

**THIS STAFF REPORT COVERS CALENDAR ITEM NO.: 12
FOR THE MEETING OF: OCTOBER 27, 2006**

TRANSBAY JOINT POWERS AUTHORITY

BRIEF DESCRIPTION

The Transbay Transit Center Program (Program) is a regional project with many stakeholders that will benefit the people of the City and County of San Francisco, the Bay Area, and the State of California. The public, stakeholders, and the Program will benefit from the democratic process provided by the creation of a Citizens Advisory Committee (CAC).

Staff recommends that the TJPA Board of Directors approve the creation of a TJPA CAC. The TJPA CAC will assist the TJPA Board on design, transit operations and funding opportunities, and will help to ensure that the Program reflects community values. The TJPA CAC will provide an organized forum for the larger community to seek information from the TJPA and comment on Board policies.

GOAL

The goal of the creation of the TJPA CAC is a dedicated citizen advisory body that serves as an ongoing forum for public information and comment on the design, transit operations, and development of the Program. In all matters concerning the CAC, transparency and solicitation of public input will be paramount. This will ensure that the Program progresses in an orderly, inclusive, and democratic fashion.

BACKGROUND

In preparing this recommendation, TJPA staff examined the CACs of a number of organizations similar in nature to the TJPA. The CACs reviewed include those of the San Francisco County Transportation Authority (SFCTA), San Francisco Municipal Transportation Agency (MTA), San Francisco Redevelopment Agency, San Mateo County Transportation Authority and Caltrain. These CACs are similar in their goals, but vary in composition and appointment processes. Some use a direct appointment process at the discretion of the individual Board members and others solicit applications from the public in order to fill their seats.

Based on our examination of these various CACs, staff recommends a process similar to that used by the SFCTA in which the TJPA solicits applications from the public who meet specific criteria. The criteria (see Composition below) was defined to ensure a diverse and qualified committee of regional stakeholders with an array of knowledge and interest/advocacy bases aligned with the principle components that define the Program. Staff will review applications and make recommendations of appointment to the TJPA Board of Directors, thus creating a CAC in the most open and transparent manner, with the greatest possibility for maximum public participation.

TJPA CAC SCOPE OF WORK

- The CAC shall serve as a conduit for ideas and information from the public to the TJPA, through written and oral reports.
- The CAC shall provide information to the public to enhance understanding of and support for the Program.
- The CAC shall advise the TJPA on Program design, transit operations and funding opportunities. The CAC shall support the Program by providing outreach to other public agencies, non-governmental organizations, and funding agencies.

COMPOSITION

Ten voting members subject to the following requirements:

1. Daily Caltrain Rider into San Francisco
2. Daily AC Transit Transbay Rider into San Francisco
3. Daily MUNI Rider on a line that terminates or passes through the Transbay Terminal

4. Local Resident from District 6 (zip code 94105 or 94107)
5. Local Business Owner from District 6 (zip code 94105 or 94107)
6. Environmentalist/public transit advocate
7. Member of a planning or good-government non-profit organization
8. Labor representative
9. Bicycle advocate
10. Disabled advocate

The Executive Director of the TJPA shall appoint a TJPA staff member liaison to the CAC, who will be a nonvoting member of the CAC. The TJPA will make every effort to ensure that the TJPA CAC represents the diversity of the Bay Area.

APPOINTMENT PROCEDURE

TJPA staff will provide an application for membership to the public that asks for qualifications for membership, a statement of the applicant’s objectives and goals, and affiliation(s) and references. Applicants who represent a particular group or organization are encouraged to submit a letter of support for their application from an officer of their organization (see attached). Staff will review submitted applications and recommend applicants who will make a valuable contribution to the Program for appointment to the CAC by the TJPA Board of Directors. The Staff shall recommend approval of one candidate for each of the 10 categories. The TJPA Staff shall endeavor to select candidates that represent the diversity of the Bay Area. The TJPA Board of Directors shall approve the recommended voting membership of the TJPA CAC.

LENGTH OF APPOINTMENT

The appointments of the ten inaugural voting members of the Committee will be staggered by drawing their names and assigning five to serve for a term ending one year from the first meeting, and five to serve a term ending two years from the date of the first meeting. Each member shall be eligible to serve a maximum of two consecutive terms. All subsequent members shall serve a two-year term, with a maximum of two consecutive terms. Vacancies shall be filled at the end of the term. Appointees can be replaced during a term with the approval of the TJPA Board.

