

City and County of San Francisco Balboa Reservoir Citizens Advisory Committee BYLAWS

ARTICLE I – MEMBERSHIP AND DURATION

Section 1. Name. In accordance with Article XVII of the San Francisco Administrative Code, there is established a Balboa Reservoir Community Advisory Committee (“CAC”).
Source: San Francisco Administrative Code Sections 5.17-1 through 5.17-7

Section 2. Representation. The CAC consists of nine members. Seat 1 shall be held by the President of the Sunnyside Neighborhood Association or his or her designee. Seat 2 shall be held by the President of the Westwood Park Neighborhood Association or his or her designee. Seat 3 shall be held by a resident of the OMI (Oceanview-Merced-Ingleside) neighborhood, appointed by the Supervisor for District 7. Seat 4 shall be held by an employee or trustee of City College of San Francisco, appointed by the Supervisor for District 7. Seat 5 shall be held by a member of the Balboa Park Station Community Advisory Committee, appointed by the Supervisor for District 7. If the Balboa Park Station Community Advisory Committee sunsets before the CAC sunsets, then Seat 5 shall be held by a resident of District 7 or by a person who owns a business located in District 7, appointed by the Supervisor for District 7. Seat 6 shall be held by a person who owns a business located on Ocean Avenue in District 7, appointed by the Mayor. Seat 7 shall be held by a member of the San Francisco Public Utilities Commission Citizens Advisory Committee, appointed by the Mayor. Seat 8 and Seat 9 shall be at-large seats, appointed by the Mayor.

Source: San Francisco Administrative Code Section 5. 17-3

Section 3. Terms. Each member shall serve at the pleasure of that member's appointing authority and shall serve for the life of the CAC unless the member resigns, or is removed by the appointing authority.

Source: San Francisco Administrative Code Sections 5. 17-3 and 5. 17-4

Section 4. Vacancies. If a vacancy occurs in any seat on the CAC, the Chairperson shall notify the appointing authority for the vacated seat, and the appointing authority shall appoint a successor to that seat. If at any time the neighborhood association representative designated for Seat 1 or 2 declines to serve as a member of the CAC or to appoint a designee, and leaves that seat vacant for 60 days or longer, the Board of Supervisors may appoint a member of the public to fill the seat until such time as the neighborhood association representative joins the CAC or designates a person to serve in the seat.

Source: San Francisco Administrative Code Sections 5. 17-3 and 5. 17-4

Section 5. Duration. The CAC is intended to last until development entitlements have been issued for Balboa Reservoir site. The CAC will automatically terminate on May 15, 2020, unless the Board of Supervisors extends the CAC's term by ordinance.

Source: San Francisco Administrative Code Section 5. 17.7

ARTICLE II – POWERS AND DUTIES

Section 1. Purpose. The purpose of the CAC is to provide a community voice and function as a central clearinghouse for community input as the City considers options for the development of the Balboa Reservoir site (approximately 18 acres of the western portion of the Balboa Reservoir located off Ocean and Phelan Avenues in Balboa Park). The CAC serves in an advisory role, providing feedback and comment to City staff reporting to the Mayor, the Board of Supervisors, and City departments.

Source: San Francisco Administrative Code Sections 5. 17-2 and 5. 17-5

Section 2. Powers and duties.

(a) The CAC shall provide a regular venue for interested community stakeholders and the general public to discuss any proposed development on the Site, and to ask questions of and give input to City officers and staff and to developers, once selected.

(b) The CAC shall provide feedback on what development objectives should be included in the Request for Proposals to be issued by the City for development of the Site. This feedback shall include, but need not be limited to, the following issues: (1) Development economics and housing affordability; (2) Transportation, including site access, parking, and congestion management; (3) Open space and other community benefits; (4) Interactions with City College; and (5) Good neighbor policies to serve existing residents and small businesses around the Site.

(c) No later than one year after the inaugural meeting of the CAC, and at least once every 12 months thereafter, the CAC shall submit to the Board of Supervisors and the Mayor a report describing the CAC's activities and recommendations.

(d) The CAC shall have no authority to exercise the sovereign powers of the City, including the authority to select or negotiate with potential developers of the Site.

Source: San Francisco Administrative Code Section 5. 17-5

ARTICLE III - CONDUCT

Section 1. Attendance. Members shall make best efforts to notify the Chairperson of the CAC one week in advance of a scheduled meeting if they are unable to attend. Any member who misses three regular meetings of the CAC within a six-month period without the express approval of the CAC at or before each missed meeting shall be deemed to have resigned from the CAC ten days after the third unapproved absence. The CAC shall inform the appointing authority of the resignation, and for resignations in Seats 1 through 5, the CAC shall also inform the Clerk of the Board.

Source: San Francisco Administrative Code Section 5. 17-4

Section 2. Conflict of Interest. To the extent required by California Government Code Section 1090, no member of the CAC shall participate in any contracting-related decisions that would affect their financial interests, including potential decisions regarding: (a) the development objectives to be included in the Request for Proposals (“RFP”) for the development of the Balboa Reservoir; or (b) a development agreement for the Balboa Reservoir.

Section 3. Disruptive Conduct. If a member of the CAC or a member of the public engages in misconduct that disrupts the orderly conduct of the meeting, the Chairperson may recess the meeting temporarily. If the disruptive conduct continues, the Chairperson may request that the person leave the meeting and/or adjourn the meeting. Each such occurrence will be recorded in the minutes of the meeting.

Section 4. Resignation. Any member of the CAC may resign at any time by giving written notice to the Chairperson of the CAC, who shall forward such notice to the CAC members, the Office of Economic and Workforce Development or any successor office, and the appointing body responsible for that member's appointment. Any such resignation will take effect upon receipt or upon any date specified therein. The acceptance of such resignation at a CAC meeting shall not be necessary to make it effective.

