

File No. 101008

Committee Item No. 9

Board Item No. 13

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules

Date October 7, 2010

Board of Supervisors Meeting

Date 10/26/2010

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|--|
| ☐ | ☐ | Motion |
| ☐ | ☐ | Resolution |
| ☒ | ☒ | Ordinance |
| ☐ | ☐ | Legislative Digest |
| ☐ | ☐ | Budget Analyst Report |
| ☒ | ☒ | Legislative Analyst Report |
| ☐ | ☐ | Youth Commission Report |
| ☐ | ☐ | Introduction Form (for hearings) |
| ☐ | ☐ | Department/Agency Cover Letter and/or Report |
| ☐ | ☐ | MOU |
| ☐ | ☐ | Grant Information Form |
| ☐ | ☐ | Grant Budget |
| ☐ | ☐ | Subcontract Budget |
| ☐ | ☐ | Contract/Agreement |
| ☐ | ☐ | Award Letter |
| ☐ | ☐ | Application |
| ☐ | ☐ | Public Correspondence |

OTHER

(Use back side if additional space is needed)

☐	☐
☐	☐
☐	☐
☐	☐
☐	☐

Completed by: Linda Wong

Date October 4, 2010

Completed by: L.W.

Date 10-13-10

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

[Centralized and Publicly Accessible Online Database of Appointments to Advisory Bodies.]

Ordinance amending the San Francisco Administrative Code by adding Sections 1.57-1 through 1.57-5, to provide for the establishment and maintenance of a centralized and publicly accessible online database of information concerning appointments made by Appointing Authorities to City and County of San Francisco advisory bodies.

NOTE: Additions are single-underline italics Times New Roman;
deletions are ~~strike-through italics Times New Roman~~.
Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 1.57-1 through 1.57-5, to read as follows:

SEC. 157-1. FINDINGS AND PURPOSE.

(a) The Board of Supervisors finds and declares that a large, untapped reservoir of talent exists among the residents of the City and County of San Francisco, and that many San Franciscans are unaware of the opportunities to participate in, and serve on, city boards, commissions, taskforces and committees. The vast diversity of backgrounds, experiences, and perspectives among the citizenry of San Francisco would contribute significantly to the development and administration of local government.

(b) The Board further finds and declares that the general public of San Francisco has traditionally been denied access to specific and current information regarding vacancies on such boards, commissions, task forces and committees. As a result, the City is denying many residents and interest groups the opportunity to be considered by the Appointing Authorities. Further, the respective Appointive Authorities have not been able to take advantage of a largely untapped talent resource. It is

1 therefore the intent of the Board of Supervisors that this Section shall apply to all appointments made
2 by all Appointing Authorities in the City and County of San Francisco.

3 (c) The Board further finds and declares that all citizens of the City and County should have
4 equal access to specific and current information about the many opportunities for appointment to city
5 boards, commissions, taskforces and committees. An online database, publicly accessible via a
6 universally accessible website, can provide the greatest level of access to up-to-date information to the
7 most citizens of the City and County of San Francisco. Therefore, this Section shall provide for the
8 establishment and maintenance of a centralized and publicly accessible online database of information
9 concerning all appointments to all City and County of San Francisco boards, commissions, task forces,
10 or committees by any Appointing Authority.

11 **SEC. 1.572. DEFINITIONS.**

12 For the purposes of this Section, certain terms are defined as follows:

13 (a) "Appointing Authority" means the Mayor, the Board of Supervisors, the District Attorney,
14 the Public Defender, and any other city officer authorized to make appointments to any city boards,
15 commissions, task forces or committees, other than passive meeting bodies.

16 (b) "Advisory Body" means all City and County of San Francisco boards, commissions, task
17 forces and committees with one or more appointed seats.

18 (c) "Appointments" means all appointments to advisory bodies made by an Appointing
19 Authority.

20 (d) "Centralized" means a single database containing all required information.

21 (e) "Publicly accessible" means universally accessible and open for use by the general public.

22 (f) "Online database" means a catalogue of all appointments information, stored online, and
23 publicly accessible via a website. The website must be hyperlinked from the front page of the City's
24 official website. It must be universally accessible, easily searchable, and provide a user friendly
25 interface with hyperlinks, to enable the public to access and search the database without difficulty.

1 (g) "Administrator" means the Office of the City Administrator.

