

**Treasure Island Development Authority
City and County of San Francisco**

Resolution approving an Amendment to the Bylaws of the Treasure Island/Yerba Buena Island Citizen’s Advisory Board to decrease the number of Board members.

SUMMARY OF PROPOSED ACTION:

This item seeks approval and authorization to amend the current Treasure Island/Yerba Buena Island Citizens Advisory Board Bylaws to decrease the number of members on the Citizens Advisory Board from twenty-five (25) to seventeen (17).

BACKGROUND:

On February 25, 1998, the Treasure Island Development Authority (the “Authority”) Board of Directors approved Authority Board Resolution 98-07-2/25, adopting rules and procedures for the creation of a TI/YBI Citizen Advisory Board (the “TI/YBI CAB”). The resolution directed the establishment of a TI/YBI CAB of up to twenty-five (25) members, and provided that additional categories of desired member expertise could be added from time to time as deemed necessary by the Authority. On February 1, 1999, the San Francisco Board of Supervisors (the “Board of Supervisors”) adopted Resolution No. 89-99, authorizing formation of the TI/YBI CAB, setting the number of members on the TI/YBI CAB at 25 members, and dividing TI/YBI CAB appointment power between the Mayor (14 members) and the Board of Supervisors (11 members).

In September 2000, the original 25 members of the TI/YBI CAB were first appointed by the Mayor and the Board of Supervisors. On December 13, 2000, the Authority Board of Directors adopted Authority Board Resolution No. 00-41-12/21 approving the formation of the TI/YBI CAB and approving the Treasure Island/Yerba Buena Island Citizens Advisory Board Bylaws (the “CAB Bylaws”).

Since December 2000, the CAB Bylaws have been amended seven times: March 2002 (amending process of appeal/meeting absences by members); January 2003 (allowing members retroactive attendance credits for subcommittee attendance); April 2004 (changing stated meeting time/date); November 2004 (amending timing of member term expirations and allowing for term extensions); March 2005 (allowing members rights of appeal and of re-instatement if terminated); March 2008 (removing member term expiration dates and clarifying triggers for term terminations); and October 2008 (providing for election of Treasure Island residents to TI/YBI CAB). The current version of the CAB Bylaws is now the Seventh Amended and Restated CAB Bylaws.

In 2008, the Authority sought state legislation that would exempt the Authority from the provisions of California Redevelopment Law that required the creation of a Project Area Committee (“PAC”), on the basis that the TI/YBI CAB included representation of residents and community organizations and would fulfill the intended purposes of a PAC. On September 26, 2008, Governor Schwarzenegger signed Assembly Bill 1496 (Leno) (“AB 1496”) which allowed the TI/YBI CAB to fulfill the functions that would have otherwise been expected of a PAC under California Redevelopment Law. A provision of

AB 1496 required the Authority to amend the membership composition of the TI/YBI CAB to include not less than four (4) seats specifically for residents currently residing on Treasure Island and Yerba Buena Island, including seats designated for low and moderate income residents. In October 2008, the Seventh Amended and Restated CAB Bylaws were adopted. The amendments included insertion of language in Article II specifying the process for the initial selection, by special election of the Treasure Island/Yerba Buena Island residents, to fill these resident-specific requirements.

As a result of the dissolution of California Redevelopment Law in 2011, the Treasure Island/Yerba Buena Island Project (the “Project”) was entitled without the benefit of California Redevelopment Law, the Project did not become a Redevelopment Area, and the Authority never exercised any California Redevelopment Law powers. Following entitlement of the Project in 2011, a legal challenge was filed to the Project’s evaluation under the California Environmental Quality Act (“CEQA”), Project progress went into a holding pattern, and, accordingly, the TI/YBI CAB met only infrequently. With the preparation of the Streetscape Masterplan, Major Phase Application and Subphase Applications beginning in 2014, the TI/YBI CAB is again meeting more regularly, but the most challenging responsibilities of the TI/YBI CAB – to shape and inform the reuse and development plan for the islands – have been fulfilled.

Amendment Decreasing the Number of Seats on the Citizens Advisory Board

With three recent departures, the TI/YBI CAB now has nine vacant positions including five vacant Mayoral-appointed seats and four vacant Supervisorial-appointed seats. Rather than soliciting new appointments for all of these positions it is proposed that at this time Article II of the TI/YBI CAB Bylaws be amended to reduce number of seats on the TI/YBI CAB from twenty-five to seventeen.

Amendments Removing Outdated References

In addition, deletions of certain Article II language are proposed. These amendments delete language added by the Seventh Amendment to the Bylaws intended to direct the 2008 election process related to the original filling of the seats designated for Treasure Island residents. These references to election process are no longer relevant, as the initial election of Island residents to the TI/YBI CAB as specified by this language has since occurred, and should be removed. The number of TI/YBI CAB seats designated for Treasure Island residents remains unchanged.

Article II of the Bylaws is proposed to be amended as follows (added text is displayed in ***bold underline italics*** and deletions are struck through):

Article II - Members

There shall be up to ~~twenty five (25)~~ ***seventeen (17)*** members on the CAB, ~~twelve (12)~~ ***ten (10)*** of whom shall be appointed by the Mayor, ~~nine (9)~~ ***seven (7)*** of whom shall be appointed by the Board of Supervisors, and four (4) of whom shall be ~~initially selected by a vote of the existing residents of Naval Station Treasure~~

Island (“NSTI”), ~~and shall themselves be residents~~ currently residing on NSTI. Two (2) of the four (4) NSTI resident member seats shall be designated for low and moderate income residents meeting the State's income limits for low and moderate income households published by the California Department of Housing and Community Development. ~~The election for the four (4) NSTI resident member seats shall be conducted by the Department of Elections in accordance with election procedures established by the Authority and the Department of Elections, and all NSTI resident member seats shall be filled no later than sixty (60) days prior to adoption of the Redevelopment Plan. For the purpose of filling any vacancies in the NSTI resident member seats that arise after the election, two~~ **Two** (2) of the NSTI resident member seats - one (1) low and moderate income resident and one (1) non income qualified resident - shall be designated as Mayor appointed seats (“~~post election Mayor appointed seats~~”), and two (2) of the NSTI resident member seats – one (1) low and moderate income resident and one (1) non income qualified resident – shall be designated as BoS appointed seats (“~~post election BoS appointed seats~~”).

A member's term shall terminate upon the member's submittal of a written resignation, death or termination for cause in accordance with Article IV, Section 5. In addition to the foregoing termination events, an NSTI resident member’s term shall terminate upon the member moving off of NSTI, and/or in the case of a low and moderate income resident, upon the member no longer meeting the State’s income limits for low and moderate income households. Authority staff shall communicate any CAB vacancy to the applicable appointing authority. If the vacancy is for a BoS appointed seat, the BoS shall appoint the replacement, ~~including those designated as post election BoS appointed seats~~. If the vacancy is for a Mayor appointed seat, the Mayor shall appoint the replacement, ~~including those designated as post election Mayor appointed seats~~. ~~The two (2) post election BoS appointed seats and the two (2) post election Mayor appointed seats shall be subject to the eligibility requirements of those members originally selected by a vote of the existing residents of NSTI, including maintaining residency on NSTI, and for the two (2) seats designated for low and moderate income residents.”~~

RECOMMENDATION:

Approve the Eighth Amended and Restated Bylaws of the Treasure Island/Yerba Buena Island Citizen’s Advisory Board.

Robert Beck, Treasure Island Director