



To: Members of the Balboa Reservoir Community Advisory Committee

From: Ken Rich, Director of Development, OEWD
Gil Kelley, Director of Citywide Planning, Planning Department
Rosanna Russell, Director of Real Estate, SFPUC

Date: September 3, 2015

Subject: Revised Memo: Welcome to the Balboa Reservoir Community Advisory Committee

Congratulations on your appointment to the Balboa Reservoir Community Advisory Committee (or "CAC"). Thank you for contributing your time and expertise to this important project. We are excited to work with the diverse members of the CAC to engage with the community and create a stronger project by working together. In preparation for the CAC's first meeting, the City team working on this project would like to introduce ourselves, summarize the CAC's objectives, provide an overview of the inaugural meeting agenda, and provide background materials for you to review prior to the first meeting.

The City has identified the SFPUC-owned portion of the Balboa Reservoir (the "Site") as an important opportunity site for the Public Land for Housing program, an initiative to utilize public property to address San Francisco's housing affordability crisis while also benefiting local communities and the public agencies that own the property. As stated in the legislation establishing the Balboa Reservoir CAC (Attachment 1), ***development of the Balboa Reservoir site is an "opportunity for the City to realize a substantial amount of new affordable housing, as well as other community benefits, while still allowing the Public Utilities Commission to receive fair market value for the land."*** (Admin. Code Section 5.17-2(a).)

Introducing the City Team

In moving forward with the Balboa Reservoir as a Public Land for Housing site, SFPUC has enlisted two City agencies that are deeply experienced with large-scale real estate development projects in San Francisco, the Office of Economic and Workforce Development ("OEWD") and the Planning Department ("Planning"). OEWD's expertise is in real estate economics, public regulatory processes, interagency coordination, and the navigation of complex political considerations such as those involving affordable housing. Planning's expertise is in the physical design of the site and related regulations.

OEWD and Planning have agreed to serve as lead project managers for the Balboa Reservoir project, including serving as the City's liaisons to the CAC. For communications with this team please contact:

Phillip Wong, OEWD
Project Assistant
(415) 554-6512
phillip.wong@sfgov.org

Memo to Members of the Balboa Reservoir CAC

Other staff members on this project who will be in attendance at select meetings include:

Michael Martin, OEWD
Project Director, Public Land for Housing Program

Emily Lesk, OEWD
Project Manager, Balboa Reservoir

Sue Exline, Planning Department
Senior Planner

Jeremy Shaw, Planning Department
Planner / Urban Designer

Jon Plowman, Planning Department
Planner

Introducing the CAC Members

We look forward to getting to know all of you, and for you to all get to know one another.

CAC Objectives

The legislation establishing the Balboa Reservoir CAC states: "The purpose of the Advisory Committee is to provide a community voice and function as a central clearinghouse for community input in the process as the City considers options for development of the Site." (Admin. Code Sec. 5.17-2(e))

We anticipate that the CAC's role will involve two major stages, during which the CAC will be asked to:

1. Advise City Staff on a Request for Proposals ("RFP")

The legislation specifically charges the CAC with its first advisory task, as follows:

"The Advisory Committee 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." (Admin. Code Sec. 5.17-5 (b))

Utilizing CAC feedback, the City will finalize a set of development parameters that will form a critical component of the Request for Proposals ("RFP") for a developer of the site, which will be modeled on previous City RFPs for similar projects.

The CAC is required to meet not less than once a month from the date of the inaugural meeting until March 2016, unless a majority of members agree that a meeting need not occur in any particular month. (Admin. Code Sec. 5.17-6(a).) The CAC may schedule additional special meetings on specific topics if the need arises.

2. Advise the City and Developer on Development Program and Design

Following the RFP process and the selection of a developer, the CAC will provide feedback as the developer proposes a more detailed development program and physical designs. A potentially

Memo to Members of the Balboa Reservoir CAC

extensive set of design conversations with City staff and the community will lead to a development proposal. The development proposal will undergo environmental review, which could further refine or change the project that is eventually considered for approval by the City. Legislative approvals for a project of this scale typically include environmental mitigation measures, Planning Code amendments, certain kinds of land disposition and development agreements, a development agreement between the City and the developer partner, design guidelines, and other supporting documents. Per the CAC legislation, the CAC shall remain active until these approvals have been issued for development at the Site or the development proposal has been disapproved. (Admin. Code Sec. 5.17-7.)

CAC Structure & First Meeting Agenda

The CAC is a self-governing body with its own officers and bylaws. OEWD and Planning's role will be to staff the CAC, suggest agenda items based on City staff's needs for input, and prepare materials and presentations for these topics.

