

Member, Board of Supervisors
District 7



City and County of San Francisco

NORMAN YEE

August 8, 2016

RE: Request for Consideration on the "MTA Appointments and Budget" Approved Digest

Dear Committee Members Packard, Anderson, Fasick, Fraps, and Jorgensen:

Thank you for your time and diligence in crafting the language of the "SFMTA Appointments and Budget" digest. I am writing to respectfully request for re-consideration some additional points of clarification:

1. Correcting language in The Proposal regarding the Board of Supervisors' appointment process.

The last sentence in The Proposal, "Appointments by the Board of Supervisors would not require confirmation," is not accurate because appointments made by the Board of Supervisors' Rules Committee are confirmed by the full Board of Supervisors. All appointments made through the Board of Supervisors must first go through the Committee level before being voted on by the full Board.

I would recommend removing the sentence, as it may be misleading. If the intent is to provide further clarity regarding the Board's appointment process, an alternative approach would be to state: "The Mayor would nominate four members and a committee of the Board of Supervisors would nominate three. Each member is subject to confirmation by a majority of the Board." If this change is adopted, it would also need to be accurately reflected in the "A YES vote means..." section.

2. Clarify in The Proposal that the change to the number of votes required by the Board of Supervisors to reject SFMTA's budget would bring the process into conformity with other Department budgets.

The last sentence of The Proposal currently states, "Proposition ___ would also reduce from seven to six the number of votes needed for the Board of Supervisors to reject the SFMTA's proposed budget."

I would like to recommend changing this sentence to read, "Proposition ___ would also reduce from seven to six the number of votes needed for the Board of Supervisors to reject the SFMTA's proposed budget, which is the typical process for all other Department budgets."

Rationale: It is important to clarify that the change from seven votes to six votes to reject SFMTA's budget is not an unordinary one. To reject or approve a budget, the Board of Supervisors requires a majority of votes (six votes). The change would make the SFMTA budget process the same as every other City department. This distinction is indicated in The Way It Is Now, but to remain consistent, it should also be included under The Proposal.

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3. **Include language in A “YES” Vote Means to clarify that the change in the SFMTA budget process would bring it under the typical process under other Departments.**

I would also like to recommend the following additional language for clarity:

A "YES" Vote Means: If you vote “yes,” you want to amend the Charter to:

- allow the Mayor to nominate four members to the SFMTA Board of Directors; the Board of Supervisors could approve or reject these nominees;
- allow the Board of Supervisors to appoint three members;
- reduce from seven to six the number of votes needed for the Board of Supervisors to reject the SFMTA’s proposed budget to conform with other City Departments; and
- require the SFMTA to respond to the Board’s findings and submit a revised budget if the original budget was rejected.

Rationale: This section should reflect the same content as the remainder of the digest and additional language will bring further clarification that changing the number of votes required for the SFMTA budget would bring the process to conformity.

I am also including below the Approved Digest with the aforementioned recommendations for your review. Thank you again for your reconsideration.

Sincerely,

A handwritten signature in blue ink that reads "Norman Yee".

Norman Yee
Supervisor, District 7



NORMAN YEE

TRACKED CHANGES – APPROVED DIGEST

The Way It Is Now: The City’s Charter gives the San Francisco Municipal Transportation Agency (SFMTA) authority over the City’s transportation system, which includes roads, sidewalks, bicycle lanes, parking, taxicabs and Muni (the City’s public transit system).

SFMTA is run by a seven-member Board of Directors. The Mayor appoints all seven directors. The Mayor’s appointments must be confirmed by the Board of Supervisors. Members serve four-year terms, and no person may serve more than three terms. SFMTA submits a proposed budget to the Board of Supervisors. The Board may accept or reject, but not modify, the proposed budget. Rejection of the proposed budget requires seven votes; the typical number of votes required for the Board to act is six.

The Proposal: Proposition ___ is a Charter Amendment that would split the power to appoint SFMTA Directors between the Mayor and the Board of Supervisors. ~~The Mayor would nominate four members, who could be approved or rejected by the Board of Supervisors, and the Board of Supervisors’ Rules Committee would nominate three members. Each member is subject to confirmation by the majority of the Board. The Board of Supervisors would appoint three members. Appointments by the Board of Supervisors would not require confirmation.~~

Proposition ___ would also reduce from seven to six votes needed for the Board of Supervisors to reject the SFMTA’s proposed budget, which is the typical process for all other Department budgets. If the Board of Supervisors rejects the budget, the SFMTA would have to respond to the Board’s findings and submit a revised budget.

A "YES" Vote Means: If you vote “yes,” you want to amend the Charter to:

- allow the Mayor to nominate four members to the SFMTA Board of Directors; the Board of Supervisors could approve or reject these nominees;
- allow the Board of Supervisors to appoint three members;
- reduce from seven to six the number of votes needed for the Board of Supervisors to reject the SFMTA’s proposed budget to conform with other City Departments; and
- require the SFMTA to respond to the Board’s findings and submit a revised budget if the original budget was rejected.

A "NO" Vote Means: If you vote “no,” you do not want to make these changes.