

BOARD of SUPERVISORS



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MEMORANDUM

TO: Ed Reiskin, Executive Director, Municipal Transportation Agency
John Rahaim, Director, Planning Department

FROM: Derek Evans, Clerk, Rules Committee *DE*
Board of Supervisors

DATE: October 12, 2016

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee has received the following legislation, introduced by Supervisor Avalos on September 27, 2016. This matter is being referred to you for informational purposes since it affects your department.

**File No. 161033 Administrative Code - Extending Balboa Park Station Area
Plan Community Advisory Committee**

Ordinance amending the Administrative Code to codify the Balboa Park Station Area Plan Community Advisory Committee, establish its size and membership, set terms and term limits for its members, and extend its sunset date to February 28, 2020.

If you wish to submit any reports or documentation to be considered with the legislation, please send those to me at the Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

c: Janet Martinsen, Municipal Transportation Agency
Kate Breen, Municipal Transportation Agency
Dillon Auyoung, Municipal Transportation Agency
Neal Patel, Municipal Transportation Agency
Keith Tanner, Municipal Transportation Agency
AnMarie Rogers, Planning Department
Aaron Starr, Planning Department

1 [Administrative Code - Extending Balboa Park Station Area Plan Community Advisory
2 Committee]

3 **Ordinance amending the Administrative Code to codify the Balboa Park Station Area**
4 **Plan Community Advisory Committee, establish its size and membership, set terms**
5 **and term limits for its members, and extend its sunset date to February 28, 2020.**

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

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

14 Section 1. The Administrative Code is hereby amended by adding Article XII, Sections
15 5.12-1 through 5.12-7, to Chapter 5, to read as follows:

16 **SEC. 5.12-1. CREATION OF BALBOA PARK STATION AREA PLAN COMMUNITY**
17 **ADVISORY COMMITTEE.**

18 *The Board of Supervisors hereby establishes the Balboa Park Station Area Plan Community*
19 *Advisory Committee (the "Committee") of the City and County of San Francisco.*

20 **SEC. 5.12-2. FINDINGS.**

21 *(a) In April 2009, the City enacted Ordinance No. 60-09, amending the City's General Plan*
22 *to implement the Balboa Park Station Area Plan ("BPSAP"). At the same time, the City enacted*
23 *Ordinance Nos. 58-09, 59-09, and 61-09 to effectuate the BPSAP. The BPSAP identified potential*
24 *changes to improve the plan area's public realms: to promote a balanced mix of public benefits and*
25 *infrastructure improvements in and around the BART station, Upper Yard, Geneva Plaza, and*

1 transportation areas; to improve pedestrian safety and overall area security; and to ensure that new
2 neighborhood infrastructure is provided concurrently with the demands generated by the BPSAP.

3 (b) In March 2012, the City enacted Resolution No. 063-12, establishing the Balboa Park
4 Community Advisory Committee for the purpose of providing input and community oversight on the
5 prioritization and implementation of the transportation and other public improvements envisioned in
6 the BPSAP; relaying information to community stakeholders; and serving as a forum for coordination,
7 information-sharing, and collaboration among neighborhood residents, City agencies, and developers.
8 In December 2014, the City enacted Resolution No. 458-14, extending the Committee for two additional
9 years. This Article XII codifies the Committee in the Administrative Code.

10
11 **SEC. 5.12-3. MEMBERSHIP.**

12 (a) The Committee shall consist of nine members, appointed by the Board of Supervisors.

13 (1) Seat 1 shall be held by a person who is a member of or an advocate for low-
14 income or underserved communities in the neighborhoods served by Balboa Park Station.

15 (2) Seat 2 shall be held by a person who represents or is an advocate for families
16 and young people, including youth ages 16 to 24, in the neighborhoods served by Balboa Park Station.

17 (3) Seat 3 shall be held by a student, faculty member or staff member at City College
18 of San Francisco or another school served by Balboa Park Station.

19 (4) Seat 4 shall be held by a person who is senior or disabled or who advocates for
20 senior or disabled communities in the neighborhoods served by Balboa Park Station.

21 (5) Seat 5 shall be held by a person who regularly rides public transit or who
22 advocates for transit riders in the neighborhoods served by Balboa Park Station.