ARTICLE IV - OFFICERS

Section 1. Officers. The officers of the CAC shall consist of a Chairperson and Vice-Chairperson.

Section 2. Chairperson Duties. The Chairperson shall preside at all meetings of the CAC, and shall submit such agenda, recommendations and information at such meetings as are reasonable and proper for the conduct of the business affairs and policies of the CAC. The Chairperson shall sign all correspondence, resolutions, and such other official documents necessary to carry out the business of the CAC.

Section 3. Vice-Chairperson Duties. The Vice-Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In the event of the death, resignation or removal of the Chairperson, the Vice-Chairperson shall assume the Chairperson’s duties until such time as the CAC shall elect a new Chairperson.

Section 4. Election. The officers of the CAC shall be initially elected from among the members of the CAC at the first regular meeting of the CAC. Thereafter, the Chairperson and Vice-Chairperson shall be elected from among the members of the CAC at each Annual Meeting of the CAC, as defined in Article V, Section 2 below. Such officers of the CAC shall hold office until the next Annual Meeting following their election and until their successors are elected and in office. Any such officer shall not be prohibited from succeeding himself/herself.

ARTICLE V - MEETINGS

Section 1. Regular Meetings. From the inaugural meeting until March 2016, the CAC shall hold a regular meeting not less than once every month, unless a majority of members agree that a meeting need not occur in any particular month. After March 2016, the CAC may hold regular meetings less frequently than once a month. The regular meetings of the CAC shall be held on the second Monday of the month at the hour of 6:15pm at Lick-Wilmerding High School or at such other location as designated in advance by the Chairperson. In the event that the regular meeting date shall be a legal holiday, the Chairperson will set an alternate time or cancel the meeting until the next regular meeting date, at the discretion of the Chairperson. The Chairperson shall deliver a meeting agenda and other documents necessary for the conduct of the business of the CAC, by electronic mail or regular mail, at least 72 hours prior to the meeting.

Section 2. Annual Meeting. The Annual Meeting of the CAC shall be the regular meeting of the CAC that occurs in August, or the first meeting thereafter. At the Annual Meetings, in addition to regular business of the CAC, officers shall be elected.

Section 3. Special Meetings. Special meetings of the CAC may be held upon call of the Chairperson, or of the majority of the members of the CAC, for the purpose of transacting any business designated in the call. At such special meeting, no business other than that designated in the call shall be considered. Such meetings may only occur after notification of all members of the CAC by written notice delivered personally or by mail. Such notice must occur at least 24 hours before the time specified in the notice for the special meeting.

Section 4. Open and Public Meetings. All meetings of the CAC shall be open and public to the extent required by law. All persons shall be permitted to attend any such meeting except as otherwise provided by law. At every meeting, members of the public shall have an opportunity to address the CAC on matters within the CAC's subject matter jurisdiction. Public input and comment on matters on the agenda, as well as public input and comment on matters not otherwise on the agenda, shall be made during a time set aside for public comment: provided, however, that the CAC may direct that public input and comment on matters on the agenda be heard when the matter regularly comes up on the agenda. The Chairperson may limit the total amount of time allocated for public discussion on particular issues and/or the time allocated to each individual speaker.

Section 5. Posting Agendas/Notice. Staff shall post a notice or agenda for each regular or special meeting of the CAC, containing a brief description of each item of business to be transacted or discussed at the meeting together with the time and location of the meeting. Agendas/notices shall be posted at least 72 hours in advance of each regular or special meeting, at the (1) the Government Information Center of the Main Public Library and (2) the website of the CAC, available on the Planning Department's website. In addition, agendas/notices should be posted at the Regular Meeting location designated in Section 1 of this Article V, if allowed by the facility selected as the Regular Meeting location

Section 6. Non-Agenda Items Matters. Items brought before the CAC at a regular meeting which were not placed on the agenda of the meeting shall not be acted upon by

the CAC at that meeting unless action on such matters is permissible pursuant to the Ralph M. Brown Act (Gov. Code § 54950 et seq.). Those non-agenda items brought before the CAC, which the CAC determines will require CAC consideration and action and where CAC action at that meeting is not authorized, shall be placed on the agenda for the next regular meeting.

Section 7. Quorum. The powers of the CAC shall be vested in the members thereof in office. A simple majority of the number of members then in office shall constitute a quorum for the purpose of conducting the CAC's business, exercising its powers and for all other purposes. When a quorum is not present, the other members may choose to adjourn a meeting until a quorum is obtained.

Section 8. Minutes. The minutes of the CAC shall be in writing. Copies of the minutes of each meeting of the CAC shall be made available to each member of the CAC and the public. Approved minutes shall be posted online at the CAC's website.

Section 9. Recording. Audio recordings shall be made of each CAC meeting. Digital copies of these recordings of each meeting shall be made available to each member of the CAC and the public.

ARTICLE VI – REPRESENTATION BEFORE PUBLIC BODIES

Section 1. Official representation. Any official representation on behalf of the CAC before the Planning Commission, the Board of Supervisors, or any other public body, shall be made by the Chairperson, the Vice-Chairperson in the Chairperson's absence, or another member of the CAC specifically so designated by the CAC.

ARTICLE VII - AMENDMENTS

Section 1. Amendments. These Bylaws may be amended upon the affirmative vote of a majority of the total membership of the CAC, provided, however, that no amendment shall be adopted unless at least 10 days written notice thereof has previously been given to all members of the CAC and the public. Notice of amendment shall identify the section or section of the Bylaws proposed for amendment and, if applicable, shall include the proposed replacement wording of the section or sections to be amended.

APPROVED AND ADOPTED

August 26, 2015