

1 [Charter Amendment - Commission Reform]

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3 **Describing and setting forth a proposal to the voters at an election to be held on November**

4 **5, 2024, to amend the Charter of the City and County of San Francisco to establish the**

5 **Commission Streamlining Task Force charged with making recommendations to the**

6 **Mayor and the Board of Supervisors about ways to modify, eliminate, or combine the**

7 **City's appointive boards and commissions to improve the administration of City**

8 **government; require the City Attorney to prepare a Charter Amendment to implement the**

9 **Task Force's recommendations relating to Charter commissions, for consideration by the**

10 **Board of Supervisors; and authorize the Task Force to introduce an ordinance to effectuate**

11 **its recommendations relating to appointive boards and commissions codified in the**

12 **Municipal Code, which ordinance shall go into effect within 90 days unless rejected by a**

13 **two-thirds vote of the Board of Supervisors.**

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15 **SECTION 1. FINDINGS.**

16 (a) The City and County of San Francisco has long been a place that values public

17 service, creativity, political activism, and civic engagement. And the City's system of

18 participatory government reflects those values. San Francisco is led not only by elected officials

19 and professional City staff, but also by hundreds of City residents who volunteer their time to

20 serve on City boards and commissions (together referred to in this Section as "commissions"),

21 such as the Planning Commission, the Disability and Aging Services Commission, and the

22 Human Rights Commission.

23 (b) San Francisco's commissions leverage the perspectives, lived experiences, and

24 expertise of the City's residents, and ensure that important policy decisions are not made behind

25 closed doors by a powerful few, but through a public and participatory process that is informed

by the very people whom those decisions will impact.

(c) San Francisco's commissions have been in existence as long as the City has had a Charter. The first commission – the Police Commission – was established in 1878, followed by the Civil Service Commission in 1900, and the Public Utilities Commission in 1932. Since then, the voters have amended the City Charter numerous times to establish policy and oversight bodies that have helped shape city policies and programs.

(d) In addition to providing policy guidance, many commissions perform essential government functions that are required by law. For example, the Historic Preservation Commission acts as the City's local historic preservation review commission for the purposes of the federal Certified Local Government Program; the Health Commission serves as the governing body of General Hospital and Laguna Honda Hospital; the Board of Appeals affords due process to permit applicants wishing to appeal a permit decision; and the Building Inspection Commission helps to craft and enforce the safety standards of the Building Code. These and other functions performed by commissions cannot be summarily eliminated without creating significant uncertainty and disorder.

(e) Currently, there are over 100 commissions that perform work on behalf of the City or provide non-binding guidance to City officials and departments. Many of these bodies have existed for decades, without review or evaluation of their efficacy, or updates to maximize their utility. Some commissions have fulfilled their original mandate; some have outlived their useful purpose; and others perform work that duplicates the efforts of other City bodies. As the City enters a period in which it will have to make difficult budget choices, it is time to undertake a comprehensive, evidence-based review of the City's commissions to identify those bodies that add value to the City, those that can be consolidated, streamlined, or improved, and those whose time has passed.

(f) This measure establishes a clear pathway for that review, starting with a study conducted by the Budget and Legislative Analyst of the annual financial cost of supporting the

1 City's commissions. The measure will also establish a Task Force of experts in City  
2 management and operations. This Task Force will not only have the authority to make  
3 recommendations to the Mayor and Board of Supervisors about how to change the current  
4 commission system, but will also have the power to introduce legislation to effectuate those  
5 recommendations. Recommendations could include changes to the structure, staffing, and  
6 meeting requirements of individual commissions, with the goal of improving the commissions'  
7 efficacy.

8 (g) This measure's creation of an expert Task Force to analyze and make  
9 recommendations to optimize the number, functions, and structure of City commissions, is  
10 consistent with recommendations from the 2023-2024 Civil Grand Jury Report, entitled  
11 "Commission Impossible," as well as the Rose Institute of State and Local Government's "Re-  
12 Assessing San Francisco's Government Design," which concluded it is not possible to determine  
13 the optimal number of City commissions without an exhaustive review, and encouraged the City  
14 to "[c]onsider a system-wide evaluation of the City's commission system" as its main  
15 recommendation.

16 (h) Making significant changes to a system of government is no easy feat. And it  
17 cannot be done effectively by establishing arbitrary limits on the number of citizen-led  
18 commissions. But it is time for San Francisco to make tough choices, which requires looking at  
19 which parts of our current system of government work, and which don't. This measure provides  
20 a roadmap for that inquiry, and an expedited path to effective change.

