

File No. 180196

Committee Item No. 1

Board Item No. 39

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date April 11, 2018

Board of Supervisors Meeting

Date April 17, 2018

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
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| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
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| <input type="checkbox"/> | <input type="checkbox"/> | Memorandum of Understanding (MOU) |
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| <input type="checkbox"/> | <input type="checkbox"/> | Vacancy Notice |
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OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Resolution Nos. 104-01, 393-17</u> |
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Completed by: Alisa Somera Date April 6, 2018
Completed by: Alisa Somera Date April 13, 2018

1 [Transbay Joint Powers Authority - Authorizing Appointment of Alternate Directors]

2
3 **Resolution authorizing the appointment of alternate directors to serve on the Transbay**
4 **Joint Powers Authority Board of Directors.**

5
6 WHEREAS, In 2001, the City and County of San Francisco ("City"), the Alameda-
7 Contra Costa Transit District ("AC Transit"), and the Peninsula Corridor Joint Powers Board
8 ("Caltrain") created the Transbay Joint Powers Authority ("TJPA") to design, build, and
9 operate the Transbay Transit Center Program; and

10 WHEREAS, In Resolution No. 104-01, the Board of Supervisors authorized the City to
11 form the TJPA; and

12 WHEREAS, Under the original joint powers agreement approved in 2001, the board of
13 the TJPA had five directors, with one director appointed by Caltrain, one director appointed by
14 AC Transit, and three directors appointed by the City, and the original joint powers agreement
15 authorized the potential appointment of alternate directors; and

16 WHEREAS, Resolution No. 104-01 authorized the Mayor to appoint one director to the
17 TJPA board, authorized the Municipal Transportation Agency Board of Directors to appoint
18 one director, and authorized the Board of Supervisors to appoint one of its members as a
19 director, but the Resolution did not expressly address the process for appointment of alternate
20 directors to any of those seats; and

21 WHEREAS, In Resolution No. 393-17, the Board of Supervisors approved an
22 amendment to the joint powers agreement, adding the California High Speed Rail Authority as
23 a new member of the TJPA and adding two seats to the TJPA board, one appointed by the
24 California High Speed Rail Authority and one appointed by the City; and

1 WHEREAS, Resolution No. 393-17 authorized the Board of Supervisors to appoint the
2 additional director on behalf of the City, and also to appoint an alternate director for that seat
3 on the TJPA board; now, therefore, be it

4 RESOLVED, That the Board of Supervisors finds that the City's previous appointments
5 of alternate directors were duly authorized, and affirms that the Mayor and the Municipal
6 Transportation Agency Board of Directors each may appoint an alternate director to fulfill the
7 duties of the director appointed under Resolution No. 104-01 if the director is absent or
8 unavailable to fulfill those duties; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors may appoint an alternate
10 director to fulfill the duties of each Board-appointed director if the Board-appointed director is
11 absent or unavailable to fulfill those duties; or, in its discretion, the Board of Supervisors may
12 appoint a single alternate director to serve as an alternate to both Board-appointed directors;
13 and, be it

14 FURTHER RESOLVED, That if at any time the Board of Supervisors has appointed an
15 alternate director for one of the two Board-appointed seats but not the other, the alternate
16 director may serve as an alternate for both seats unless the Board provides otherwise by
17 written motion.

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FILE NO.

RESOLUTION NO.

File No. 180196
(Sup. Kim proposed)
✓ ACCEPTED AMENDMENTS

1 [Transbay Joint Powers Authority - Authorizing Appointment of Alternate Directors]

2
3 **Resolution authorizing the appointment of alternate directors to serve on the Transbay**
4 **Joint Powers Authority Board of Directors.**

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6 WHEREAS, In 2001, the City and County of San Francisco ("City"), the Alameda-
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9 operate the Transbay Transit Center Program; and

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15 agreement authorized the potential appointment of alternate directors; and

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17 TJPA board, authorized the Municipal Transportation Agency Board of Directors to appoint
18 one director, and authorized the Board of Supervisors to appoint one of its members as a
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24 California High Speed Rail Authority and one appointed by the City; and

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5 of alternate directors were duly authorized, and affirms that the Mayor and the Municipal
6 Transportation Agency Board of Directors each may appoint an alternate director to fulfill the
7 duties of the director appointed under Resolution No. 104-01 if the director is absent or
8 unavailable to fulfill those duties; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors may appoint an alternate
10 director to fulfill the duties of each Board-appointed director if the Board-appointed director is
11 absent or unavailable to fulfill those duties; or, in its discretion, the Board of Supervisors may
12 appoint a single alternate director to serve as an alternate to both Board-appointed directors;
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17 written motion.

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[Transbay Terminal Joint Exercise of Powers Agency]

Resolution authorizing the City and County of San Francisco to form a joint powers agency for the purpose of developing, designing, constructing and operating a new intermodal transit facility on and adjacent to the site of the existing Transbay Terminal, approving a form of the agreement creating the joint exercise of powers agency, urging the Bay Area Toll Authority to allocate funds to the development project, and urging the State Legislature to appropriate funds and transfer real property to support development of the new transit facility.

WHEREAS, The "Transit First Policy" in Section 16.102 of the Charter of the City and County of San Francisco ("City") declares that the City shall promote the use of regional mass transit and the continued development of an integrated, reliable, regional transportation system; and

WHEREAS, On November 2, 1999, the voters of the City adopted Proposition H, which declares that the Caltrain commuter rail line shall be extended downtown to a regional intermodal transit station (the "Caltrain Extension"); and,

WHEREAS, Proposition H declares that a new or rebuilt terminal shall be constructed on the present site of the Transbay Terminal to serve Caltrain, regional and intercity bus lines, the Municipal Transit Agency ("MUNI" or "MUNI Metro"), and high speed rail, with convenient connections to Bay Area Rapid Transit ("BART") and MUNI Metro; and,

WHEREAS, Proposition H acknowledges that a world-class transit station connecting Caltrain, MUNI, and intercity bus lines such as the Alameda-Contra Costa Transit District ("AC Transit") with high-speed rail, located within easy walking distance of downtown, and with

1 direct connections to BART and MUNI Metro would help the City maintain San Francisco's
2 role as the economic and cultural center of Northern California; and,

3 WHEREAS, Proposition H declares that City officers and agencies shall take all
4 appropriate actions to generate the revenue necessary to finance the Caltrain Extension to
5 downtown and transit facility construction; and,

6 WHEREAS, After two years of work by the thirty member Transbay Panel, under the
7 leadership of the Metropolitan Transportation Commission, the City of San Francisco, AC
8 Transit, Caltrans and the Peninsula Corridor Joint Powers Board-Caltrain (the "JPB"), an
9 informed, transit-based, site-appropriate conceptual design has been proposed for
10 construction of a new Transbay Terminal (the "Terminal Plan"); and,

11 WHEREAS, The Terminal Plan proposal was approved by the Executive Committee of
12 the Transbay Panel with multi-agency constituent support, including transit districts such as
13 BART and the Golden Gate Bridge, Highway and Transportation District, other transit and bus
14 operators, and various City departments; and,

15 WHEREAS, In September, 2000, the Bay Area Toll Authority ("BATA") formally
16 approved the Terminal Plan;

17 WHEREAS, In December of 1994, this Board of Supervisors designated a Transbay
18 Redevelopment Survey Area which includes blighted areas such as the seismically-damaged
19 Transbay Terminal and ramp structures, and also includes land left vacant due to demolition
20 of the Terminal Separator Structure and Embarcadero Freeway after the 1989 Loma Prieta
21 earthquake; and,

22 WHEREAS, Redevelopment of the Transbay Terminal site and surrounding areas will
23 alleviate current blight conditions and provide opportunities for new housing and businesses in
24 a transit-oriented neighborhood, and will provide a world-class transit gateway into the
25 downtown area and outward to the entire San Francisco Bay area; and,

MAYOR WILLIE L. BROWN, Jr.; SUPERVISOR TOM AMMIANO
BOARD OF SUPERVISORS

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1 WHEREAS, Redevelopment of the area surrounding the Transbay Terminal requires
2 that the State of California transfer several State-owned parcels of land within the Survey
3 Area to the City and County of San Francisco or to the San Francisco Redevelopment
4 Agency; and,

5 WHEREAS, The existing Transbay Terminal serves as a vital link in meeting
6 transportation needs of commuters between the East Bay and the City, and Caltrans intends
7 to demolish a portion of the eastern ramp from the Bay Bridge into the Terminal in order to
8 construct a temporary Fremont Street automobile ramp, and such demolition will cause the
9 addition of 800 buses each day to City Streets; and,