The attached resolution authorizes the TJPA Executive Director to commence the process of creating the TJPA CAC by soliciting applications for membership in the TJPA CAC.

TIMELINE

October 27, 2006	TJPA CAC Approved by TJPA Board of Directors
November 1, 2006	Call for applications on website, via e-mail and mailing lists
February 1, 2007	CAC Application deadline
Dec. 2006 – Feb. 2007	TJPA Staff receives and reviews CAC applications
February 15, 2007	TJPA Board of Directors Approves CAC membership
March 2007	First TJPA CAC Meeting

ENCLOSURES

1. TJPA CAC Bylaws
2. Application for TJPA CAC Membership
3. Resolution

RECOMMENDATION

Adopt the resolution authorizing the creation of the TJPA CAC and adoption of its Bylaws.

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

Resolution No. _____

WHEREAS, In adopting Proposition H in the General Election in 1998, the voters of the City and County of San Francisco authorized the construction of a new inter-modal terminal (Transit Center) on the site of the Transbay Terminal at First and Mission Streets and the extension of Caltrain from the existing terminus at Fourth and King Streets to the new Transit Center (DTX); and

WHEREAS, The Transbay Joint Powers Authority (TJPA) is responsible for the design, building, operation, and management of the Transbay Transit Center Program (Program), which consists of the new Transit Center, the DTX, and a redevelopment plan under which the San Francisco Redevelopment Agency will cause 3,500 new housing units to be constructed in the vicinity of the Transit Center, 35% of which will be affordable; and

WHEREAS, The Transit Center is also planned to serve as the terminus for High-Speed Rail connecting Northern and Southern California; and

WHEREAS, The Program is a large regional project that will ultimately benefit millions of people in the City and County of San Francisco, the Bay Area, and the State of California; and

WHEREAS, Due to its positive impact on public transportation, traffic congestion, air quality, job creation, urban revitalization, and affordable housing, the Program has many stakeholders; and

WHEREAS, The TJPA is a joint powers agency created under California Government Code Sections 6500 *et seq.* and composed of the City and County of San Francisco, the Peninsula Corridor Joint Powers Board, the Alameda-Contra Costa Transit District, and the California State Department of Transportation; and

WHEREAS, The TJPA Staff and Board of Directors are committed to public and stakeholder involvement in the Program; and

WHEREAS, The public, stakeholders, and ultimately the Program will benefit from the creation of a Citizens Advisory Committee (CAC); now, therefore, be it

RESOLVED, That the TJPA Board of Directors authorizes the creation of a TJPA CAC that reflects the regional nature of the TJPA; and be it

FURTHER RESOLVED, That the Board of Directors adopts the Bylaws of the TJPA CAC.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of October 27, 2006.

Secretary, Transbay Joint Powers Authority

Bylaws of the Transbay Joint Powers Authority Citizens Advisory Committee

ARTICLE 1 - NAME

Section 1. The name of this committee shall be the "Transbay Joint Powers Authority Citizens Advisory Committee" ("TJPA CAC" or "Committee"). The Committee shall advise the TJPA Board of Directors on matters of public interest to the Transbay Transit Center Program.

ARTICLE 2 - MEMBERSHIP

Section 1. Composition of the Committee. The Committee is composed of ten voting members to be appointed by the TJPA Board of Directors, plus one non-voting TJPA staff member liaison who will serve as a tie-breaker if necessary. The non-voting staff liaison shall be appointed by the TJPA Executive Director. Voting members are appointed for two-year terms, except five members will serve an initial one year term upon creation of the body. Interested members of the public may submit an application for membership to TJPA staff. Staff will review applications and make recommendations to the TJPA Board of Directors for membership. Voting members shall represent each of the following categories:

1. Daily Caltrain Rider into San Francisco
2. Daily AC Transit Transbay Rider into San Francisco
3. Daily MUNI Rider on a line that terminates or passes through the Transbay Terminal
4. Local Resident from District 6 (zip code 94105 or 94107)
5. Local Business from District 6 (zip code 94105 or 94107)
6. Environmentalist/public transit advocate
7. Member of a planning or good-government non-profit organization
8. Representative from labor
9. Bicycle advocate
10. Disabled advocate

The TJPA shall appoint Committee members that represent the diversity of the Bay Area.