2 (h) "Deliver to the Administrator quarterly" means to provide the required information to the
3 Administrator in-person, or by certified U.S. mail, e-mail, or fax on or before January 1, April 1,
4 July 1, and October 1 of each year.

5 **SEC. 1.57-3. ONLINE DATABASE OF APPOINTMENTS.**

6 (a) General Information. Not later than January 1, 2011, the Administrator shall establish a
7 centralized and publicly accessible online database of information regarding all appointments. The
8 Appointing Authority shall provide the Administrator with the following information and shall reside on
9 the online database: (1) a description of each advisory body, with reference to the authorizing
10 legislation or Charter provision; (2) the total number of appointed positions on the advisory body; (3)
11 the appointing authority for each position; (4) the necessary qualifications for each position, (5)
12 information regarding how to apply for a position, if applicable; and, (6) identification of the
13 department liaison for the advisory body.

14 (b) Quarterly information. The Appointing Authorities shall provide the following appointment
15 information to the Administrator: (1) the name of the appointee currently holding the appointment, or
16 clear identification of an open seat; (2) the start date of the appointment; (3) the date the appointment
17 expires; and, (4) the term limits of the seat, if applicable. Further, all Appointing Authorities shall
18 notify the Administrator should the status of an appointment change before the required reporting date
19 within 30 days of such change. The Administrator shall publish this information on the website
20 quarterly, and upon notification that the status of an appointment has changed, so that upcoming
21 vacancies are searchable immediately by the public.

22 (c) Duties of the Administrator. The Administrator shall be responsible for maintaining the
23 database and website, and updating all required information quarterly, or upon notification from an
24 Appointing Authority that any of the information contained in subsection (a) or (b) of this Section has
25 changed.

1 **SEC. 1.57-4. ANNUAL AUDIT.**

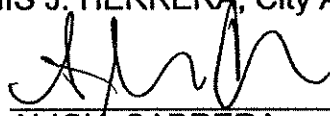
2 At the end of each fiscal year, each advisory body's secretary, or staff designee, shall submit a
3 written report to the Administrator detailing all changes concerning appointments throughout the year.

4 **SEC. 1.57-5. ENFORCEMENT.**

5 The Administrator shall publish quarterly on the website any failure by the Appointing
6 Authority to comply with this ordinance.

7
8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By:

11 
12 ALICIA CABRERA
13 Deputy City Attorney
14
15
16
17
18
19
20
21
22
23
24
25

LEGISLATIVE DIGEST

[Centralized and Publicly Accessible Online Database of Appointments to Advisory Bodies.]

Ordinance amending the San Francisco Administrative Code by adding Sections 1.57-1 through 1.57-5, to provide for the establishment and maintenance of a centralized and publicly accessible online database of information concerning appointments made by Appointing Authorities to City and County of San Francisco advisory bodies.

Existing Law

There currently is no city ordinance addressing this issue.

Amendments to Current Law

Under the new legislation, the Board of Supervisors, the Mayor, the District Attorney, the Public Defender, and any other city officer authorized to make appointments ("Appointing Authorities") to any city boards, commissions, task forces or committees, other than passive meeting bodies, would be required to maintain detailed information regarding all appointments, and to transmit that information quarterly to the Office of the City Administrator ("Administrator"). Further, the Appointing Authorities would be obligated to update the Administrator within a reasonable amount of time should any changes occur to status of any appointment before the required reporting period.

The Administrator would be required to input the information into a centralized online database, which would be accessible to the public on a universally accessible website. The Administrator would also be responsible for maintaining the database and website, and updating the information contained therein quarterly, or upon notification by an appointing authority that the status of an appointment has changed. The Administrator would further be responsible to publish on the website quarterly any failure by an Appointing Authority to comply with this ordinance.

Additionally, all city and county boards, commissions, task forces and committees would be required to submit annual audits to the Administrator of any changes to appointments within their advisory body. This audit is intended to assist the Administrator in identifying any failures by the Appointing Authorities to report changes in appointments throughout the year.

Background Information

California Government Code Section 54972 ("Maddy Act") currently requires the Board of Supervisors and the Mayor to prepare a "Local Appointments List" of all regular and ongoing boards, commissions, and committees. The list must contain all appointive terms which will expire during the next calendar year, and all boards, commissions and committees that serve at the pleasure of the legislative body. The list must be updated one time each year on or before December 31.

