

1 [Board Response - Civil Grand Jury Report - Commission Impossible? Getting the Most from
2 San Francisco's Commissions]

3 **Resolution responding to the Presiding Judge of the Superior Court on the findings**
4 **and recommendations contained in the 2023-2024 Civil Grand Jury Report, entitled**
5 **“Commission Impossible? Getting the Most from San Francisco’s Commissions;” and**
6 **urging the Mayor to cause the implementation of accepted findings and**
7 **recommendations through her department heads and through the development of the**
8 **annual budget.**

9
10 WHEREAS, Under California Penal Code, Section 933 et seq., the Board of
11 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior
12 Court on the findings and recommendations contained in Civil Grand Jury Reports; and

13 WHEREAS, In accordance with California Penal Code, Section 933.05(c), if a finding or
14 recommendation of the Civil Grand Jury addresses budgetary or personnel matters of a
15 county agency or a department headed by an elected officer, the agency or department head
16 and the Board of Supervisors shall respond if requested by the Civil Grand Jury, but the
17 response of the Board of Supervisors shall address only budgetary or personnel matters over
18 which it has some decision making authority; and

19 WHEREAS, Under San Francisco Administrative Code, Section 2.10(a), the Board of
20 Supervisors must conduct a public hearing by a committee to consider a final report of the
21 findings and recommendations submitted, and notify the current foreperson and immediate
22 past foreperson of the Civil Grand Jury when such hearing is scheduled; and

23 WHEREAS, In accordance with San Francisco Administrative Code, Section 2.10(b),
24 the Controller must report to the Board of Supervisors on the implementation of

25

1 recommendations that pertain to fiscal matters that were considered at a public hearing held
2 by a Board of Supervisors Committee; and

3 WHEREAS, The 2023-2024 Civil Grand Jury Report, entitled “Commission Impossible?
4 Getting the Most from San Francisco’s Commissions” (“Report”) is on file with the Clerk of the
5 Board of Supervisors in File No. 240709, which is hereby declared to be a part of this
6 Resolution as if set forth fully herein; and

7 WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond
8 to Finding Nos. F1, F2, F3, F4, F5, F6, F7, F8, and F9 as well as Recommendation Nos.
9 R1.2, R1.3, R2.1, R2.2, R2.3, R2.4, R2.5, R2.6, R2.7, R3.1, R4.1, R4.2, R4.3, R5.1, R5.2,
10 R6.1, R7.1, R7.2, R8.1, R9.1, R9.2, and R9.3, contained in the subject Report; and

11 WHEREAS, Finding No. F1 states: “No up-to-date, accurate list of active appointed
12 bodies exists, which impedes government transparency;” and

13 WHEREAS, Finding No. F2 states: “It’s difficult to evaluate appointed bodies, because
14 no authority systematically reviews their performance;” and

15 WHEREAS, Finding No. F3 states: “The high number of advisory bodies creates
16 unnecessary administrative burdens;” and

17 WHEREAS, Finding No. F4 states: “Unfilled seats can result in canceled meetings,
18 which imposes extra costs and delays decision-making;” and

19 WHEREAS, Finding No. F5 states: “Most appointed bodies have no sunset dates,
20 which affects their relevance and accountability;” and

21 WHEREAS, Finding No. F6 states: “The descriptors for commissions are varied and
22 confusing;” and

23 WHEREAS, Finding No. F7 states: “Annual reports vary in content and availability,
24 which greatly undermines their value;” and

25

1 WHEREAS, Finding No. F8 states: “The appointment process lacks visibility into
2 appointee political activities;” and

3 WHEREAS, Finding No. F9 states: “A lack of training and performance reviews
4 hampers commissioner effectiveness;” and

5 WHEREAS, Recommendation No. R1.2 states: “By December 17, 2024 if feasible, or
6 by January 31, 2025 if not feasible, the Board of Supervisors shall pass an ordinance
7 requiring the City Attorney’s Office by January 31 of each year to prepare and make available
8 to the public an up-to-date, accurate list of active commissions and other appointed bodies, as
9 described in Recommendation 1.1;” and

