

LEGISLATIVE DIGEST

[Charter Amendment - Public Works Department and Commission, Sanitation and Streets Commission]

Describing and setting forth a proposal to the voters at an election to be held on November 8, 2022, to amend the Charter of the City and County of San Francisco to transfer the responsibilities of the Department of Sanitation and Streets to the Department of Public Works; to establish a new seven-member Public Works Commission to replace the five-member Public Works Commission that is currently responsible for overseeing the Department of Public Works; to eliminate the Department of Sanitation and Streets and the five-member Sanitation and Streets Commission; and to establish a new seven-member Sanitation and Streets Commission to hold hearings and set policies for the Department of Public Works regarding maintenance of the public right of way and sanitation standards and protocols.

Existing Law

In November 2020, the voters approved Proposition B, a Charter amendment that divided the Department of Public Works into two separate departments—a Department of Public Works and a Department of Sanitation and Streets. Proposition B also established a commission to oversee each department—a Public Works Commission and a Sanitation and Streets Commission. Each commission must have five members: two appointed by the Board of Supervisors, two appointed by the Mayor subject to approval by the Board of Supervisors, and one appointed by the Controller subject to approval by the Board of Supervisors. Under Proposition B, the Department of Public Works is responsible for designing, building, and improving the City’s infrastructure and public right of way. And the Department of Sanitation and Streets is responsible for sweeping streets and cleaning sidewalks, providing and maintaining sidewalk trash cans, removing graffiti and illegally dumped waste, and maintaining City buildings, public restrooms, and street trees.

Under the transition rules in Proposition B, the Public Works Commission and the Sanitation and Streets Commission will come into existence in July 2022, and the Department of Sanitation and Streets will come into existence in October 2022.

Amendments to Current Law

The proposed Charter amendment would eliminate the Department of Sanitation and Streets, and would transfer all the powers and duties of that department back to the Department of Public Works.

The proposed Charter amendment would also terminate the two commissions established by Proposition B and replace them with two new commissions bearing the same respective

names. The existing commissions will terminate on January 1, 2023, and each new commission will come into existence on March 15, 2023 or on the date when a majority of the commission's members have assumed office, whichever is later. Each of the new commissions will have seven members—three appointed by the Board of Supervisors, three appointed by the Mayor subject to approval by the Board of Supervisors, and one appointed by the Controller subject to approval by the Board of Supervisors.

The Public Works Commission will have oversight authority over the Department of Public Works, including the power to set policy for the department except in areas within the policymaking jurisdiction of the Sanitation and Streets Commission. The Public Works Commission will also have authority to make recommendations to the Mayor for appointment of the department head, and to remove the department head.

The Sanitation and Streets Commission will have more limited authority to hold hearings and set policy for the Department of Public Works regarding sanitation standards and protocols, and maintenance of the public right of way. The Commission will also have responsibility for evaluating data regarding the street and sidewalk conditions of the public right of way, and establishing minimum standards of cleanliness for the public right of way.

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