Section 2. Attendance at Meetings. Committee members shall regularly attend the meetings of the Committee. The Committee Secretary shall record attendance at Committee meetings. In the event that a member misses more than four meetings in any twelve-month period, the Committee Secretary shall notify the TJPA. The TJPA shall have discretion to declare the non-attending member's place on the Committee vacant under Section 4 of these Bylaws and request that the Board of Directors replace the non-attending member.

Section 3. Terms. At the first regular meeting following adoption of these Bylaws, terms of the ten inaugural voting members of the Committee shall be staggered by drawing their names and assigning five to serve for a term ending one year from the first meeting, and five to serve a term ending two years from the date of first meeting. The Committee Secretary shall notify all members of the terms for the initial appointees. Each member

shall be eligible to serve a maximum of two consecutive terms. All subsequent members shall serve a two-year term, with a maximum of two consecutive terms.

Section 4. Vacancies. When a vacancy occurs for any reason the Committee Secretary shall notify the TJPA staff and Board of Directors. The TJPA staff shall recommend a replacement from the same membership category as the replaced member, from submitted applications. The TJPA Board of Directors shall approve any replacement. Members filling vacancies shall serve until the end of the replaced member's term.

ARTICLE 3 - OFFICERS AND STAFF

Section 1. Chair and Vice-Chair. The officers of the Committee shall be a Chair and a Vice-Chair. At the first regular meeting of the Committee after the 1st day of March each year, the members of the Committee shall elect officers from among their number. The officers shall take office on the date of their election. The Chair shall preside at all meetings of the Committee, shall preserve order and decorum, shall decide all questions of order raised by any member, and shall determine the agenda for each meeting in consultation with TJPA staff. The Chair shall have the right to participate in the proceedings of the Committee. The Chair shall represent the Committee before the TJPA Board of Directors. In the absence of the Chair, the Vice-Chair shall preside until such time as the Chair returns or until the next scheduled election. In the absence of both the Chair and the Vice-Chair, the members shall select by motion a member to preside over the meeting.

Section 2. Secretary. The Executive Director of the TJPA shall appoint a staff person to serve as Secretary. The Secretary is not a member of the Committee and has no vote. The duties of the Secretary are to act as custodian of the records of the Committee, to make a complete record of the proceedings of the Committee, and to perform other functions directed by the Committee or by these Bylaws.

ARTICLE 4 - MEETINGS

Section 1. Open and Public Meetings. All meetings of the Committee shall be open and public, and all persons shall be permitted to attend any meeting of the Committee.

Section 2. Regular Meetings. The Committee shall hold regular monthly meetings. The Committee shall only meet as a Committee of the whole.

Section 3. Special Meetings. Special meetings of the Committee may be called at any time by the Chair or by a majority of the members of the Committee by delivering written notice to each member of the Committee and to members of the public and the media who have requested such notice in writing. Such notice must be delivered at least 72 hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. The Committee shall not consider any business other than that identified in the notice of the special meeting. Each special meeting shall be held at the regular meeting place of the Committee, except that the Committee may designate an alternate meeting place provided that such alternate location is specified in the notice of the special meeting and provided

that the notice of the special meeting shall be given at least 10 days prior to said special meeting being held at an alternate location. This provision shall not apply where the alternative meeting location is located within the same building as the regular meeting place.

Section 4. Quorum. Six members constitute a quorum. In the absence of a quorum the Committee may adjourn or may reschedule the meeting to a specific date and time.

Section 5. Cancellation of Meetings. The Chair, or by resolution adopted by a majority of the Committee may cancel a meeting with 72 hours notice. In the event of a meeting cancellation, the Secretary shall provide a notice stating the date, time, and place of the next meeting of the Committee.

Section 6. Public Comment. Every agenda for regular and special meetings shall provide an opportunity for members of the public to address the Committee on any item of interest concerning the Transbay Transit Center Program.

Section 7. Agenda. At least five days before each regular meeting the Secretary shall send a copy of the agenda of the meeting to each Committee member and member of the public who has requested in writing to receive the agendas of Committee meetings. Committee members shall also receive the printed materials referenced in the agenda, provided they are a reasonable size. In addition, all printed materials referenced in the agenda of the Committee shall be available for public review at the offices of the TJPA.

Section 8. Vote Required. Except as otherwise herein provided, an affirmative vote of one more than fifty percent of a quorum shall be required for the passage of any resolution, or for the passage of any other motion. Procedural motions shall only require an affirmative vote of a majority of members present.

Section 9. Adjournment of Meetings. The Committee may adjourn any regular or special meeting to a time and place specified in the order of adjournment.

Section 10. Minutes of Proceedings. The Secretary shall record the vote on all resolutions and minutes on all other questions. A draft of the minutes shall be available for inspection and copying no later than ten working days following each meeting. The officially adopted minutes shall be available for inspection and copying no later than five working days following the meeting at which the minutes are adopted.

ARTICLE 5 - PARLIAMENTARY PROCEDURE

Section 1. Parliamentary Authority. The rules of parliamentary practice set forth in Robert's Rules of Order shall govern all meetings of the Committee, except as provided for in these Bylaws.

Section 2. Rules of Debate. When a member desires to address the Committee, the member shall seek recognition by addressing the presiding officer and, when recognized,

shall proceed to speak, confining comments to the question before the Committee. No discussion shall take place until a resolution or a calendared item has been introduced.

Section 3. Privilege of Floor and Public Participation. The privilege of the floor shall be granted to any member of the public or officers of the member agencies of the TJPA or their duly authorized representatives for the purpose of commenting on any question before the Committee. Each person wishing to speak on an item at a regular or special meeting shall be permitted to be heard once per item for up to three minutes. The presiding officer shall be the judge of the pertinence of such comments and have the power to limit this privilege if in the presiding officer's opinion the comments are not pertinent to the question before the Committee or the comments are merely reiterative of points made by previous speakers.

Section 4. Agenda Changes or Continuances. Any agenda change or continuance shall be announced at the beginning of the Committee meeting, or as soon thereafter as the change or continuance becomes known to the presiding officer.

ARTICLE 6 - ADOPTION AND AMENDMENT

Section 1. Adoption of Bylaws. The TJPA Board of Directors may adopt the Bylaws by a vote of a majority of the members of the Board. When adopted, the Bylaws shall remain in effect unless suspended or amended as provided herein.

Section 2. Suspension of the Bylaws. Except for this rule and such other of these Bylaws that are restatements of provisions of the bylaws or resolutions of the TJPA Board of Directors, or other provisions of law, any of these Bylaws may be suspended by the affirmative vote of the majority of the members of the TJPA Board of Directors, provided that such suspension is entered upon the minutes of the Committee. A motion to suspend the Bylaws may be debated by the Committee.

Section 3. Amendments or Changes to Bylaws. An amendment or change to the Bylaws may be made only by vote of a majority of the members of the TJPA Board of Directors.

ADOPTED: _____2006.



TRANSBAY JOINT POWERS AUTHORITY
Maria Ayerdi • Executive Director

APPLICATION FOR MEMBERSHIP ON THE TJPA CITIZENS ADVISORY COMMITTEE

Name: _____
(Please type or write legibly)

Home Address: _____

City: _____ County: _____ Email: _____

Ethnicity: _____
(Voluntary Information)

Gender: _____
(Voluntary Information)

Affiliation

- Daily Caltrain rider into San Francisco
- Daily AC Transit Transbay Rider into San Francisco
- Daily MUNI Rider on a line that terminates or passes through the Transbay Terminal
- Local Resident from District 6 (zip code 94105 or 94107)
- Local Business from District 6 (zip code 94105 or 94107)
- Environmentalist/public transit advocate
- Member of a planning or good-government non-profit organization
- Representative from labor
- Bicycle advocate
- Disabled advocate

Applicants who represent a particular group or organization are encouraged, but not required, to include a letter signed by an officer of the organization indicating its support for your application to the TJPA CAC.

Summary of Applicant’s Qualifications for Membership (you may attach a resume, please limit your attachment to no more than three pages):

Statement of Applicant's Objectives/Goals if accepted for membership on the TJPA Citizens Advisory Committee:

References

Name	E-mail	Phone
1.		
2.		

Applications are considered to be active for one year from the date of signature. Completed applications should be submitted to the Transbay Joint Powers Authority, 201 Mission Street, Suite 1960, San Francisco, CA 94105 or via e-mail to CAC@transbaycenter.org.

Please note that the information you include in this application, and resumes and other material provided in connection with it, may be made available to the public. If you do not want a home address, telephone number, email address, or fax number disclosed, please indicate that fact in the space below the signature line. The information will be deleted from the publicly available copies. Where residence is relevant, a portion of the address (such as street name and zip code) may be disclosed.

SIGNATURE

DATE