10 WHEREAS, Recommendation No. R1.3 states: “The report referenced in
11 Recommendation 1.1 shall be posted not only on the City Attorney’s website, but also on a
12 new Commissions Oversight Body (COB) website (see Recommendation 2.1) or on a city
13 website that is used more frequently by the public to obtain information about city programs
14 and services. Good examples include Los Angeles County and San Diego County;” and

15 WHEREAS, Recommendation No. R2.1 states: “By May 1, 2025, the City shall enact
16 an ordinance to create the Commissions Oversight Body (COB), or a body by another name
17 as the Board of Supervisors deems appropriate. This ordinance shall set forth the
18 membership requirements and the duties of the COB;” and

19 WHEREAS, Recommendation No. R2.2 states: “The ordinance described in
20 Recommendation 2.1 shall set forth the membership requirements of the COB as follows:

21 • One representative from the Controller’s Office, who will chair the COB. The
22 Controller’s Office shall provide the professional expertise and administrative assistance
23 necessary to support the COB’s duties.

24 • One representative from the Mayor’s Office.

25 • One representative from the Office of the Clerk of the Board of Supervisors.

1 • Four residents of San Francisco who do not work in city government, who are not
2 members of any commission or board, and whose professional experience or civic
3 participation qualify them for this role. The Controller, Mayor, Board of Supervisors and City
4 Attorney shall each appoint one of these residents, with no confirmation requirement;” and

5 WHEREAS, Recommendation No. R2.3 states: “The ordinance described in
6 Recommendation 2.1 shall require the COB, by June 30 each year, to i) evaluate all
7 appointed bodies on the list that will be issued by the City Attorney per Recommendation 1.1,
8 and ii) produce an annual report containing the COB’s evaluations and recommendations
9 pertaining to all commissions (COB Annual Report) that shall be forwarded to the Board of
10 Supervisors and the Mayor for further action;” and

11 WHEREAS, Recommendation No. R2.4 states: “For each appointed body to be
12 evaluated per Recommendation 2.3, the ordinance described in Recommendation 2.1 shall
13 require the COB to collect and include the following information in the annual report:

- 14 • Statement of purpose
- 15 • Effective date
- 16 • Sunset date (if any)
- 17 • Body’s classification as decision-making or advisory, quasi-judicial, associated with
18 state or federal law
- 19 • Legal authorization, whether by charter, ordinance, resolution, or by other means
- 20 • Appointing authority
- 21 • Summary of the body’s key actions and accomplishments
- 22 • Link to the body’s most recent annual report, if applicable
- 23 • Link to the body’s website
- 24 • Number of members
- 25 • Number of required meetings per year

- 1 ● Number of actual meetings
- 2 ● Number of canceled meetings
- 3 ● The number of board or commission member self- and peer-reviews completed
- 4 ● Number of vacancies
- 5 ● Number of expired terms with holdover members;” and

6 WHEREAS, Recommendation No. R2.5 states: “For each appointed body to be
7 evaluated per Recommendation 2.3 and 2.4, the ordinance that is described in
8 Recommendation 2.1 shall require the COB to recommend changes (if any) regarding the
9 appointed body, to the Board of Supervisors and the Mayor, and to other entities as
10 necessary to implement these recommendations. These recommendations can include, but
11 are not limited to, a recommendation to remove members of a body, abolish the body, or
12 retain the body with changes to its composition, duties, authority, meeting requirements, and
13 sunset date;” and

14 WHEREAS, Recommendation No. R2.6 states: “The ordinance described in
15 Recommendation 2.1 shall require the COB to evaluate advisory bodies annually, and to
16 evaluate all other bodies every three years, with the option to do so on a rotating basis
17 (evaluating about one-third of such bodies in year 1, one-third in year 2, and one-third in
18 year 3);” and

