

Memo

To: Members, Board of Supervisors
From: Board President Rich Gordon and Supervisor Mark Church
Date: 1/21/2005
Re: Proposal for Legislation Regarding the Composition of the SamTrans Board of Directors

RECOMMENDATION:

We respectfully request that the Board of Supervisors authorize the President of the Board of Supervisors to send a letter to the SamTrans Board of Directors requesting that they join with the Board of Supervisors in seeking state legislation to change the composition of the SamTrans Board of Directors to reflect geographic balance.

BACKGROUND:

As a special district, the membership of the SamTrans Board of Directors is defined in Section 103100 of the California Public Utilities Code. In order to make any change in constitution of the membership of the SamTrans Board of Directors it is necessary to effect a change in state law.

Currently there is no provision in the law that provides for geographic representation on the SamTrans Board.

We would propose that the Board of Supervisors and the SamTrans Board join together to seek a change in state law that would guarantee geographic representation. Specifically, we would suggest that the revised law provide that membership on the SamTrans Board of Directors be composed of the following:

- Two members of the Board of Supervisors appointed by the Board of Supervisors
- Three members of city councils selected by the city selection committee with guarantees that one of the council members shall be from north county, one from central county, and one from south county, with boundaries to be determined based on the prior judicial boundaries
- Four members of the public selected by the SamTrans Board of Directors with guarantees that one of the public members shall be from north county, one from central county, one from south county, and one from the coastside

Finally, we would suggest that the change in membership envisioned by this proposed legislation go into effect sixty days after the law became effective.

DISCUSSION:

It is imperative that the public have confidence in their elected officials and the public decision making process. It is also imperative that public bodies represent the geographic diversity of a community. Our proposal would provide the public with assurance that the SamTrans Board of Directors is selected in a transparent process that provides all areas of San Mateo County representation on this important transportation agency.

Under this proposal the Board of Supervisors would give up one appointment that we currently hold. This position is for a "transportation expert". We believe that there is transportation expertise in the SamTrans staff and that this position can be converted into a guaranteed geographic representative. As with other public members, this appointment would shift from the Board of Supervisors to the SamTrans Board of Directors.

The requirement to have the city council members selected by geographic region was removed from state law in 1998, although it is still the practice to select city council members on this basis. Under this proposal the selection of city council members based on geography would shift from practice to law. This would provide the public with assurance that elected officials from diverse regions of the county would represent them on the SamTrans Board. The selection process remains with the City Selection Committee of the Council of Cities.

Implementing this proposed legislation as soon as possible after it becomes effective provides assurance to the public that the SamTrans Board is constituted in a fair, open, and geographically representative manner.