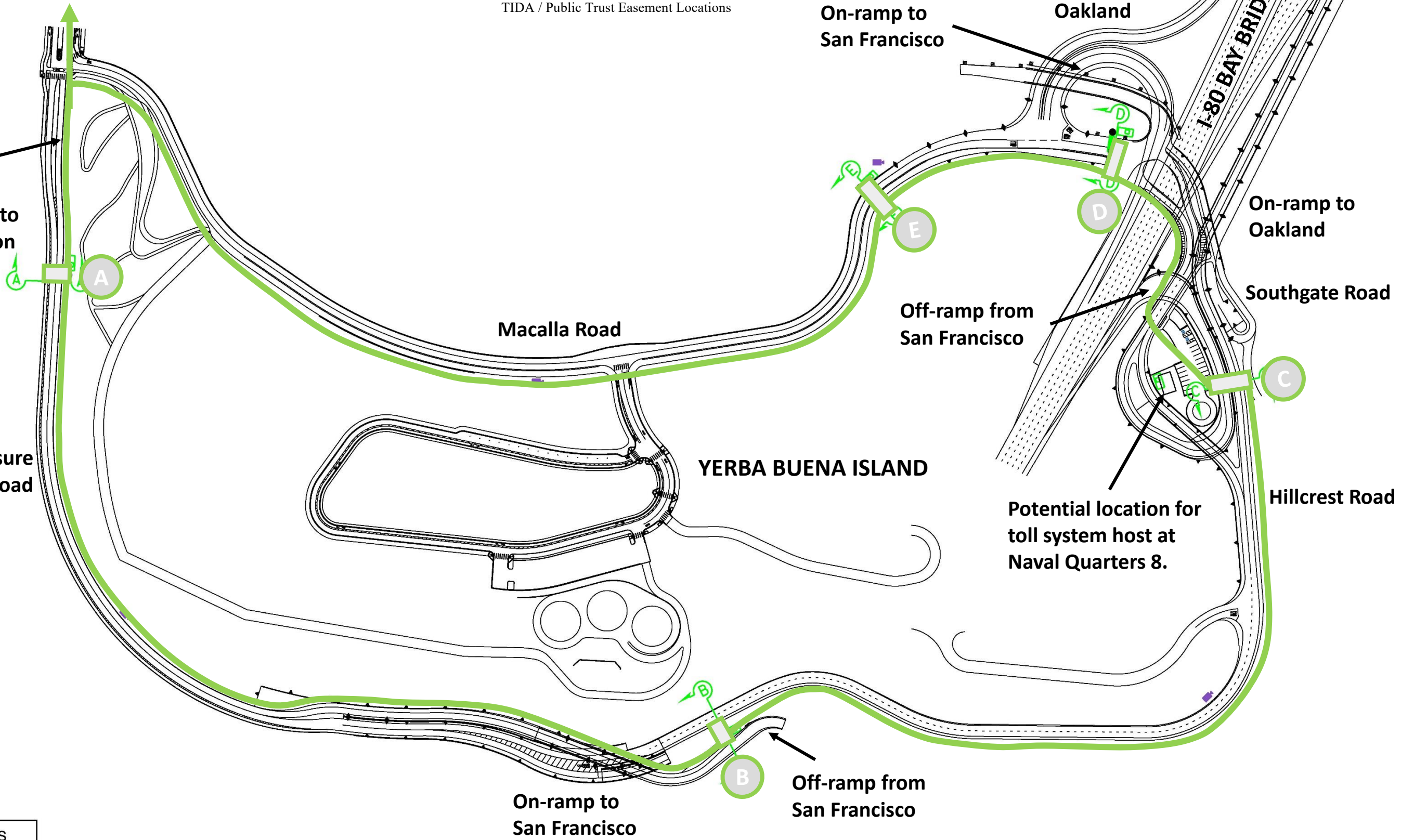
-  INSTALLED BY TICD
-  CCTV
-  TOLLING GANTRY
-  332 CABINET & FOUNDATION
-  PB PULL BOX
-  BBS BATTERY BACKUP SYSTEM



**TIMMA TOLLING LOCATIONS**  
**PHASE 1**

SCALE  
 1" = 200'

APRIL 2017





RESOLUTION OF THE TREASURE ISLAND MOBILITY MANAGEMENT AGENCY  
(TIMMA) AUTHORIZING THE EXECUTIVE DIRECTOR TO ACCEPT ON TIMMA'S  
BEHALF ALL INTERESTS IN REAL PROPERTY

WHEREAS, Government Code §27281 provides that instruments conveying an interest in or easement upon real property to a governmental agency may not be recorded without the consent of the grantee evidenced by a resolution or certificate of acceptance; and

WHEREAS, Government Code §27281 also provides that a governmental agency may adopt a general resolution authorizing one or more officers to accept instruments conveying an interest in or easement upon real property by executing a certificate of acceptance; and

WHEREAS, the TIMMA Board desires to delegate to the Executive Director the authority to accept all real property interests and easements on behalf of TIMMA.

NOW, THEREFORE, TIMMA does hereby resolve that:

1. The Executive Director may accept on behalf of TIMMA fee and easement interests in real property so long as such property interest is memorialized in a written document signed by the property owner.
2. Prior to the Executive Director accepting any interest in real property, legal counsel for TIMMA shall ensure that the document or instrument is in a legally acceptable format.
3. The Executive Director shall utilize a Certificate of Acceptance in substantially the following form, and TIMMA shall cause the County Assessor-Recorder to record the Certificate along with the instrument conveying the real property interest; and

RESOLVED, That the Executive Director is hereby authorized to accept on TIMMA's behalf all interests in real property.