City staff have prepared the meeting agenda for the CAC's inaugural meeting on August 26, since leadership positions have not yet been selected, nor bylaws adopted. To that end, the first meeting's agenda will consist of:

1. Call to Order and Roll Call

2. Introduction of CAC Members

Each CAC member should be prepared to speak for up to 90 seconds. Please be sure to address (a) why you are volunteering to serve on the CAC and (b) what you hope to bring to the CAC.

3. Adoption of Bylaws

We have prepared the attached draft bylaws for your consideration (Attachment 3). They are based on the enabling legislation for the CAC and San Francisco's Good Government Guide and modeled after the bylaws governing other development-related CACs, including the Eastern Neighborhoods CAC and the Market Octavia CAC. If no CAC members have objections to the content of these bylaws, we would encourage you to adopt them at the first meeting so that your substantive advisory work can commence. The CAC may revisit the bylaws and consider revisions at subsequent meetings, if necessary.

4. Selection of Leadership Positions

The proposed bylaws call for the CAC to elect a Chairperson and Vice-Chairperson, positions that we have found to be critical to the effective functioning of a CAC. The responsibilities of the Chairperson, and Vice-Chairperson as necessary, will include facilitating productive meetings, enforcing the bylaws, enforcing City policy on the rules of public comment, and working with City staff to plan meetings that will generate useful community feedback.

5. Discussion of Ground Rules

The CAC should collaboratively brainstorm a set of ground rules for working together respectfully. These ground rules might address, for example, how to ensure that all CAC members have their voices heard.

Memo to Members of the Balboa Reservoir CAC

6. Introduction of CAC Role: Purpose, Process, Timeline, and Context

City staff is preparing an introductory presentation that will explain (a) the CAC's purpose in the context of the Balboa Reservoir site and potential project; (b) how the CAC's process can interact with City staff's work; (c) our projected timeline for the project and the CAC's work; and (d) additional project background and context, including the perspective of the property owner, SFPUC.

7. Adoption of Regular Meeting Calendar

Regular CAC meetings should occur on the same date and time of each month (e.g. the second Tuesday each month from 6pm to 8pm). To streamline this conversation, City staff will survey the CAC members in advance about their availability and suggest several promising times for the CAC to consider.

8. General Public Comment

The general public comment period allows members of the public to speak about project-related topics that are not elsewhere on the meeting agenda. Each commenter should be allowed to speak for the same amount of time, typically three minutes, or two minutes if necessary to accommodate time constraints.

The general public comment period has been placed at the end of this agenda due to the need to start of the first CAC meeting with introductory business, but at future meetings it may be preferable to providing a general public comment period toward the beginning of each meeting.

9. Adjournment

CAC Member Expectations

To ensure a fair and productive process, CAC members are expected to do the following.

Meeting Attendance and Preparation

- Attend all meetings, except in extenuating circumstances
- Arrive at meetings on time; meetings will begin on time
- Review meeting materials in advance of each meeting
- Any member who misses 3 regular meetings of the CAC within a six-month period without the express approval of the Advisory Committee at or before each missed meeting shall be deemed to have resigned from the Advisory Committee ten days after the third unapproved absence. (Admin. Code Sec. 5.17-4(d))

Meeting Participation

- Stay on topic and manage time so that all agenda items can be covered
- Respect prior public input that applies to the project, including the Balboa Park Station Area Plan and the Proposition K affordable housing guidelines
- Listen respectfully when others are speaking
- Liaise with and communicate ideas to and from your constituents

Meeting Preparation Tasks

Prior to the first CAC meeting, which has been scheduled for August 26, please review the following:

Memo to Members of the Balboa Reservoir CAC

- Legislation creating the CAC (Attachment 1)
- Proposed CAC bylaws (Attachment 2)
- Balboa Reservoir project website maintained by the Planning Department, at <http://www.sf-planning.org/index.aspx?page=3989>; please be sure to review the Materials links toward the bottom of the webpage, including the Existing Conditions reports
- The CAC is a policy body that is subject to the open meeting law requirements of the San Francisco Sunshine Ordinance and the California Brown Act. Please review Section V, “Public Meeting Laws” (pages 116 through 161) of the Good Government Guide published by the San Francisco City Attorney’s office and available online at <http://www.sfcityattorney.org/modules/showdocument.aspx?documentid=1735>.

We greatly appreciate your commitment to the transformation of the Balboa Reservoir site and look forward to working with you over the coming months and years.

Attachment 1

AMENDED IN COMMITTEE
3/19/2015

FILE NO. 150247

ORDINANCE NO. 45-15

[Administrative Code - Establishing Balboa Reservoir Community Advisory Committee]

Ordinance amending the Administrative Code to establish the Balboa Reservoir Community Advisory Committee to advise the Board of Supervisors, the Mayor, and City departments regarding any proposed development under the Public Land for Housing Program at the portion of the Balboa Reservoir owned by the San Francisco Public Utilities Commission; and setting forth the membership and duties of the Advisory Committee.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

The Administrative Code is hereby amended by adding Chapter 5, Article XVII, Sections 5.17-1 through 5.17-7, to read as follows:

ARTICLE XVII:

BALBOA RESERVOIR COMMUNITY ADVISORY COMMITTEE

Sec. 5.17-1. Creation of Advisory Committee.

