

[Prohibition on City employees serving as members of Charter boards and commissions.]

## CHARTER AMENDMENT

### PROPOSITION \_\_\_\_

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Section 4.101, to prohibit City employees from serving as members of boards and commissions created in the Charter.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 4, 2008, a proposal to amend the Charter of the City and County by amending Section 4.101 to read as follows:

Note: Additions are *single-underline italics Times New Roman*.  
Deletions are ~~*strikethrough italics Times New Roman*~~.

#### **SEC. 4.101. BOARDS AND COMMISSIONS--COMPOSITION.**

*(a)* Unless otherwise provided in this Charter, the composition of each appointive board, commission or advisory body of any kind established by this Charter or legislative act of the United States of America, the State of California or the Board of Supervisors shall:

1. Be broadly representative of the communities of interest, neighborhoods, and the diversity in ethnicity, race, age, and sexual orientation of the City and County and have representation of both sexes; and

2. Consist of electors of the City and County at all times during the term of their respective offices, unless otherwise specifically provided in this Charter; or in the case of boards, commissions or advisory bodies established by legislative act the position is (a) designated by ordinance for a person under legal voting age, or (b) unless specifically exempt from the provisions, or waived by the appointing officer or entity upon a finding that an elector with

specific experience, skills or qualifications willing to serve could not be located within the City and County.

(b) No person shall be eligible to serve on an appointive board or commission created in the Charter ("Charter Commission") while he or she is employed by the City.

This subsection (b) shall not apply to:

(1) Citizen advisory committees created in the Charter;

(2) The Law Library Board of Trustees; or,

(3) Boards or commissions created in Article V of the Charter (Arts and Culture Departments), Article XII (Employee Retirement and Health Service Systems), Article XIII (Elections), or Article XV (Ethics).

City officers may serve as ex officio members of a Charter Commission where required by the Charter.

(c) Vacancies on appointive boards, commissions or other units of government shall be filled for the balance of the unexpired term in the manner prescribed by this Charter or ordinance for initial appointments.

(d) Terms of office shall continue as they existed on the effective date of this Charter.

APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

By: \_\_\_\_\_  
THOMAS J. OWEN  
Deputy City Attorney