10 WHEREAS, The Terminal Plan includes temporary restoration of the eastern ramp to
11 provide efficient bus access to the existing Terminal, and direct access to a temporary
12 terminal during construction of the new Terminal Plan facility; and,

13 WHEREAS, The temporary restoration or reconstruction of ramp structures is critical to
14 implementation of the Terminal Plan, and necessary to minimize impacts on commuters and
15 City streets; and,

16 WHEREAS, Construction of a new transit terminal and the associated Caltrain
17 Extension are a single project and should be jointly funded; and,

18 WHEREAS, In March, 2001, consultant contracts funded by BATA for work on the
19 Terminal Plan will terminate and further design and engineering work on the Terminal Plan will
20 cease, unless an entity is formed and funded to manage additional development and continue
21 the momentum achieved by the Transbay Panel to reach the collective goal of
22 groundbreaking in 2003 and of hosting the grand opening of the Terminal in 2007; and,

23 WHEREAS, The Caltrain Extension should be developed concurrently with the
24 Terminal Plan and the projects should be managed by a single entity; and,
25

1 WHEREAS, The City, acting through the Mayor's Office of Economic Development,
2 proposes the formation of a joint exercise of powers agency ("JPA") with the City, AC Transit,
3 and the JPB as members, to develop, design, construct, and operate a new transit terminal
4 and related facilities on and adjacent to the existing Transbay Terminal site, and the proposed
5 JPA shall have authority to issue bonds and other evidences of indebtedness to help finance
6 such purposes; and,

7 WHEREAS, In order to form a JPA, the City must enter into a joint exercise of powers
8 agreement; and,

9 WHEREAS, The proposed JPA should be governed by a five-member board of
10 directors, with one member appointed by the JPB, one member appointed by AC Transit, one
11 member appointed by the Mayor of the City and County of San Francisco, one member
12 appointed by the Municipal Transportation Agency Board of Directors subject to affirmative
13 confirmation by the Board of Supervisors, and one member of the San Francisco Board of
14 Supervisors appointed by the Board of Supervisors; and

15 WHEREAS, The Board of Supervisors hereby ratifies all prior actions taken by City
16 staff to form the proposed JPA; and

17 WHEREAS, The proposed Terminal Plan and the Caltrain Extension will involve
18 continued public input into transit facility design and construction through public hearings and
19 public comment before both local and regional agencies for review under the California
20 Environmental Quality Act and other laws; now, therefore, be it

21 RESOLVED, That the Board hereby finds and declares the above recitals are true and
22 correct; and, be it

23 FURTHER RESOLVED, That it shall be the official policy of the City and County of San
24 Francisco to coordinate and commit its resources in support of the planning and
25

MAYOR WILLIE L. BROWN, Jr., SUPERVISOR TOM AMMIANO
BOARD OF SUPERVISORS

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1 redevelopment efforts required to implement the proposed Terminal Plan and Caltrain
2 Extension for a world-class intermodal transit facility; and, be it

3 FURTHER RESOLVED, That pursuant to Section 6502 of the Government Code the
4 Board of Supervisors hereby authorizes the City and County of San Francisco to form a joint
5 exercise of powers agency and to execute a joint exercise of powers agreement, a form of
6 which is on file with the Clerk of the Board of Supervisors in File No. 010231, which is hereby
7 declared to be a part of this resolution as if set forth fully herein with such changes, additions
8 and modifications as the Mayor may make or approve upon consultation with the City Attorney
9 and the Executive Director of the San Francisco County Transportation Authority, the Mayor's
10 approval to be conclusively evidenced by the execution and delivery by the Mayor of the joint
11 exercise of powers agreement; and, be it

12 FURTHER RESOLVED, That the California legislature is urged to enact legislation
13 requested by the City to provide necessary state-owned real property, funding, and other
14 measures necessary to support development of the proposed Terminal Plan and Caltrain
15 Extension to fulfill the transit and transportation needs of the City and the San Francisco Bay
16 Area for the next century; and, be it

17 FURTHER RESOLVED, That BATA is urged to allocate monies from existing seismic
18 surcharge revenues to the JPA immediately upon formation, in sufficient and reasonable
19 amounts to fund JPA operations and contracts for the Terminal Plan and Caltrain Extension
20 until such time as other funds become available, so that members of the proposed JPA will
21 not be responsible for any costs; and, be it

