MEMORANDUM

TO: Community Investment and Infrastructure Commissioners

FROM: Tiffany Bohee
Executive Director

SUBJECT: Conditionally authorizing a two-year 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, for a bike share station at Yerba Buena Gardens; former Yerba Buena Center Redevelopment Project Area

EXECUTIVE SUMMARY

In August 2013, the Successor Agency, the City and County of San Francisco, acting by and through its Municipal Transportation Agency (“SFMTA”) and Alta Bicycle Share, Inc. (“Alta”), entered into a one-year permit-to-enter to place a bike share station near the corner of Third and Howard Streets in Yerba Buena Gardens (“YBG”) (see Exhibit A for photos of the YBG bike station), pursuant to the Successor Agency’s Permit-to-Enter Policy.1 The permit expires 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 Successor Agency’s Permit-to-Enter Policy requires 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. Therefore, staff is proposing a two-year permit-to-enter (the “Bike Station Permit”). Furthermore, the State of California’s Department of Finance (“DOF”) has stated that permits to enter on property subject to transfer under the Successor Agency’s the Long-Range Property Management Plan (“PMP”) require review and approval by the Oversight Board and the DOF. Under the Bike Station Permit, which is attached as Exhibit B to this memorandum, Alta will indemnify the Successor Agency and provide full insurance coverage for the term of the agreement.

Staff recommends authorizing the Bike Station Permit with SFMTA and Alta.

DISCUSSION

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 SFMTA and other city agencies to administer and implement this regional bike share project. The bike share program is a membership-based system of short-term bicycle rentals where 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. See Exhibit C for SFMTA’s fact sheet about the bike share system in San Francisco, which also includes a map of city-wide locations.

1 The Successor Agency’s Permit-to-Enter Policy was adopted on April 1, 2008 by Resolution No. 13-2008.
The Air District, as the overall project lead agency, contracts with Alta to procure the bike share equipment and SFMTA, as a member of the regional partnership working with the Air District, is implementing the bike sharing program as the lead agency in San Francisco. In early 2013, SFMTA and Alta identified YBG as one of the initial 35 bike share locations in San Francisco. The variety of land uses, convention visitors, and residents in the area makes YBG an excellent station location. This location also provides connections to existing bikeways and maintains adequate distances from other stations around San Francisco.

The YBG Bike Share Station

The bike share station at YBG consists of a 19-dock bike share station, a pay station, a map panel, and is about 50 feet in length and six feet wide (with docked bikes). Alta is responsible for the installation, maintenance, operation, and eventual removal of the bike share station. The bike share station is in operation 24 hours a day, 365 days per year. Alta re-distributes bicycles among various sites in San Francisco throughout the day to ensure no station – including YBG’s – is over or under occupied. Alta’s operations staff also perform site and bicycle maintenance (repair of damaged and/or malfunctioning bicycles or docking stations and removal of offensive graffiti) once every two weeks and on an as-needed basis.

SFMTA reports that between August 2013 and April 2014 about 3,400 bike trips originated from the YBG bike share station – the majority of those trips (990) were to the Caltrain Station at Fourth and Howard Streets. About 3,500 bike trips concluded at the YBG bike share station – the majority of those trips (897) originated at the Caltrain Station.

Proposed Bike Station Permit

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. OCI’s Permit-to-Enter Policy requires 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. As mentioned above, the DOF has stated that permits to enter on property subject to transfer under the Successor Agency’s PMP require review and approval by the Oversight Board and the DOF. Some of the key terms of the proposed Bike Station Permit include:

- **Term.** The term will run for two years, from August 1, 2014 to July 31, 2016.

- **Insurance and Indemnification.** Alta will indemnify the Successor Agency and provide full insurance coverage for the term of the Bike Station Permit.

- **Termination and Assignment.** In November 2013, the Successor Agency submitted its PMP for the disposition of YBG to the DOF for approval. The PMP is still under review by the DOF. Once the 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 terminate the Bike Station Permit, or the Successor Agency may assign its interest in the Bike Station Permit to the City upon the transfer of YBG.

**California Environmental Quality Act ("CEQA")**

As mentioned above, the bike share station has been in use at YGB 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.

**STAFF RECOMMENDATION**

Given the success of the YBG bike share station over the past year, staff recommends authorizing the two-year Bike Station Permit with SFMTA and Alta.

*(Originated by Denise Zermani, Senior Development Specialist, Real Estate and Development Services)*

Exhibit A: Photos of YBG Bike Station  
Exhibit B: Bike Station Permit (without attachments)  
Exhibit C: SFMTA Fact Sheet and Map