Sec. 5.17-2. Findings and Purposes.

Sec. 5.17-3. Membership.

Sec. 5.17-4. Organization and Terms of Office.

Sec. 5.17-5. Powers and Duties.

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1 Sec. 5.17-6. Meetings and Procedures.

2 Sec. 5.17-7. Sunset.

3
4 **SEC. 5.17-1. CREATION OF ADVISORY COMMITTEE.**

5 The Mayor and Board of Supervisors hereby establish the Balboa Reservoir Community
6 Advisory Committee (the "Advisory Committee") of the City and County of San Francisco.

7
8 **SEC. 5.17-2. FINDINGS AND PURPOSES.**

9 (a) The City and County of San Francisco, acting through its Public Utilities Commission,
10 owns approximately 18 acres of the western portion of the Balboa Reservoir located off of Ocean and
11 Phelan Avenues in Balboa Park (the land owned by the City referred to in this Article XVII as the
12 "Site"). The Site is currently used for short-term parking accommodating up to about 1,000
13 automobiles. The City has chosen the Site as a potential location under the Public Land for Housing
14 Program, an interdepartmental program to coordinate development of certain of the City's public land
15 assets with the goal of providing affordable housing and other benefits for the public while ensuring
16 that City agencies meet their core needs. In the case of development at the Site, there is an opportunity
17 for the City to realize a substantial amount of new affordable housing, as well as other community
18 benefits, while still allowing the Public Utilities Commission to receive fair market value for the land.

19 (b) To ensure the success of any development at the Site, City agencies must receive input
20 from the individuals and communities that will be most directly impacted by the project, including
21 residents, businesses, and educational institutions in the area immediately surrounding the Site.

22 (c) Due to the large size and physical complexity of the Balboa Reservoir site, an Advisory
23 Committee is warranted.

24 (d) In light of the passage of Proposition K in November 2014, the City is assessing all
25 public sites' ability to meet the City's affordable housing goals.

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1 (e) The purpose of the Advisory Committee is to provide a community voice and function as
2 a central clearinghouse for community input in the process as the City considers options for
3 development of the Site.

4 5 **SEC. 5.17-3. MEMBERSHIP.**

6 (a) The Advisory Committee shall consist of nine members, appointed as follows:

7 (1) Seat 1 shall be held by the President of the Sunnyside Neighborhood Association
8 or his or her designee.

9 (2) Seat 2 shall be held by the President of the Westwood Park Neighborhood
10 Association or his or her designee.

11 (3) Seat 3 shall be held by a resident of the OMI (Oceanview-Merced-Ingleside)
12 neighborhood, appointed by the Supervisor for District 7

13 (4) Seat 4 shall be held by an employee or trustee of City College of San Francisco,
14 appointed by the Supervisor for District 7.

15 (5) Seat 5 shall be held by a member of the Balboa Park Station Community
16 Advisory Committee, appointed the Supervisor for District 7. If the Balboa Park Station Community
17 Advisory Committee sunsets before the Advisory Committee, then Seat 5 shall be held by a member of
18 the general public resident of District 7 or by a person who owns a business located in District
19 7, appointed by the Supervisor for District 7.

20 (6) Seat 6 shall be held by a person who owns a business located on Ocean Avenue
21 in District 7, appointed by the Mayor.

22 (7) Seat 7 shall be held by a member of the San Francisco Public Utilities
23 Commission Citizens Advisory Committee, appointed by the Mayor.

24 (8) Seats 8 through 9 shall be at-large seats, appointed by the Mayor.
25

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1 **(b) If at any time the neighborhood association representative designated for Seat 1 or 2**
2 **declines to serve as a member of the Advisory Committee or to appoint a designee, and leaves that seat**
3 **vacant for 60 days or longer, the Board of Supervisors may appoint a member of the public to fill the**
4 **seat until such time as the neighborhood association representative joins the Advisory Committee or**
5 **designates a person to serve in the seat.**

6 7 **SEC. 5.17-4. ORGANIZATION AND TERMS OF OFFICE.**

8 **(a) Each member shall serve at the pleasure of the member's appointing authority, and**
9 **shall serve for the life of the Advisory Committee unless removed by the appointing authority.**

10 **(b) If a vacancy occurs in any seat on the Advisory Committee, the appointing authority for**
11 **the vacated seat shall appoint a successor to that seat.**

12 **(c) Service on the Advisory Committee shall be voluntary and members shall receive no**
13 **compensation.**

