

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT

ORDINANCE NO. 2011-002

**AN ORDINANCE TO AMEND MASTER ORDINANCE 2010, AS AMENDED,
TO ADOPT A CHANGE TO GOLDEN GATE TOLL CLASSIFICATION FOR
CALIFORNIA PUBLIC UTILITIES COMMISSION CERTIFICATED PROVIDERS OF
REGULARLY SCHEDULED BUS TRANSPORTATION SERVICES FROM MARIN AND
SONOMA COUNTIES TO THE SAN FRANCISCO INTERNATIONAL AIRPORT**

June 24, 2011

THIS ORDINANCE is adopted with reference to the following facts and circumstances which are found and declared by the Board of Directors (Board) of the Golden Gate Bridge, Highway and Transportation District (District):

1. On May 28, 2010, the Board approved Ordinance No 2010-01, which established a carpool toll rate of \$3, and increased the per axle toll rate for multi-axle vehicles (i.e. three or more axles) to \$5 FasTrak/\$6 cash per axle. The Ordinance took effect July 1, 2010, but provided for a phase in of the multi-axle vehicle toll rate increase; 50% of the increase to be implemented on July 1, 2011, and the remaining 50% of the increase to be implemented on July 1, 2012. The Board pursued these actions under Initiative No. 23 in the *FY 09/10 Financial Plan for Achieving Long-Term Financial Stability*, which laid out specific initiatives that, once implemented, will help restore the District to stable financial footing.
2. During a Public Hearing associated with these proposed toll increases, representatives for Marin Airporter and Sonoma Airport Express expressed opposition to the multi-axle vehicle toll increases, and noted that the Bay Area Toll Authority maintains a commute bus program offering free toll passage at any time of the day. At the May 28, 2010 Board meeting, the Board directed staff to investigate and report back to the Board on various aspects of possibly creating a new toll classification category for certificated bus companies such as Marin Airporter and Sonoma Airport Express.
3. Staff presented two status reports to the Finance-Auditing Committee on March 10, 2011 and April 7, 2011. On May 13, 2011, the Board approved setting a Public Hearing to receive public comments on the proposed toll classification, which will apply to privately operated, California Public Utilities Commission certificated providers of regularly scheduled bus transportation services from established points in Sonoma and Marin Counties to the San Francisco International Airport. The classification will provide for a reduced per axle toll rate equivalent to 50% of the otherwise applicable two-axle toll at all times of day for multi-axle vehicles. Currently this calculates to \$7.50 for a three-axle vehicle with FasTrak®.

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4. By adopting this classification, toll revenue loss to the District is projected to be approximately \$42,000 for FY 11/12, due to the ramp up of the multi-axle toll increase, and approximately \$104,000 annually every fiscal year thereafter. The toll revenue loss would be approximately \$457,000 over five years and approximately \$977,000 over the ten year period. The proposed toll classification would, at this time, only apply to Marin Airporter and Sonoma Airport Express as staff is unaware of any other service providers that meet the above criteria.
5. A public hearing on the proposed toll classification was held on June 9, 2011. After consideration of the public comments received, and the staff analysis, the Finance-Auditing Committee recommended approval of the \$7.50 toll rate at its June 23, 2011 meeting.
6. The Finance-Auditing Committee found that the services offered by Marin Airporter and Sonoma County Airport Express provide benefits to the public by offering transportation options and a reduction in environmental impacts for customers traveling to the San Francisco International Airport.
7. The Board has considered all public comments received and the recommendation of the Finance-Auditing Committee. The Board finds that the recommended new toll classification is consistent with the District's mission and its adopted *Plan* for achieving long-term financial stability.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT AS FOLLOWS:

Section 1. Section II, "Golden Gate Bridge and Approaches," Subsection B, "Bridge Toll Rates," is amended by adding a fourth paragraph as follows:

4. REDUCED TOLL FOR DESIGNATED VEHICLES PROVIDING SFO AIRPORT SERVICE. A reduced toll rate of \$7.50 is available 24 hours a day for buses operated from established points in Sonoma and Marin Counties to the San Francisco International Airport by private providers holding a certificate of public convenience and necessity issued by the California Public Utilities Commission for regularly scheduled bus transportation services.

All vehicles that qualify for the reduced toll shall be registered with a FasTrak® account in good standing.

Section 2. The Board finds that the toll classification effected by this Ordinance is for the purpose of meeting District operating expenses, and is therefore categorically exempt as per CEQA Code of Regulations 15273, *Rates, Tolls, Fares, and Charges*. The Secretary of the District is directed to file a Notice of Exemption in the offices of the County Clerks in the City and County of San Francisco and the County of Marin.

Section 3. The effective date of this Ordinance shall be July 1, 2011.

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Section 4. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

ADOPTED this 24th day of June 2011, by the following vote of the Golden Gate Bridge, Highway and Transportation District Board of Directors:

AYES (10): Directors Arnold, Boro, Elsbernd, Mar, Moylan, Rabbitt, Renée, Sobel and Stroeh;
Acting President and Second Vice President Grosboll

NOES (2): Directors Cochran and Snyder

ABSENT (7): Directors Brown, Campos, Chu, Pahre and Theriault; First Vice President Eddie;
President Reilly



Janet Reilly
President, Board of Directors

ATTEST:



Janet S. Tarantino
Secretary of the District