

City and County of San Francisco
Planning Department
Market and Octavia Citizens Advisory Committee
BYLAWS

ARTICLE I – Name and Membership

Section 1. Membership. In accordance with the provisions of the San Francisco Planning Code Section 341.5 there is hereby established a Market and Octavia Citizens Advisory Committee.

San Francisco Planning Code Section 341.5

Section 2. Representation. The Board of Supervisors shall appoint 2/3 of the committee members and the Mayor shall appoint 1/3 of the committee members on the CAC, Both the Board and the Mayor shall appoint members that represent the diversity of the plan area. The Citizens Advisory Committee shall be comprised of 7--11 community members from varying geographic, socio-economic, ethnic, racial, gender, and sexual orientations living or working within the plan area. At a minimum, there must be one representative from each of the geographic areas of the Plan Area. The CAC should adequately represent key stakeholders including resident renters, resident homeowners, low-income residents, local merchants, established neighborhood groups within the plan area, and other groups identified through refinement of the CAC process.

San Francisco Planning Code Section 341.5

Section 3. Terms. Each member shall be appointed by the Board and will serve for two-year terms. The Board of Supervisors may renew a member's term. If no appointment is made after the completion of a first, second, or third term, that member shall continue as a voting member until such time as that person is re-appointed or replaced.

San Francisco Planning Code Section 341.5

Section 4. Attendance. Members must notify the chair of the Committee in advance of a scheduled meeting if they are unable to attend. The Chair shall determine if an absence is excusable for reasons such as illness, emergency, or schedule business or personal travel. If a member is absent more than three (3) scheduled meetings in a twelve month period, the Chair of the Committee shall notify the appointing authority.

Section 5. Vacancies. When a vacancy or failure to appoint or reappoint occurs for any reason, the Chairperson shall notify the appropriate appointing authority.

Article II. Duties

Section 1. Purpose. The CAC will be advisory, as appropriate, to the Planning Director, the Interagency Plan Implementation Committee, the Planning Commission, and the Board of Supervisors. The CAC may perform the following functions as needed;

(A) Collaborate with the Planning Department and the Inter-Agency Plan Implementation Committee on prioritizing the community improvement projects and identifying implementation details as part of annual expenditure program that is adopted by the Board of Supervisors;

(B) Provide an advisory a role in a report-back process from the Planning Department on enforcement of individual projects' compliance with the Market and Octavia Area Plan standards and specific conditions of project approvals, including the specific first-source hiring requirements for the Plan Area such that those agreements will be more effectively implemented;

(C) Collaborate with the Planning Department in updating the community improvements program at a minimum of every fifth year in coordination with relevant City agencies; Providing input to Plan area monitoring efforts for required time-series reporting.

San Francisco Planning Code Section 341.5

Section 2. Mission Statement

Mission Statement

The Market/Octavia Community Advisory Committee (MOP-CAC) is a representative body that provides advice to the Planning Director, the Interagency Plan Implementation Committee, the Planning Commission, and the Board of Supervisors regarding implementation of the Market/Octavia Plan and the plan's community improvements. In consultation with the San Francisco Planning Department staff and other relevant professional staff, and informed by criteria established by the committee, the Market/Octavia CAC will prioritize projects in the Plan for community improvements funding. The Committee will also provide advice on the dispersal of project funding to ensure that it is consistent with those criteria. Projects eligible for funding must be ones that are identified in the MOP, that are consistent with the Plan's goals, objectives and philosophy, and that can be clearly evaluated. The CAC provides continuity over the life of the plan and long term oversight and guidance on developments in the plan area consistent with the MOP's spirit and objectives.

Section 3. Duration of the CAC The CAC shall be established upon the Board's and Mayor's appointment of members. Terms of membership of the CAC shall be for the terms described in Article I of these Bylaws. The CAC shall remain established for the first 10 years of the Market and Octavia Plan (the "Plan") and subject thereafter to extensions by the Board, but no longer than the plan period of 20 years.

Section 4. Conflict of Interest. No member of the CAC shall participate in any decision, which directly or indirectly affects his or her property or economic interests in a manner that is distinguishable from the manner in which the decision affects all other persons or a significant segment of all other persons in the Plan Area.

Section 5. Termination of Membership. Membership in the CAC shall terminate in the event that:

- a. The member shall not be, or shall no longer be, a Residential Owner-Occupant, a Residential Tenant, or a Business Owner, or a Representative of an Existing Community Organization within the Project Area; or
- b. The member shall not be, or shall no longer be, a member of that membership category from and for which he or she was elected or designated unless it due to circumstances beyond their control would be displaced or removed from the CAC. These affected members will be allowed to finish their elected terms; or
- c. The member does not attend two consecutive meetings or less than 80 percent of annual meetings; or
- d. The member shall have acts are inconsistent with these Bylaws.

Section 6. Removal of a Member

- a. A member may be removed from the membership of the CAC by a majority vote of the members of the CAC present at a regular meeting of the CAC at which a quorum is present if, after a hearing, it is found and determined that any one of the grounds for termination specified in Section 5 of this Article II exists. Prior to taking any action to remove a member, the CAC shall give advance written notice to the member of the proposed grounds for termination and the date of the hearing.

- b. A member may be sanctioned by a majority vote of the members of the CAC when: A member disrupts a CAC meeting and/or Committee meeting by not following the procedures as established for the conduct of CAC Business. Each occurrence will be recorded in the minutes of the meeting and after the third occurrence the CAC will determine an appropriate action.

Section 7. Resignation

Any member of the CAC may resign at any time by giving written notice to the Chairperson, who shall forward such notice to the CAC members, the Planning Department, and the appointing body. 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 III – OFFICERS

Section 1. Officers The officers of the CAC shall consist of a Chairperson, Vice Chairperson, and Secretary, who shall be elected by the Committee annually.

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.

Further, unless another member is otherwise designated, the Chairperson shall be the official spokesperson for 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 4. Secretary Duties. The Secretary shall be responsible for keeping minutes of CAC meetings and maintaining records of CAC actions.

Section 5. Election The Chairperson and Vice Chairperson, shall be initially elected from among the members of the CAC at a 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. 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.

Section 6. Removal of Officers Upon a majority vote of the members of the CAC at a regular or special meeting of the CAC at which a quorum is present, any officer may be removed from office after a written notice of intent, followed by a hearing, and his or her successor elected.

ARTICLE IV – MEETINGS

Section 1. Annual Meeting Annual meetings of the CAC shall be held on the third Monday of April at the hour of 7:00pm, at City Hall or at the City and County of San Francisco Planning Department, 1650 Mission

Street, San Francisco, CA 94103, or at such other location or time as may be designated in advance by the CAC; provided, however, that should the said meeting date be a legal holiday, then any such annual meeting shall be held on the next Monday thereafter ensuing which is not a legal holiday. The meeting time shall not conflict with the regularly scheduled meeting of any established neighborhood group within the plan area. At the annual meetings, officers shall be elected, reports of the affairs of the CAC shall be presented for consideration, and any other business may be transacted which is within the purposes of the CAC.

Section 2. Regular Meetings The regular meetings of the CAC shall be held on the third Monday of every other month for the first six months, and then on a quarterly basis, at the hour of 7:00 p.m., in the San Francisco City Hall or at the San Francisco Planning Department, or at such other location or time as designated in advance by the Chairperson. In the event that the regular meeting date shall be a legal holiday, an alternate meeting time will be selected by the chair, or delayed until the next regular meeting date, at the discretion of the Chairperson. If an alternate meeting time is selected, it shall not conflict with the regularly scheduled meetings of any established neighborhood group within the plan area. A meeting agenda and other documents necessary for the conduct of the business of the CAC shall be delivered to the members, by electronic mail or regular mail, at least 72 hours prior to the meeting.

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, after notification of all members of the CAC by written notice delivered personally or by mail at least 24 hours before the time specified in the notice for the special meeting. At such special meeting, no business other than that designated in the call shall be considered.

Section 4. Adjourned Meetings Any meeting of the CAC may be adjourned to an adjourned meeting without the need for notice requirements of a special meeting, provided said adjournment indicates the date, time and place of the adjourned meeting. CAC members absent from the meeting at which the adjournment decision is made shall be notified by the Chairperson of the adjourned meeting.

Section 5. All Meetings to be Open and Public 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 meeting and at least 24 hours in advance of each special meeting, on the bulletin board of the Planning Department and the Main Public Library.

Section 7. Non-Agenda Items Matters 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 s 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.

Section 8. Quorum The powers of the CAC shall be vested in the members thereof in office from time to time. Five of the total 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, but less than that number may adjourn a meeting from time to time until a quorum is obtained. An affirmative vote by a majority of the members present at a regular or special meeting of the CAC at which a quorum is present shall be required for approval of any question brought before the CAC.

Section 9. Order of Business All business and matters before the CAC shall be transacted in conformance with Robert's Rules of Order (Newly Revised).

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 no less than one week before the next meeting. Official minutes of the CAC shall be remain at the offices of the City and County of San Francisco Planning Department, 1650 Mission Street, San Francisco, CA 94103, where they will be available to the public.

ARTICLE V – REPRESENTATION BEFORE PUBLIC BODIES Any official representation on behalf of the CAC before the Commission, The Board, or any other public body, shall be made by the Chairperson, the Vice Chairperson in the Chairperson's absence, or a member of the CAC specifically so designated by the CAC.

ARTICLE VI - AMENDMENTS

These Bylaws may be amended upon the affirmative vote of a majority of the total membership of the CAC at any meeting, provided, however, that (1) no amendment shall be adopted unless at least seven (7) days written notice thereof has previously been given to all members of the CAC. Notice of amendment shall identify the section or sections of the Bylaws proposed for amendment and, if applicable, shall include the proposed replacement wording of the section or sections to be amended.

APPROVED AND ADOPTED

This 20th day of May 2009.