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## 22 **SECTION 2. CHARTER AMENDMENT.**

23 The Board of Supervisors hereby submits to the qualified voters of the City and County,  
24 at an election to be held on November 5, 2024, a proposal to amend the Charter of the City and  
25 County, to read as follows:

1                   NOTE:     **Unchanged Charter text** is in plain font.  
2                   **Additions** are single-underline italics Times New Roman font.  
3                   **Deletions** are ~~strike-through italics Times New Roman font~~.  
4                   **Asterisks** (\* \* \* \*) indicate the omission of unchanged Charter  
5                   subsections.

6                   The Charter of the City and County of San Francisco is hereby amended by revising  
7                   Sections 2.105, 4.100, and adding new Section 4.100.1, to read as follows:

8                   **SEC. 2.105. ORDINANCES AND RESOLUTIONS.**

9                   The Board of Supervisors shall meet and transact its business according to rules which  
10                  it shall adopt.

11                  The Board of Supervisors shall act only by written ordinance or resolution, except that  
12                  it may act by motion on matters over which the Board of Supervisors has exclusive jurisdiction.  
13                  All legislative acts shall be by ordinance. An ordinance or resolution may be introduced before  
14                  the Board of Supervisors by a member of the Board, a committee of the Board, ~~or~~, the Mayor, or  
15                  the Commission Streamlining Task Force subject to the limitations set forth in Section 4.100.1,  
16                  and shall be referred to and reported upon by an appropriate committee of the Board. An  
17                  ordinance or resolution may be prepared in committee and reported out to the full Board for  
18                  action, consistent with the public notice laws of the City. Except as otherwise provided in this  
19                  Charter, passage of an ordinance or a resolution shall require the affirmative vote of a majority of  
20                  the members of the Board.

21                  \* \* \* \*

22                   **SEC. 4.100. GENERAL.**

23                  In addition to the office of the Mayor, the executive branch of the City and County shall  
24                  be composed of departments, appointive boards, commissions, and other units of government

1       that perform the sovereign powers of the City and County. To the extent law permits, each  
2       appointive board, commission, or other unit of government of the City and County established by  
3       State or Federal law shall be subject to the provisions of this Article IV and this Charter.

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5       **SEC. 4.100.1. COMMISSION STREAMLINING TASK FORCE.**

6       (a)    **Establishment of the Task Force.** *By no later than February 1, 2025, a*  
7       *Commission Streamlining Task Force (“Streamlining Task Force”) shall be convened for the*  
8       *purpose of advising the Mayor and the Board of Supervisors on ways to eliminate, consolidate,*  
9       *or limit the powers and duties of appointive boards and commissions for the more effective,*  
10       *efficient, and economical administration of City and County government, and introducing one or*  
11       *more ordinances to effectuate its recommendations. The Streamlining Task Force shall have the*  
12       *powers and duties set forth herein, and shall expire by operation of law 24 months after its first*  
13       *meeting.*

14       *The City Administrator shall provide administrative support to the Streamlining Task*  
15       *Force. The Controller and the City Administrator shall provide professional and technical*  
16       *assistance to the Streamlining Task Force. All City and County officials, departments, and other*  
17       *agencies, and all appointive boards and commissions, shall cooperate with the Streamlining*  
18       *Task Force as it performs its responsibilities under this Section 4.100.1.*

19       *For purposes of this Section 4.100.1, an “appointive board” or “commission” includes*  
20       *any body that meets the definition of a “legislative body,” under California Government Code §*  
21       *54952, whether denominated a “board,” “commission,” “council,” “committee,” “task force,”*  
22       *“advisory body,” or otherwise.*

23       (b)    **Composition of the Streamlining Task Force.** *The Streamlining Task Force*  
24       *shall consist of five members. Seat 1 shall be held by the City Administrator or the City*  
25       *Administrator’s designee, who must be an employee of the Office of the City Administrator. Seat*

1 2 shall be held by the Controller or the Controller's designee, who must be an employee of the  
2 Office of the Controller. Seat 3 shall be held by the City Attorney or the City Attorney's  
3 designee, who must be an employee of the Office of the City Attorney. Seat 4 shall be held by a  
4 representative of organized labor representing the public sector, appointed by the President of  
5 the Board of Supervisors. Seat 5 shall be held by an individual with expertise in open and  
6 accountable government, appointed by the Mayor. The Mayor's appointment shall not be  
7 subject to rejection by the Board of Supervisors under Charter Section 3.100(18). Members in  
8 seats 4 and 5 shall serve at the pleasure of their appointing authority.