23 (6) Seat 6 shall be held by a person who advocates for the interests of pedestrians
24 and bicyclists in the neighborhoods served by Balboa Park Station.

1 (7) Seat 7 shall be held by a resident of the neighborhoods served by Balboa Park
2 Station.

3 (8) Seat 8 shall be held by a person who owns or works for a small business or who
4 advocates for community and economic development in the neighborhoods served by Balboa Park
5 Station.

6 (9) Seat 9 shall be held by a representative of a nonprofit organization or community
7 group that works on issues related to land use or housing in the neighborhoods served by Balboa Park
8 Station.

9 (b) The members of the Committee generally should have a variety of diverse capacities and
10 backgrounds, representing the diversity of the communities served by the Balboa Park Station.

11
12 **SEC. 5.12-4. ORGANIZATION AND TERMS OF OFFICE.**

13 (a) The terms of all members of the Committee shall expire by operation of law on February
14 28, 2017. Thereafter, members of the Committee shall serve two-year terms beginning on March 1,
15 2017; provided, however, in order to stagger the terms of the members, the term of the initial
16 appointees in Seats 2, 4, 6, and 8 shall be one year and shall expire on February 28, 2018.

17 (b) No person may serve more than two successive terms as a member of the Committee
18 beginning on or after March 1, 2017. No person having served two successive terms may serve as a
19 member until at least two years after the expiration of the second successive term. For purposes of this
20 subsection (b), service for a part of a term that is more than half the period of the term shall count as a
21 full term, and service that is half or less than half the period of a term shall not count as a full term;
22 further, this subsection makes no distinction between the initial one-year terms described in subsection
23 (a) and two-year terms.

24 (c) Each member shall serve at the pleasure of the Board of Supervisors.
25

1 (d) If a vacancy occurs in any seat on the Committee, the Board of Supervisors shall
2 appoint a successor to that seat.

3 (e) Members of the Committee shall receive no compensation from the City.

4 (f) Any member who misses three regular meetings of the Committee without the express
5 approval of the Committee at or before each missed meeting shall be deemed by operation of law to
6 have resigned from the Committee ten days after the third unapproved absence. The Committee shall
7 inform the Clerk of the Board of Supervisors of the resignation.

8 (g) The Board of Supervisors urges the Municipal Transportation Agency to provide
9 clerical and administrative support and staffing for the Committee.

10
11 **SEC. 5.12-5. DUTIES.**

12 (a) The Committee shall provide advice to the Board of Supervisors, the Mayor, and all
13 relevant City departments regarding implementation of the BPSAP. The Committee shall monitor the
14 progress of public improvement projects in the area, and provide advice regarding how the City can
15 prioritize projects to maximize community improvement. The Committee shall conduct outreach to
16 communities in the neighborhoods served by the Balboa Park Station with the goal of ensuring robust
17 public participation at Committee meetings.

18 (b) By January 31 each year, the Committee shall develop a work plan to guide the
19 Committee's priorities and agendas for that year.

20 (c) All City departments, commissions, boards, and agencies shall cooperate with the
21 Committee in conducting its business.

22
23 **SEC. 5.12-6. MEETINGS AND PROCEDURES.**

24 (a) The Committee shall hold a regular meeting not less than once every three months until
25 the sunset date set forth in Section 5.12-7.

1 **(b) Five members of the Committee shall constitute a quorum for the purpose of meeting,**
2 **and the affirmative votes of at least five members of the Committee are necessary to constitute approval**
3 **of any non-parliamentary matter by the Committee.**

4 **(c) The Committee shall elect its own officers and may establish rules for its own**
5 **organization and procedures.**

6
7 **SEC. 5.12-7. SUNSET.**

8 **Unless extended by ordinance, this Article XII shall expire by operation of law, and the**
9 **Committee shall terminate, on February 28, 2020. After the expiration of the Committee, the City**
10 **Attorney shall cause this Article to be removed from the Administrative Code.**

11
12 Section 2. Effective Date. This ordinance shall become effective 30 days after
13 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
14 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
15 of Supervisors overrides the Mayor's veto of the ordinance.

16
17 APPROVED AS TO FORM:
18 DENNIS J. HERRERA, City Attorney

19 By: 

20 JON GIVNER
21 Deputy City Attorney

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