22 FURTHER RESOLVED, That consistent with the Transit First Policy of the Charter of
23 the City and County of San Francisco, the Board of Supervisors hereby urges the JPA
24 Directors to approve agreements and leases with AC Transit to ensure that design,
25 construction, and operation of the new Transbay Terminal meet specific performance criteria

MAYOR WILLIE L. BROWN, Jr., SUPERVISOR TOM AMMIANO
BOARD OF SUPERVISORS

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1 designed to maximize the usefulness of the facility for transit operations and pedestrian
2 circulation without increases in facility rental costs; and, be it

3 FURTHER RESOLVED, That Caltrans is urged to temporarily replace any portions of
4 the eastern Transbay Terminal ramp demolished in conjunction with work on the Fremont
5 Street ramp until such time as the Terminal Plan facility becomes operational, and to construct
6 and/or reconstruct portions of the western ramp as necessary to provide for efficient operation
7 of transit vehicles; and, be it

8 FURTHER RESOLVED, That the Mayor and all officers of the City and their agents are
9 hereby authorized and urged, jointly and severally, to do any and all things and to execute
10 and deliver any and all certificates and other documents, in addition to the documents referred
11 to in this Resolution, which they or the City Attorney may deem necessary or advisable in
12 order to effectuate the purposes of this Resolution.

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MAYOR WILLIE L. BROWN, Jr., SUPERVISOR TOM AMMIANO
BOARD OF SUPERVISORS

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City and County of San Francisco

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

Tails

Resolution

File Number: 010231

Date Passed:

Resolution authorizing the City and County of San Francisco to form a joint powers agency for the purpose of developing, designing, constructing and operating a new intermodal transit facility on and adjacent to the site of the existing Transbay Terminal, approving a form of the agreement creating the joint exercise of powers agency, urging the Bay Area Toll Authority to allocate funds to the development project, and urging the State Legislature to appropriate funds and transfer real property to support development of the new transit facility.

February 12, 2001 Board of Supervisors — SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA

February 12, 2001 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval

Absent: 2 - Newsom, Yee

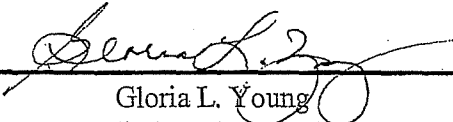
February 12, 2001 Board of Supervisors — ADOPTED AS AMENDED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval

Absent: 2 - Newsom, Yee

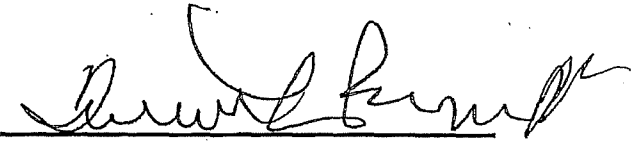
File No. 010231

I hereby certify that the foregoing Resolution
was ADOPTED AS AMENDED on February
12, 2001 by the Board of Supervisors of the
City and County of San Francisco.


Gloria L. Young
Clerk of the Board

FEB 16 2001

Date Approved


Mayor Willie L. Brown Jr.

1 [Transbay Joint Powers Authority - Authorizing the Addition of the California High Speed Rail
2 Authority as a New Member]

3
4 **Resolution concurring with the recommendation of the Transbay Joint Powers**
5 **Authority ("TJPA") to add the California High Speed Rail Authority ("CHSRA") as a New**
6 **Member of the TJPA Board of Directors; and authorizing the Mayor, or his/her**
7 **designee, to execute an amendment to the TJPA Joint Powers Agreement and Bylaws**
8 **to add the CHSRA as a new TJPA Board member; and authorizing the Board of**
9 **Supervisors to appoint one additional director and one additional alternate director to**
10 **serve on the Board of Directors of the TJPA.**

11
12 WHEREAS, In 2001, the City and County of San Francisco ("City"), the Alameda-
13 Contra Costa Transit District ("AC Transit"), and the Peninsula Corridor Joint Powers Board
14 ("Caltrain") created the Transbay Joint Powers Authority ("TJPA") to design, build, and
15 operate the Transbay Transit Center Program (Transbay Program); and

16 WHEREAS, The Transbay Program is being developed in two phases, with the first
17 phase being the construction of the Transit Center for bus operations, and the second phase
18 being the development of the downtown extension (DTX) of Caltrain and eventually California
19 High Speed Rail to the Transit Center; and