19 WHEREAS, Recommendation No. R2.7 states: “The Mayor’s Office shall include
20 funding in the fiscal 2025 budget for additional staff or other resources, as needed, for the
21 Controller’s Office to perform the duties required by the COB as described in
22 Recommendation 2.2;” and

23 WHEREAS, Recommendation No. R3.1 states: “The ordinance described in
24 Recommendation 2.1 shall require that for each appointed body, the COB recommend
25 retaining, abolishing, or merging with another appointed body, as part of the evaluation

1 process described in Recommendations 2.3, 2.4, and 2.5. To aid in making its initial
2 recommendations, the COB shall review Appendix B: Abolish or Retain;” and

3 WHEREAS, Recommendation No. R4.1 states: “The City shall enact an ordinance
4 limiting the membership of new decision-making bodies to 7 members or fewer and limiting
5 the membership of new advisory boards to 11 members or fewer;” and

6 WHEREAS, Recommendation No. R4.2 states: “The ordinance described in
7 Recommendation 2.1 shall require the COB to recommend reducing the size of all existing
8 commissions and boards according to Recommendation 4.1;” and

9 WHEREAS, Recommendation No. R4.3 states: “The ordinance described in
10 Recommendation 2.1 shall require the COB to develop guidelines for simplifying and
11 streamlining the criteria for who can serve on commissions and boards;” and

12 WHEREAS, Recommendation No. R5.1 states: “By May 1, 2025, the City shall enact
13 an ordinance or propose a ballot measure to codify a sunset date that does not exceed three
14 years for all advisory bodies for which it has the authority to pass such an ordinance or
15 propose such a ballot measure. If passed, this law shall apply immediately to advisory bodies
16 that currently have no sunset date. For advisory bodies with a sunset date, this law shall apply
17 if or when the body is reauthorized;” and

18 WHEREAS, Recommendation No. R5.2 states: “The Clerk of the Board shall notify the
19 City Attorney six months before a body is scheduled to sunset so that the City Attorney can
20 remove the body from the code if it is sunsetted;” and

21 WHEREAS, Recommendation No. R6.1 states: “By May 1, 2025, the City shall enact
22 an ordinance or policy to standardize the names of future commissions and other appointed
23 bodies. The Jury recommends the following naming conventions and recommends that the
24 Board of Supervisors present the text of the ordinance or policy to the COB for approval:

- 25
- Commission or Board for a decision-making body, for example, Film Commission or

1 Assessment Appeals Board.

2 • Advisory Committee or Task Force for an advisory body. For example, Advisory
3 Committee for bodies with a broad scope that have a longer duration (Bicycle Advisory
4 Committee) and Task Force for bodies with a narrow scope and shorter duration (Permit
5 Prioritization Task Force);” and

6 WHEREAS, Recommendation No. R7.1 states: “By May 1, 2025, the Board of
7 Supervisors shall amend as follows Administrative Code Section 1.56 requiring appointed
8 bodies to submit annual reports:

9 (a) Annual reports shall be submitted to the COB for its review by March 31 of the
10 following year.

11 (b) Annual reports shall include the information specified in Appendix D: Annual Report
12 Requirements.” and

13 WHEREAS, Recommendation No. R7.2 states: “If the COB is not enacted, By
14 May 1, 2025, the Board of Supervisors shall amend as follows Administrative Code
15 Section 1.56 requiring appointed bodies to submit annual reports:

16 (a) Annual reports shall be submitted to the COB for its review by March 31 of the
17 following year.

