

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE  
REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 7-2014

**Adopted September 8, 2014**

**AUTHORIZING A PERMIT TO ENTER WITH THE CITY AND COUNTY OF SAN FRANCISCO, A MUNICIPAL CORPORATION, ACTING BY AND THROUGH ITS MUNICIPAL TRANSPORTATION AGENCY AND ALTA BICYCLE SHARE, INC., AN OREGON CORPORATION (COLLECTIVELY, "PERMITTEES"), FOR A BIKE SHARE STATION AT YERBA BUENA GARDENS FOR A PERIOD OF TWO YEARS, FROM AUGUST 1, 2014 TO JULY 31, 2016, EXTENDING PERMITTEES' PRE-EXISTING RIGHT TO ENTER WHICH TERMINATED ON JULY 31, 2014; FORMER YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA**

**BASIS FOR RESOLUTION**

WHEREAS, In August 2013, the Bay Area Air Quality Management District (the "Air District") launched a regional bicycle share system along the San Francisco peninsula in several cities including San Francisco. The Air District is the project lead and has partnered with the City and County of San Francisco, acting by and through its Municipal Transportation Agency ("SFMTA") and other city agencies to administer and implement this regional bike share pilot project. The bike share program is a membership-based system of short-term bicycle rentals. Members can check a bicycle out from a network of automated bicycle stations, ride to their destination, and return the bicycle to a different station. The pilot program launched regionally with 700 bicycles at 70 stations with half of the equipment in San Francisco; and,

WHEREAS, In February 2013, the Air District, as the overall project lead agency, signed a Bike Share Program Agreement with Alta Bicycle Share, Inc. ("Alta") (the "Alta Contract") to procure the bike share equipment and stations, and implement the program by deploying, operating, and maintaining the system components. SFMTA, as a member of the regional partnership working with the Air District, is implementing the bike sharing project as the lead agency in San Francisco; and,

WHEREAS, In early 2013, SFMTA and Alta identified Yerba Buena Gardens ("YBG") as one of the initial 35 bike share locations in San Francisco for this pilot program. The diversity of land uses, visitors and residents in the area makes YBG an excellent station location. This location on the corner of Howard and Third Streets also provides connections to existing bikeways and maintains adequate distances from other stations; and,

WHEREAS, Accordingly, on August 22, 2013, the Successor Agency to the Redevelopment Agency of the City and County of San Francisco, ("Successor Agency"), Alta,

and SFMTA entered into a one-year permit-to-enter for a 19-dock bike share station at YBG pursuant to the Successor Agency's Permit to Enter Policy adopted on April 1, 2008 by Resolution No. 13-2008 "Permit to Enter Policy"). The one-year permit-to-enter expired on July 31, 2014. The YBG bike station has been successfully operating over the past year and SFMTA and ALTA would like to continue operations at YBG for an additional two-year period. The Permit to Enter Policy requires Commission on Community Investment and Infrastructure (the "Commission") approval for a permit (or series of permits) which would cause the aggregate permit duration to exceed twelve months. In this case, the aggregate permit duration is three years. Accordingly, on July 15, 2014 the Commission conditionally authorized a two-year permit-to-enter (the "Bike Station Permit") with SFMTA and Alta, pending approval of the Oversight Board and the State of California's Department of Finance ("DOF"); and,

WHEREAS, Successor Agency staff is proposing authorization by the Oversight Board of the Bike Station Permit with SFMTA and Alta. The Bike Station Permit will commence on August 1, 2014 and terminate on July 31, 2016. Alta will indemnify the Successor Agency and provide full insurance coverage for the term of the Bike Station Permit; and,

WHEREAS, In November 2013, the Successor Agency submitted its Long-Range Property Management Plan ("PMP") for the disposition of YBG to DOF for approval. The PMP is still under review by DOF. Once DOF approves the YBG PMP, the Successor Agency will effectuate a transfer of its YBG real estate assets, including the area with the YBG bike share station, to the City and County of San Francisco (the "City"). According to the terms of the Bike Station Permit, if the transfer occurs during the term of the Bike Station Permit, then the Successor Agency's Executive Director may (1) terminate the Bike Station Permit, or (2) assign the Successor Agency's interest in the Bike Station Permit to the City upon the transfer of YBG; and,

WHEREAS, DOF has informed the Successor Agency that the Oversight Board and DOF must review and approve of a permit to enter on property to be transferred under the Successor Agency's PMP; and,

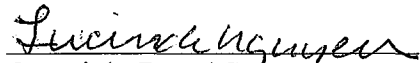
WHEREAS, The Successor Agency's YBG properties were constructed and used for a governmental purpose (i.e., parks, recreational facilities, children's facilities, cultural facilities). In November 2013, the Oversight Board proposed, through its approval of the PMP, a transfer of the YBG properties to the City for a governmental purpose. The bike share station use at YBG is consistent with the governmental purposes described in the PMP; and,

WHEREAS, The bike share station has been in use at YBG for the past year. Pursuant to CEQA Guidelines Section 15301, Class 1 – Existing Facilities, authorizing the Executive Director to execute the Bike Station Permit provides for the continuation of an existing use that involves "negligible or no expansion of an

existing use...[related to] existing bicycle and pedestrian trails, and similar facilities.” Therefore, the Bike Station Permit for an existing bike share station at YBG is categorically exempt from CEQA review; now, therefore, be it

RESOLVED, That the Oversight Board authorizes, subject to review and approval by DOF, the Executive Director to execute the Bike Station Permit between the Successor Agency, SFMTA, and Alta, in substantially the form of Bike Station Permit on file with the Oversight Board Secretary.

I hereby certify that the foregoing resolution was adopted by the Oversight Board at its meeting of September 8, 2014.

  
Oversight Board Secretary