20 WHEREAS, The Transbay Program is at a transition point, with the first phase nearing
21 completion. The TJPA desires to ensure that the agency has the strategic leadership to
22 develop federal, state, regional, and local consensus support for key aspects of phase two,
23 which may include project delivery methods, budget, funding, financing, and
24 stakeholder/operator requirements for the system; and
25

1 WHEREAS, Section 16 of the Joint Powers Agreement and Article IV of the TJPA
2 Bylaws contemplate that New Members may be added to the TJPA. The concurrence of the
3 existing Members of the TJPA is required to invite a public agency to become a New Member
4 of the TJPA; and

5 WHEREAS, The California High Speed Rail Authority ("CHSRA") is a major
6 stakeholder in the development and operation of phase two of the Transbay Program, and
7 inviting CHSRA to join the TJPA as a New Member may facilitate the support that is critical to
8 successful completion of phase two; and

9 WHEREAS, On January 12, 2017, the TJPA Board of Directors adopted Resolution
10 No. 17-003, directing the Executive Director to invite CHSRA to join the TJPA conditioned
11 upon the concurrence of the existing Members; and

12 WHEREAS, On June 14, 2017, the CHSRA Board of Directors adopted Resolution No.
13 HSRA 17-11, accepting the invitation to become a Member of the TJPA; now, therefore, be it

14 RESOLVED, That the Board of Supervisors concurs with the recommendation of the
15 TJPA to add the California High Speed Rail Authority as a New Member of the Transbay Joint
16 Powers Authority and authorizes the Mayor, or his/her designee, to execute an amendment to
17 the TJPA Joint Powers Agreement and Bylaws on behalf of the City and County of San
18 Francisco to add the California High Speed Rail Authority as a New Member; and be it

19 FURTHER RESOLVED, That the Board of Supervisors shall appoint one additional
20 director and one additional alternate director for the City to serve on the Board of Directors of
21 the TJPA; and, be it

22 FURTHER RESOLVED, That the additional director and alternate director appointed by
23 the Board of Supervisors shall have expertise in large, complex infrastructure funding, policy,
24 and/or project delivery.

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City and County of San Francisco

Tails
Resolution

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

File Number: 171017

Date Passed: October 24, 2017

Resolution concurring with the recommendation of the Transbay Joint Powers Authority ("TJPA") to add the California High Speed Rail Authority ("CHSRA") as a New Member of the TJPA Board of Directors; authorizing the Mayor, or his/her designee, to execute an amendment to the TJPA Joint Powers Agreement and Bylaws to add the CHSRA as a new TJPA Board Member; and authorizing the Board of Supervisors to appoint one additional Director and one additional Alternate Director to serve on the Board of Directors of the TJPA.

October 18, 2017 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

October 18, 2017 Rules Committee - RECOMMENDED AS AMENDED

October 24, 2017 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

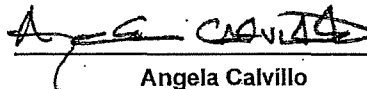
Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee


October 24, 2017 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 171017

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 10/24/2017 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor

11/03/17
Date Approved

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Ed Reiskin, Executive Director, Municipal Transportation Agency

FROM: *el*
for Alisa Somera, Legislative Deputy Director
Rules Committee

DATE: March 6, 2018

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee has received the following proposed legislation, introduced by Supervisor Kim on February 27, 2018:

File No. 180196

Resolution authorizing the appointment of alternate directors to serve on the Transbay Joint Powers Authority Board of Directors.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: alisa.somera@sfgov.org.

c: Janet Martinsen, Municipal Transportation Agency
Kate Breen, Municipal Transportation Agency
Dillon Auyoung, Municipal Transportation Agency
Viktoriya Wise, Municipal Transportation Agency

Introduction Form

By a Member of the Board of Supervisors or Mayor

BOARD OF SUPERVISORS
SAN FRANCISCO

2018 FEB 27 PM 12:23
Time stamp
or meeting date

BY EB

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Kim

Subject:

Resolution authorizing the appointment of alternate directors to serve on the Transbay Joint Powers Authority Board of Directors.

The text is listed:

Attached

Signature of Sponsoring Supervisor: [Signature]

For Clerk's Use Only