18 (b) Annual reports shall include the information specified in Appendix D: Annual Report
19 Requirements;” and

20 WHEREAS, Recommendation No. R8.1 states: “By May 1, 2025 the City shall enact an
21 ordinance requiring appointee Notice of Appointment statements for an appointed body to
22 include the following information:

- 23 • Previous service as a member of a commission or board;
24 • Political activity, including service as an officer, employee, consultant, or volunteer for
25 a political party or campaign committee;

- 1 ● Lobbying activity, including contacting any legislative member, legislative staff, or
- 2 government employee to influence the support or opposition to specific legislation;
- 3 ● Local political campaign contributions in excess of \$500 per campaign;
- 4 ● Relevant work or life experience that qualifies the appointee for the commission and
- 5 reasons for wanting to serve;” and

6 WHEREAS, Recommendation No. R9.1 states: “By May 1, 2025 the City shall enact an

7 ordinance requiring that within three months of an individual’s initial appointment to a

8 commission or board (including advisory bodies), the individual must undergo training to serve

9 with excellence in the role. This training would be in addition to any other training required by

10 law;” and

11 WHEREAS, Recommendation No. R9.2 states: “The Jury recommends that the training

12 required by the ordinance described in Recommendation 9.1 be no less than two hours and

13 no more than four hours in length. The ordinance shall designate one or more city

14 departments as responsible for developing and administering the training program. The

15 ordinance could but need not specify components of the training program. In addition to its

16 being required for new commissioners, the program would be available on an optional basis to

17 all commissioners;” and

18 WHEREAS, Recommendation No. R9.3 states: “By May 1, 2025 the city shall enact an

19 ordinance requiring that commissioners (including advisory body members) participate in an

20 annual performance review program that includes self- and peer-reviews. This ordinance shall

21 designate one or more city departments as responsible for this performance review program;”

22 and

23 WHEREAS, In accordance with California Penal Code, Section 933.05(c), the Board of

24 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior

25 Court on Finding Nos. F1, F2, F3, F4, F5, F6, F7, F8, and F9 as well as Recommendation

1 Nos. R1.2, R1.3, R2.1, R2.2, R2.3, R2.4, R2.5, R2.6, R2.7, R3.1, R4.1, R4.2, R4.3, R5.1,
2 R5.2, R6.1, R7.1, R7.2, R8.1, R9.1, R9.2, and R9.3 contained in the subject Report; now,
3 therefore, be it

4 RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the
5 Superior Court that they _____ with Finding No. F1 for the following reasons:
6 _____; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
8 of the Superior Court that they _____ with Finding No. F2 for the following reasons:
9 _____; and, be it

10 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
11 of the Superior Court that they _____ with Finding No. F3 for the following reasons:
12 _____; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
14 of the Superior Court that they _____ with Finding No. F4 for the following reasons:
15 _____; and, be it

16 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
17 of the Superior Court that they _____ with Finding No. F5 for the following reasons:
18 _____; and, be it

19 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
20 of the Superior Court that they _____ with Finding No. F6 for the following reasons:
21 _____; and, be it

22 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
23 of the Superior Court that they _____ with Finding No. F7 for the following reasons:
24 _____; and, be it
25

1 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
2 of the Superior Court that they _____ with Finding No. F8 for the following reasons:
3 _____; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
5 of the Superior Court that they _____ with Finding No. F9 for the following reasons:
6 _____; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
8 No. R1.2 _____; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
10 No. R1.3 _____; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
12 No. R2.1 _____; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
14 No. R2.2 _____; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
16 No. R2.3 _____; and, be it

17 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
18 No. R2.4 _____; and, be it

19 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
20 No. R2.5 _____; and, be it

21 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
22 No. R2.6 _____; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
24 No. R2.7 _____; and, be it

25

1 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
2 No. R3.1 _____; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
4 No. R4.1 _____; and, be it

5 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
6 No. R4.2 _____; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
8 No. R4.3 _____; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
10 No. R5.1 _____; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
12 No. R5.2 _____; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
14 No. R6.1 _____; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
16 No. R7.1 _____; and, be it

17 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
18 No. R7.2 _____; and, be it

19 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
20 No. R8.1 _____; and, be it

21 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
22 No. R9.1 _____; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
24 No. R9.2 _____; and, be it

25

1 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
2 No. R9.3 _____; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to cause the
4 implementation of the accepted findings and recommendations through her department heads
5 and through the development of the annual budget.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25