9                   (c) **Budget and Legislative Analyst Report.** The Streamlining Task Force shall  
10 undertake a comprehensive review of the City and County's appointive boards and commissions,  
11 including those created by voter-approved ordinance. To inform that review, by no later than  
12 September 1, 2025, the Budget and Legislative Analyst shall prepare and submit to the  
13 Streamlining Task Force, the Mayor, and the Clerk of the Board of Supervisors a report that  
14 assesses for each appointive board or commission established in the Charter (1) the annual  
15 financial cost to the City to operate the body, including but not limited to the costs of City staff  
16 time spent to support, brief, meet with, develop materials for, or otherwise enable the functioning  
17 of the body; and (2) the projected financial impact of eliminating the appointive board or  
18 commission, or consolidating it with another body. The report shall also include an estimate of  
19 the average annual financial cost to the City of operating an appointive board or commission  
20 that is established by ordinance for the purpose of providing non-binding advice to City officials  
21 on a given topic.

22                   (d) **Streamlining Task Force Report and Recommendations.** By no later than  
23 February 1, 2026, the Streamlining Task Force shall prepare and submit to the Mayor and the  
24 Clerk of the Board of Supervisors a report containing the Streamlining Task Force's  
25 recommendations as to which existing appointive boards and commissions, if any, should be

1        eliminated in their entirety, consolidated, revised to limit their powers and/or duties, or revised  
2        to expand their powers and/or duties as a result of a consolidation.

3        For each recommendation made pursuant to this subsection (d), the Streamlining Task  
4        Force shall provide a rationale; analyze whether any function(s) performed by the appointive  
5        board or commission that is recommended to be eliminated, consolidated, or revised are  
6        required by law or essential to the effective operation of City and County government; and  
7        identify the City and County officers, departments, or other units of government that could  
8        assume responsibility for any legally required or essential function(s).

9        **(e) Effectuation of Recommendations.**

10        By no later than March 1, 2026, the City Attorney shall prepare a draft Charter  
11        Amendment to implement the Streamlining Task Force's recommendations relating to  
12        commissions established in the Charter, and shall submit such draft to the Clerk of the Board of  
13        Supervisors. By no later than April 1, 2026, the Streamlining Task Force's report and  
14        recommendations and the draft Charter Amendment shall be the subject of a hearing before the  
15        Board of Supervisors. Any Supervisors(s) wishing to seek voter approval of the draft Charter  
16        Amendment, or a modified version thereof, shall be required to introduce the Charter  
17        Amendment for consideration by the Board of Supervisors, consistent with the process and  
18        deadlines set forth in the Municipal Elections Code and the Board's Rules of Order at that time.

19        During its tenure, the Streamlining Task Force shall have the authority to introduce one  
20        or more ordinances to effectuate its recommendations relating to the elimination, consolidation,  
21        or revision of any appointive board or commission established by ordinance, other than any  
22        appointive board or commission that was established or amended by the adoption of an  
23        ordinance approved by the voters and cannot be amended or rescinded without voter approval.  
24        Such ordinance(s) shall go into effect 90 days after the date of introduction unless before the

1        expiration of the 90-day period two-thirds of all members of the Board of Supervisors vote to  
2        disapprove the ordinance.

3            (f) **Expiration.** This Section 4.100.1 shall expire by operation of law on January 31,  
4        2027, and the City Attorney shall cause it to be removed the Charter thereafter.

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6            **SECTION 3. SEVERABILITY.**

7        If any provision of this measure, or part thereof is for any reason held to be invalid or  
8        unconstitutional, the remaining provisions shall not be affected, but shall remain in full force and  
9        effect, and to this end the provisions of this measure are severable. The voters declare that this  
10      measure, and each section, sub-section, sentence, clause, phrase, part, or portion thereof, would  
11      have been adopted or passed irrespective of the fact that any one or more sections, sub-sections,  
12      sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this  
13      measure is held invalid as applied to any person or circumstance, such invalidity does not affect  
14      any application of this measure that can be given effect without the invalid application.

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16            **SECTION 4. CONFLICTING BALLOT MEASURES.**

17        This measure is intended as the voters' only decision in this election on the composition  
18      of City appointive boards and commissions. In the event that this measure and another measure  
19      or measures relating to the structure and powers of appointive commissions and advisory bodies  
20      shall appear on the same municipal election ballot, the provisions of such other measures shall be  
21      deemed to be in conflict with this measure. In the event that this measure shall receive a greater  
22      number of affirmative votes, the provisions of this measure shall prevail in their entirety, and  
23      each and every provision of the other measure or measures that conflict, in whole or in part, with  
24      this measure shall be null and void in their entirety. In the event that the other measure or  
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1 measures shall receive a greater number of affirmative votes than this measure, the provisions of  
2 this measure shall take effect to the maximum extent permitted by law.

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4 APPROVED AS TO FORM:  
5 DAVID CHIU, City Attorney

6 By: /s/  
7 ANNE PEARSON  
8 Deputy City Attorney

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