14 **(d) Any member who misses three regular meetings of the Advisory Committee within a six-**
15 **month period without the express prior or subsequent approval of the Advisory Committee at or**
16 **before each missed meeting shall be deemed to have resigned from the Advisory Committee 30**
17 **days after the third unapproved absence ten days after the third unapproved absence. The**
18 **Advisory Committee shall inform the appointing authority of the resignation, and for**
19 **resignations in Seats 1 through 5, the Advisory Committee shall also inform the Clerk of the**
20 **Board.**

21 **(e) The Mayor's Office of Economic and Workforce Development or any successor office**
22 **and the Planning Department shall provide clerical and administrative support and staffing for the**
23 **Advisory Committee.**

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25
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1 **SEC. 5.17-5. POWERS AND DUTIES.**

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

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

11 (c) *The Advisory Committee shall have no authority to exercise the sovereign powers of the*
12 *City, including the authority to select or negotiate with potential developers of the Site.*

13 (d) *No later than one year after the inaugural meeting of the Advisory Committee, and at*
14 *least once every 12 months thereafter, the Advisory Committee shall submit to the Board of Supervisors*
15 *and the Mayor a report describing the Advisory Committee's activities and recommendations.*

16 (e) *All City departments, commissions, boards, and agencies shall cooperate with the*
17 *Advisory Committee in conducting its business.*

18
19 **SEC. 5.17-6. MEETINGS AND PROCEDURES.**

20 (a) *The Advisory Committee shall hold its inaugural meeting not more than 30 days after a*
21 *quorum of the Advisory Committee, defined as a majority of seats, has been appointed. There shall be*
22 *at least ten days' notice of the inaugural meeting. From the inaugural meeting until March 2016, the*
23 *Advisory Committee shall hold a regular meeting not less than once every month, unless a majority of*
24 *members agree that a meeting need not occur in any particular month. After March 2016, the Advisory*
25 *Committee may hold regular meetings less frequently than once a month.*

Memo to Members of the Balboa Reservoir CAC


1 **(b) The Advisory Committee shall elect its own officers and may establish rules for its own**
2 **organization and procedures.**

3
4 **SEC. 5.17-7. SUNSET.**

5 **The Board of Supervisors and Mayor intend the Advisory Committee to last until development**
6 **entitlements have been issued for the Site. Accordingly, this Article XVII shall expire by operation of**
7 **law, and the Advisory Committee shall terminate, five years after the effective date of Ordinance No.**
8 **45-15 establishing the Advisory Committee, provided that the Board of Supervisors may extend the**
9 **expiration date by ordinance. After the expiration of the Advisory Committee, the City Attorney shall**
10 **cause this Article to be removed from the Administrative Code. Notwithstanding Rule 2.21 of the**
11 **Board of Supervisors Rules of Order, which provides that advisory bodies created by the Board should**
12 **sunset within three years, the Board intends the Advisory Committee to exist for longer than three**
13 **years.**

14
15 Section 2. Effective Date. This ordinance shall become effective 30 days after
16 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
17 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
18 of Supervisors overrides the Mayor's veto of the ordinance.

19
20 APPROVED AS TO FORM:
21 DENNIS J. HERRERA, City Attorney

22 By: 
23 JON GIVNER
24 Deputy City Attorney

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City and County of San Francisco

Tails Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 150247

Date Passed: March 31, 2015

Ordinance amending the Administrative Code to establish the Balboa Reservoir Community Advisory Committee to advise the Board of Supervisors, the Mayor, and City departments regarding any proposed development under the Public Land for Housing Program at the portion of the Balboa Reservoir owned by the San Francisco Public Utilities Commission; and setting forth the membership and duties of the Advisory Committee.

March 19, 2015 Government Audit and Oversight Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

March 19, 2015 Government Audit and Oversight Committee - REFERRED WITHOUT RECOMMENDATION AS AMENDED AS A COMMITTEE REPORT

March 24, 2015 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

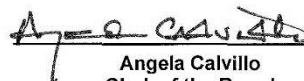
March 31, 2015 Board of Supervisors - FINALLY PASSED

Ayes: 9 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang and Wiener

Excused: 2 - Mar and Yee

File No. 150247

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 3/31/2015 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor

4/8/15
Date Approved

Attachment 2

Proposed Draft for Consideration at August 26, 2015 meeting

**City and County of San Francisco
Balboa Reservoir Citizens Advisory Committee
[DRAFT] 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

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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

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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 5. 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

Memo to Members of the Balboa Reservoir CAC

meetings less frequently than once a month. The regular meetings of the CAC shall be held on the _____ of the month at the hour of _____ at _____ 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 6. 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 7. 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.

Memo to Members of the Balboa Reservoir CAC

Section 8. 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 10. 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.

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.

Adopted on August ____, 2015

Ayes:

Nays: