

**THIS PRINT COVERS CALENDAR ITEM NO. : 10.8**

**SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY**

**DIVISION:** Board of Directors

**BRIEF DESCRIPTION:**

Appointing Art Torres to serve as a Director on the SFMTA's Bond Oversight Committee, and Cheryl Brinkman as an alternate director to serve on the Transbay Joint Powers Authority Board of Directors, effective July 18, 2018.

**SUMMARY:**

- The establishment of a Bond Oversight Committee was approved by the SFMTA Board of Directors at their December 6, 2011 meeting.
- The Committee is comprised of seven people including three members recommended by the Chairman and approved by the SFMTA Board of Directors.
- Chairman Brinkman recommends that the SFMTA Board of Directors appoint Art Torres to serve as the Board's representatives on the Bond Oversight Committee, effective July 18, 2018.
- In 2001, the City and County of San Francisco (City), the Alameda Contra Costa Transit District and the Peninsula Corridor Joint Powers Board entered into an agreement to create the Transbay Joint Powers Authority.
- This same agreement allowed the SFMTA Board of Directors to appoint a director and alternate director to fulfill the duties of the director appointed if the director is absent or unavailable.
- Ed Reiskin, Director of Transportation serves as director on the TJPA Board. He has asked that an alternate director be appointed. Chairman Brinkman has offered to serve as alternate.

**ENCLOSURES:**

1. SFMTAB Resolution

**APPROVALS:**

DIRECTOR



**DATE**

7/10/2018

SECRETARY



7/10/2018

**ASSIGNED SFMTAB CALENDAR DATE:** July 17, 2018

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## **PURPOSE**

Appointing Art Torres to serve as a Director on the SFMTA's Bond Oversight Committee, and Cheryl Brinkman as an alternate director to serve on the Transbay Joint Powers Authority Board of Directors, effective July 18, 2018

## **STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES**

Appointing a director to the Bond Oversight Committee and an alternate director to the Transbay Joint Powers Authority Board of Directors will support:

Strategic Plan:

Goal 4 - Financial Capacity: To ensure financial stability and effective resource utilization.

Transit First Policy Principles:

1. To ensure quality of life and economic health in San Francisco, the primary objective of the transportation system must be the safe and efficient movement of people and goods.
8. New transportation investment should be allocated to meet the demand for public transit generated by new public and private commercial and residential developments.

## **DESCRIPTION**

### **Bond Oversight Committee**

The establishment of an independent bond oversight committee (the Committee) to oversee the expenditure of the funds from a bond offering is a best practice and common among most public agencies that issue debt. The purpose of the Committee is to inform the Board and the public on the expenditure of bond proceeds issued by the SFMTA. The Committee shall convene to provide oversight for: (1) ensuring that bond proceeds are expended only in accordance with the bond documents and approving legislation; and (2) ensuring that no funds are used for any administrative salaries or other general SFMTA operating expenses unless specifically authorized in the bond documents and approving legislation. The establishment of this committee was approved by the SFMTA Board of Directors in 2011.

The Committee consists of seven members as follows: (1) three members recommended by the Chairman and approved by the SFMTA Board of Directors; (2) two members of the Citizens' Advisory Council; (3) one member appointed by the Director of Transportation; and (4) one member appointed by the Controller.

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Rudy Nothenberg, Robert Shaw and Leona Bridges have been serving as the Board's appointees. Mr. Nothenberg submitted a letter of resignation from the BOC, effective June 30, 2018. Chairman Brinkman is recommending SFMTA Director Art Torres to the Bond Oversight Committee as Mr. Nothenberg's replacement.

### **Transbay Joint Powers Authority**

In 2001, the City and County of San Francisco (City), the Alameda Contra Costa Transit District and the Peninsula Corridor Joint Powers Board entered into an agreement to create the Transbay Joint Powers Authority (TJPA) to design, build and operate the Transbay Transit Center Program. Under the original agreement, the TJPA Board had five directors, with one director appointed by Caltrain, one director appointed by AC Transit and three directors appointed by the City. One director was appointed by the Mayor, one by the SFMTA Board of Directors and one by the Board of Supervisors. This same agreement allowed each appointing authority to appoint an alternate director to fulfill the duties of the director appointed if the director is absent or unavailable.

In 2017, an amendment to the joint powers agreement was approved which added the California High Speed Rail Authority as a member. In addition, the amendment allowed the Board of Supervisors to appoint one additional director and one additional alternative director for the City.

Ed Reiskin, Director of Transportation, the SFMTA's appointee on the Transbay Joint Powers Authority has asked the Board to consider appointing an alternative director. Chairman Brinkman has offered to serve as alternate.

### **STAKEHOLDER ENGAGEMENT**

There was no external engagement done.

### **ALTERNATIVES CONSIDERED**

All members of the SFMTA Board of Directors were offered the opportunity to serve as on the Bond Oversight Committee. If no member had expressed interest, another representative would have been sought.

### **FUNDING IMPACT**

None.

### **ENVIRONMENTAL IMPACT**

On June 14, 2018 the Planning Department concurred with the Municipal Transportation Agency that the proposed appointments are not a "project" for purposes of environmental review under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of

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Regulations Section 15060(c).

The Planning Department's concurrence is on file with the Secretary to the SFMTA Board of Directors.

**OTHER APPROVALS RECEIVED OR STILL REQUIRED**

None.

**RECOMMENDATION**

Appointing Art Torres to serve as a Director on the SFMTA's Bond Oversight Committee, and Cheryl Brinkman as an alternate director to serve on the Transbay Joint Powers Authority Board of Directors, effective July 18, 2018

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. \_\_\_\_\_

WHEREAS, On December 6, 2011, the SFMTA Board of Directors approved the establishment of a Bond Oversight Committee to oversee the expenditure of the funds from a bond offering; and,

WHEREAS, The Committee is comprised of seven people including three members recommended by the Chairman and approved by the SFMTA Board of Directors; and,

WHEREAS, Chairman Brinkman recommends that the SFMTA Board of Directors appoint Art Torres to serve as the Board's representatives on the Bond Oversight Committee, effective July 18, 2018; and,

WHEREAS, In 2001, the City and County of San Francisco (City), the Alameda Contra Costa Transit District and the Peninsula Corridor Joint Powers Board entered into an agreement to create the Transbay Joint Powers Authority (TJPA) to design, build and operate the Transbay Transit Center Program; and,

WHEREAS, The agreement stipulated that one director to the Transbay Joint Powers Authority Board of Directors is to be appointed by the SFMTA Board of Directors; and,

WHEREAS, This same agreement allowed each appointing authority to appoint an alternate director to fulfill the duties of the director appointed if the director is absent or unavailable; and,

WHEREAS, The SFMTA Board of Directors wishes to appoint Cheryl Brinkman to serve as an alternate director on the Transbay Joint Powers Authority Board of Directors; and,

WHEREAS, The appointment of individuals to policy bodies does not constitute a project under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Section 15060(c); now, therefore be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors does hereby appoint Art Torres to serve as a Director on the SFMTA's Bond Oversight Committee, and Cheryl Brinkman as an alternate director to serve on the Transbay Joint Powers Authority Board of Directors, effective July 18, 2018.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of July 17, 2018.

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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency