

San Francisco City Charter Sections Involving City Boards and Commissions Only

Courtesy of American Legal Publishing

(in alphabetical order)

Sec. 4.115. AIRPORT COMMISSION.

The Airport Commission shall consist of five members appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. Members may be removed by the Mayor only pursuant to Section [15.105](#).

The Commission shall provide the Mayor with at least three qualified candidates for Director of Airports, related on the basis of executive, administrative and technical qualifications.

The Commission shall have charge of the construction, management, supervision, maintenance, extension, operation, use and control of all property, as well as the real, personal and financial assets which are under the Commission's jurisdiction.

Subject to the approval, amendment or rejection of the Board of Supervisors of each issue, the Commission shall have exclusive authority to plan and issue revenue bonds for airport-related purposes.

Sec. 5.102. CITY MUSEUMS.

When the term "museums" is used in this Article, unless otherwise specified, it refers to both the Asian Art Museum of San Francisco and The Fine Arts Museums of San Francisco.

Trustees and commissioners of the museums are exempt from the requirement of Section [4.101](#)(2) of this Charter, except that at least a majority of The Fine Arts Museum Board of Trustees shall be residents of the City and County. Members shall serve for three-year terms, and may be removed by the Mayor only pursuant to Section [15.105](#). Members shall serve without compensation.

The governing boards of the museums shall adopt by-laws providing for the conduct of their affairs, including the appointment of an executive committee which shall have authority to act in such matters as are specified by the governing board.

The governing boards of the museums shall appoint and may remove a director and such other executive and administrative positions as may be necessary. Appointees to such positions need not be residents of the City and County. Notwithstanding any other provision of this Charter, the governing boards may accept and utilize contributions to supplement or pay for the salaries and benefits of these appointees in order to establish

competitive compensation, provided that only compensation established pursuant to the salary provisions of this Charter shall be considered for Retirement System purposes.

The governing boards of the museums may insure any loaned exhibit and agree to indemnification and binding arbitration provisions necessary to insuring exhibitions without action of the Board of Supervisors so long as such agreement entails no expense to the City and County beyond ordinary insurance expense. The Recreation and Park Department shall maintain and care for the grounds of the Museums.

Sec. 5.103. ARTS COMMISSION.

The Arts Commission shall consist of fifteen members appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. Eleven members shall be practicing arts professionals including two architects, a landscape architect, and representatives of the performing, visual, literary and media arts; and four members shall be lay members. The President of the Planning Commission, or a member of the Commission designated by the President, shall serve ex officio. Members may be removed by the Mayor.

The Commission shall appoint and may remove a director of the department. The Commission shall encourage artistic awareness, participation and expression; education in the arts; assist independent local groups with the development of their own programs; promote the employment of artists and those skilled in crafts, in the public and private sectors; provide liaison with state and federal agencies to ensure increased funding for the arts from these agencies as well as represent arts issues and policy in the respective governmental bodies; promote the continued availability of living and working space for artists within the City and County; and enlist the aid of all City and County governmental units in the task of ensuring the fullest expression of artistic potential by and among the residents of San Francisco.

In furtherance of the foregoing the Arts Commission shall:

1. Approve the designs for all public structures, any private structure which extends over or upon any public property and any yards, courts, set-backs or usable open spaces which are an integral part of any such structures;
2. Approve the design and location of all works of art before they are acquired, transferred or sold by the City and County, or are placed upon or removed from City and County property, or are altered in any way; maintain and keep an inventory of works of art owned by the City and County; and maintain the works of art owned by the City and County;
3. Promote a neighborhood arts program to encourage and support an active interest in the arts on a local and neighborhood level, assure that the City and County-owned community cultural centers remain open, accessible and vital contributors to the cultural life of the City and County, establish liaison between community groups and develop support for neighborhood artists and arts organizations; and

4. Supervise and control the expenditure of all appropriations made by the Board of Supervisors for the advancement of the visual, performing or literary arts.

Nothing in this section shall be construed to limit or abridge the powers or exclusive jurisdiction of the charitable trust departments or the California Academy of Sciences or the Library Commission over their activities; the land and buildings set aside for their use; or over the other assets entrusted to their care.

Sec. 5.104. ASIAN ART MUSEUM OF SAN FRANCISCO.

The Asian Art Commission shall consist of twenty-seven trustees appointed by the Mayor. In filling vacancies, the Mayor shall solicit nominations from the Commission and shall give due consideration to such nominees in filling such vacancies to the end that the members of the Commission shall be representative of the fields of Asian art and culture by reason of their knowledge, experience, education, training, interest or activity therein.

The Commission shall:

1. Develop and administer that museum which is known as the "Asian Art Museum of San Francisco," or by such other title as may be chosen by not less than two-thirds of the members of the Commission;
2. Control and manage the City and County's Asian art with the Avery Brundage Collection as its nucleus, consistent with the conditions applicable to the Brundage Collection and other gifts;
3. Maintain a charitable foundation or other legal entity for the purpose of developing the Asian Art Museum;
4. Promote, establish and develop an acquisition fund for Asian art objects; and
5. Collaborate with other groups and institutions to extend and deepen the activities necessary to establish the Asian Art Museum as the outstanding center of Asian art and culture in the western world.

SEC. 4.106. BOARD OF APPEALS.

(a) The Board of Appeals shall consist of five members nominated and appointed pursuant to this section. Three of the members shall be nominated by the Mayor, and two of the members shall be appointed by the President of the Board of Supervisors. Charter Section [4.101](#) shall apply to these appointments. Vacancies shall be filled by the appointing officer.

Each nomination of the Mayor and the President of the Board of Supervisors is subject to approval by the Board of Supervisors, and shall be the subject of a public hearing and vote

within 60 days. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed approved. The appointment shall become effective on the date the Board adopts a motion approving the nomination or after 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors.

Members may be removed by the appointing officer only pursuant to Section [15.105](#).

In order to stagger the terms, three members shall initially serve two-year terms, and two members shall initially service four-year terms. The initial two and four-year terms of office shall be instituted as follows:

1. The respective terms of office of members of the Board of Appeals who hold office on the first day of July, 2002, shall expire at 12 o'clock noon on that date, and the three members appointed by the Mayor and the two members appointed by the President of the Board of Supervisors shall succeed to said offices at that time.

2. The Clerk of the Board of Supervisors shall determine by lot which two of the three Mayoral appointees shall serve an initial two-year term, and which one of the two appointees of the President of the Board of Supervisors shall serve an initial two-year term. The remaining appointees shall serve four-year terms. All subsequent terms shall be four years.

The Board shall appoint and may remove an executive secretary, who shall serve as department head.

(b) The Board shall hear and determine appeals with respect to any person who has been denied a permit or license, or whose permit or license has been suspended, revoked or withdrawn, or who believes that his or her interest or the public interest will be adversely affected by the grant, denial, suspension or revocation of a license or permit, except for a permit or license under the jurisdiction of the Recreation and Park Commission or Department, or the Port Commission, or a building or demolition permit for a project that has received a permit or license pursuant to a conditional use authorization.

(c) The Board of Appeals shall hear and determine appeals:

1. Where it is alleged there is error or abuse of discretion in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of the provisions of any ordinance adopted by the Board of Supervisors creating zoning districts or regulating the use of property in the City and County; or

2. From the rulings, decisions and determinations of the Zoning Administrator granting or denying applications for variances from any rule, regulation, restriction or requirement of the zoning or set-back ordinances, or any section thereof. Upon the hearing of such appeals, the Board may affirm, change, or modify the ruling, decision or determination appealed from, or, in lieu thereof, make such other additional determinations as it shall deem proper in the premises, subject to the same limitations as are placed upon the Zoning Administrator by this Charter or by ordinance.

(d) After a hearing and any necessary investigation, the Board may concur in the action of the department involved, or by the affirmative vote of four members (or if a vacancy exists, by a vote of three members) overrule the action of the Department.

Where the Board exercises its authority to modify or overrule the action of a department, the Board shall state in summary its reasons in writing.

(Amended March 2002)

Sec. 4.121. BUILDING INSPECTION COMMISSION.

The Building Inspection Commission shall consist of seven members nominated and appointed pursuant to this Section 4.121 and with an emphasis on seeking to include members concerned with tenant safety and habitability issues. Four members shall be nominated by the Mayor for a term of two years. Three members shall be nominated by the President of the Board of Supervisors for a term of two years. Two of the four Mayoral appointments shall each have one or more of the following qualifications: be an active, formerly active, or retired structural engineer, architect, or residential builder. One of the three Board President appointments shall have one or more of the following qualifications: be a residential tenant or work or have worked for a non-profit housing organization.

Each nomination of the Mayor and the President of the Board of Supervisors is subject to approval by the Board of Supervisors, and shall be the subject of a public hearing and vote within 60 days. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed approved. The appointment shall become effective on the date the Board adopts a motion approving the nomination or after 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors. Members may be removed by the appointing officer only pursuant to Section 15.105. Vacancies occurring in the offices of members, shall be nominated and appointed in accordance with the appointment process specified in this paragraph.

The Building Inspection Commission shall have responsibility for oversight of the Department of Building Inspection, which shall have responsibility for the enforcement, administration, and interpretation of the San Francisco Housing, Building, Mechanical, Electrical, and Plumbing Codes, except where this Charter specifically grants that power to another department.

The Commission shall oversee the inspection and regulation of additions, alterations, and repairs in all buildings and structures covered by the San Francisco Housing, Building, Mechanical, Electrical, and Plumbing Codes. However, nothing in this Section 4.121 shall diminish or alter the jurisdiction of the Planning Commission or Department over changes of use or occupancy under the Planning Code. The Commission shall ensure the provision of minimum standards to safeguard life or limb, health, property, and the public welfare by regulating and controlling the safe use of such buildings and structures. The Commission shall ensure the vigorous enforcement of City laws mandating the provision of heat and hot

water to residential tenants. The Commission shall also ensure the enforcement of local, state, and federal disability access laws. The Commission shall exercise all the powers and duties of boards and commissions set forth in Sections 4.102, 4.103, and 4.104, and may take other actions as prescribed by ordinance. The members of the Commission shall serve without compensation.

The Commission shall adopt rules and regulations consistent with fulfilling its responsibilities under this Charter. The Commission shall also adopt rules and regulations governing Commission meetings and also adopt requirements for notification and mailing for Commission business. The Commission shall hold public hearings on all proposed amendments to the San Francisco Building Code, Electrical Code, Housing Code, Plumbing Code, and Mechanical Code.

The Commission shall constitute the Abatement Appeals Board, and shall assume all powers granted to this entity under this Charter and the San Francisco Building Code. The Commission shall appoint and may remove at its pleasure members of the Board of Examiners, Access Appeals Commission, and Code Advisory Committee, all of which shall have the powers and duties to the extent set forth in the San Francisco Building Code.

The Commission may reverse, affirm, or modify determinations made by the Department of Building Inspection on all permits required for a final certificate of completion. The Commission's jurisdiction under this paragraph, however, shall not extend to permits appealable to the Planning Commission or Board of Appeals. Appeals of decisions within the Commission's jurisdiction must be filed with the Commission within fifteen days of the challenged determination. The Commission's action shall be final.

(Amended by [Proposition B](#), Approved 6/7/2022)

CHAPTER 86: CHILDREN AND FAMILIES FIRST COMMISSION

[Sec. 86.1.](#) Establishment of the San Francisco Children and Families First Commission.

[Sec. 86.2.](#) Powers and Duties of the San Francisco Children and Families First Commission.

[Sec. 86.3.](#) Membership and Organization of the San Francisco Children and Families First Commission.

[Sec. 86.4.](#) Establishment of a San Francisco County Strategic Plan.

[Sec. 86.5.](#) Severability.

SEC. 86.1. ESTABLISHMENT OF THE SAN FRANCISCO CHILDREN AND FAMILIES FIRST COMMISSION.

(a) **Establishment.** The San Francisco Children and Families First Commission (the "Commission") is hereby established and designated as the county commission for

purposes of California Health & Safety Code Sections 130100 *et seq.*, as it may be amended from time to time. The Department of Early Childhood (the “Department”) shall provide office space, administrative support, and other services for the Commission. The Commission shall consist of nine members.

(b) **Purpose.** The Commission is established to promote, support, and improve the early development of children from the prenatal stage to five years of age and to carry out the provisions of the California Children and Families First Act of 1998 (the “Act”), including by way of example but not limitation, support for families through parenting education and child health and wellness programs.

(Added by Ord. 409-98, App. 12/24/98; amended by Ord. 321-99, File No. 991829, App. 12/17/99; Ord. [189-22](#), File No. 220808, App. 9/8/2022, Eff. 10/9/2022)

SEC. 86.2. POWERS AND DUTIES OF THE SAN FRANCISCO CHILDREN AND FAMILIES FIRST COMMISSION.

The Commission shall have the following powers and duties:

(a) The Commission shall adopt an adequate and complete San Francisco Strategic Plan (the “County Strategic Plan”), as described in Section [86.4](#) below, for the support and improvement of early childhood development, including family support related to caring for children ages zero to five, within the City and County of San Francisco. Prior to adopting the County Strategic Plan, the Commission shall hold no less than one public hearing on the proposed County Strategic Plan.

(b) On at least an annual basis, the Commission shall review its County Strategic Plan and revise the Plan as may be necessary or appropriate. The Commission shall hold no less than one public hearing on its periodic review of the County Strategic Plan before any revisions to the Plan are adopted.

(c) The Commission shall submit its adopted County Strategic Plan, and any subsequent revisions thereto, to the State Children and Families First Commission (the “State Commission”).

(d) On or before October 15 of each year, the Commission shall conduct and prepare an audit of and issue a written report on the implementation and performance of its functions during the preceding fiscal year.

(1) At a minimum, the audit and report shall include the manner in which the funds were expended, the progress toward and the achievement of program goals and objectives, and the measurement of specific outcomes through appropriate reliable indicators.

(2) On or before November 1 of each year, the Commission shall transmit the audit and report to the State Commission.

(3) The Commission shall conduct no less than one public hearing prior to adopting any annual audit and report.

(e) The Commission shall conduct no less than one public hearing on each annual report by the State Commission prepared pursuant to California Health and Safety Code Section 130150(b).

(f) The Commission shall establish no less than one advisory committee to provide technical and professional expertise and support for any purposes that will be beneficial in accomplishing the purposes of the Act. Each advisory committee shall meet and shall make recommendations and reports as deemed necessary or appropriate.

(g) The Commission shall expend the funds in the San Francisco Children and Families First Trust Fund, only for the purposes authorized by the Act and this Chapter 86 and in accordance with the County Strategic Plan approved by the Commission. The Commission shall not expend funds that are not authorized by the Act, including but not limited to the Babies and Families First Fund established in Section [10.100-36](#) of the Administrative Code and grant funds directed to the Department and general fund appropriations, but may make recommendations to the Department regarding spending from other funding sources. The Commission shall hold at least one joint public hearing annually with the Early Childhood Community Oversight and Advisory Committee (the "EC COAC"), established by [Article XIII](#) of Chapter 5 of the Administrative Code, to review and make recommendations regarding the Department's budget no later than February 14 of each year.

(h) The Commission shall hold at least one joint public hearing annually with the EC COAC to review, and provide input to, the Department's annual report evaluating the effectiveness of the Early Care and Education for All Initiative, required by Section 20.17-3 of the Administrative Code. Following the joint public hearing, and before the Department submits the report to the Board of Supervisors, the Commission and the EC COAC shall each transmit recommendations regarding the report to the Department. The Department's final report shall include a summary of the recommendations received and describe the ways in which the Department has addressed the recommendations.

(i) The Commission may recommend candidates for Director of the Department to the Mayor and may hold a joint public meeting with the EC COAC to recommend such candidates to the Mayor.

(j) The Commission may review national, state, and local legislation that may affect young children and their families and

(1) Make recommendations to the Mayor and the Board of Supervisors regarding the proposed legislation; and

(2) Consistent with Charter Section [3.100](#), communicate the Commission's position regarding the proposed legislation to the appropriate legislative bodies, as long as the Commission's position on state and federal legislation does not conflict with any official position taken by the City and County and the communication is coordinated with the Office of the Mayor.

(k) The Commission shall coordinate with the EC COAC to develop joint policy recommendations with the EC COAC regarding the Department's coordination of services,

policies, and planning strategies for early childhood care and education and family support for children ages zero to five to include:

(1) Addressing the continuous quality improvement of programs and capacity-building of providers.

(2) Developing recommendations for equitable, inclusive, culturally and linguistically appropriate services and innovations responsive to emerging early childhood needs.

(3) Developing recommendations for processes to ensure data and data systems are used for greater accountability of program outcomes, enhance learning internally, across investments, and across service sectors, and address persistent racial, diversity, equity, and inclusion gaps.

(4) Promoting public interest and awareness around issues facing young children and their families.

(5) Developing processes and structures that support organizations, communities, and public agencies to work together to advance the well-being of young children and their families.

(l) The Commission shall meet at least four times each calendar year.

(Added by Ord. 409-98, App. 12/24/98; amended by Ord. 321-99, File No. 991829, App. 12/17/99; Ord. 221, File No. 000150, App. 9/29/2000; Ord. [189-22](#), File No. 220808, App. 9/8/2022, Eff. 10/9/2022)

SEC. 86.3. MEMBERSHIP AND ORGANIZATION OF THE SAN FRANCISCO CHILDREN AND FAMILIES FIRST COMMISSION.

(a) The members of the Commission are as follows. Seats 3 and 5 through 9 shall be appointed by the Board of Supervisors:

(1) Seat 1 shall be the Director of Public Health or the Director's designee.

(2) Seat 2 shall be the Executive Director of the Human Services Agency or the Executive Director's designee.

(3) Seat 3 shall be a member of the Board of Supervisors.

(4) Seat 4 shall be the [1](#) of Children, Youth and Their Families or the Department Head's designee.

(5) Seat 5 shall be nominated by the Mayor (and approved by the Board of Supervisors) as a representative director or supervisor of a Mayoral office or other City program for prevention or early intervention for families at risk.

(6) Seat 6 shall be a member of the Child Care Planning and Advisory Council, established in [Article XX](#) of Chapter 5 of the Administrative Code.

(7) Seat 7 shall be a provider of family support services as described in the San Francisco County Strategic Plan established by Section [86.4](#) below.

(8) Seats 8 and 9 shall be appointed from among the following categories: recipients of project services included in the Strategic Plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, a local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies. To the extent feasible, members shall be selected from existing committees, councils, or coalitions promoting early childhood development and support of their families in order to facilitate planning and coordination of services.

(b) The Commission shall convene by March 1, 1999.

(c) Members of the Commission appointed to Seats 3 and 5 through 9 shall serve at the pleasure of the Board of Supervisors. The term of each Commission member appointed to Seats 3 and 5 through 9 shall be for four years; provided, however, that the members first appointed shall, by lot, classify their terms so that two members shall serve a three-year term, and three members shall serve a four-year term. On the expiration of these terms, their successors shall be appointed for a four-year term. In the event a vacancy occurs during the term of office of any appointed member, a successor shall be appointed for the unexpired term of the office vacated in a manner similar to that for the initial member. After serving the unexpired term of a predecessor, the successor may be appointed for a full four-year term. Members in Seats 5 through 9 may serve no more than two consecutive terms on the Commission. For the purposes of these term limits, serving more than half of a term shall count as serving a full term on the Commission. Any member in Seats 3 and 5 through 9 who fails to attend at least half of the meetings held in a calendar year shall be deemed to have resigned from the Commission.

(d) A majority of the members of the Commission shall constitute a quorum.

(e) The Commission shall establish any additional rules and regulations for its own organization and procedure consistent with State and local law.

(f) No member of the Commission shall be compensated for their services, except members may be paid reasonable per diem and reimbursement of reasonable expenses for attending meetings and discharging other official responsibilities as authorized by the Commission. In addition, members serving in Seats 1 through 5 may receive their full compensation as City employees, since their work for the Commission shall be considered part of their responsibilities in their capacity as City employees.

(g) **Continuing Membership on Children and Families First Commission.** The members of the previously established Commission seated as of the effective date of Ordinance No. [189-22](#) shall by operation of law remain members of the Commission. Their terms of office and term limits shall not incorporate their previous service on the Commission. The terms of office for members of the previously established Commission, as

well as Seat 5, shall begin on the effective date of Ordinance No. [189-22](#). Seat 5 shall be vacant until a new appointment is made in accordance with subsection (a) of this Section 86.3. The terms of office for members in Seats 6, 7, 8, and 9 with previous service on the Commission shall be limited to a one-year term. At the conclusion of the transitory one-year term for members in Seats 6, 7, 8, and 9, new appointments to the Commission shall be made in accordance with subsection (a) of this Section 86.3.

(h) The Department shall provide administrative support to the Commission.

(Added by Ord. 409-98, App. 12/24/98; amended by Ord. 321-99, File No. 991829, App. 12/17/99; Ord. [189-22](#), File No. 220808, App. 9/8/2022, Eff. 10/9/2022)

CODIFICATION NOTE

1. So in Ord. [189-22](#).

SEC. 86.4. ESTABLISHMENT OF A SAN FRANCISCO COUNTY STRATEGIC PLAN.

(a) The Commission shall establish the County Strategic Plan for the support and improvement of early childhood development, including support for their families in caring for children ages zero to five, within the City and County of San Francisco. The County Strategic Plan shall be consistent with and in furtherance of the purposes of the Act and any guidelines adopted by the State Commission that are in effect at the time the County Strategic Plan is adopted or subsequently revised. The Department may prepare the County Strategic Plan in conjunction with its preparation of the Department Strategic Plan required by Section [2A.310](#) of the Administrative Code.

(b) The County Strategic Plan shall include, at a minimum:

- (1) A description of the goals and objectives proposed to be attained;
- (2) A description of the programs, services, and projects proposed to be provided, sponsored, or facilitated;
- (3) A description of how measurable outcomes of such programs, services, and projects will be determined by the Commission using appropriate reliable indicators; and
- (4) A description of how programs, services, and projects relating to early childhood development and support for families with children ages zero to five within the county will be integrated into a consumer-oriented and easily accessible system.

(Added by Ord. 409-98, App. 12/24/98; amended by Ord. [189-22](#), File No. 220808, App. 9/8/2022, Eff. 10/9/2022)

SEC. 86.5. SEVERABILITY.

If any part or provision of this ordinance or the application thereof to any person or circumstance, is held invalid, the remainder of this ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable.

(Added by Ord. 409-98, App. 12/24/98)

Sec. 2A.233. CHILDREN, YOUTH AND THEIR FAMILIES OVERSIGHT AND ADVISORY COMMITTEE.

(a) Purpose. As provided in Charter Section [16.108-1](#), there shall be a Children, Youth and Their Families Oversight and Advisory Committee ("Oversight and Advisory Committee" or "Committee") to review the governance and policies of the Department of Children, Youth and Their Families ("DCYF"), and to take steps to ensure that the Children and Youth Fund ("Fund") is administered in a manner accountable to the community.

The Oversight and Advisory Committee replaces the Children's Fund Citizens Advisory Committee formerly established by Charter Section [16.108\(n\)](#) as adopted by the voters in November 2000. Subsection (n) was repealed and the advisory committee terminated by operation of law upon the adoption of Proposition C by the voters in November 2014.

(b) Duties and Functions. The Oversight and Advisory Committee shall carry out the following duties and functions, some of which are specified in Charter Section [16.108-1](#), and some of which are not specified by Charter but adopted by ordinance under the authority provided in Section [16.108-1](#):

(1) The Oversight and Advisory Committee shall develop recommendations for DCYF regarding outcomes for children and youth services, the evaluation of services, common data systems, processes for making funding decisions, program improvement and capacity-building of service providers, community engagement in planning and evaluating services, leveraging dollars of the Fund and the use of the Fund as a catalyst for innovation.

(2) The Oversight and Advisory Committee shall promote transparency for the Fund and its processes.

(3) Pursuant to Charter Section [16.108](#), the Oversight and Advisory Committee shall review and approve the planning process for the Children and Youth Fund Community Needs Assessment ("CNA") and final CNA, the Services and Allocation Plan (SAP), and the annual Data and Evaluation Report.

(4) The Oversight and Advisory Committee shall review and approve DCYF's overall annual budget expenditures (including the approval of grants as a package, work orders, supplemental funds, and add-back funds), and shall conduct a mid-year budget review each year to prepare for the following year's budget process and may request budget information as necessary for any of its meetings. The Committee shall review best practices developed or identified by DCYF and its Director for the grant-making process, including add-back and supplemental funding, and for interdepartmental work orders. These practices shall be designed to promote, among other things, transparency and accountability in the grant-making process and coordination with the Children and Youth Fund SAP and CNA. The Committee shall review any changes or adjustments in revenue to the Children and Youth Fund and the Baseline as defined in Section [16.108](#). Nothing in this

Section shall limit the authority of the Mayor and Board of Supervisors to propose, amend, and adopt a budget under [Article IX](#) of the Charter.

(5) The Oversight and Advisory Committee shall participate in the evaluation of the Director of DCYF and assist in recruitment for the Director when the position is vacant, and may recommend candidates to the Mayor for appointment.

(6) The Oversight and Advisory Committee shall establish and maintain a Service Provider Working Group as provided in Charter Section [16.108-1](#) and Administrative Code Section [2A.234](#).

(7) The Oversight and Advisory Committee shall confer with the Director of DCYF at least once a year on DCYF's effectiveness and impact.

(c) Meetings. The Oversight and Advisory Committee shall meet at least six times each calendar year. Any member who fails to attend at least half of the meetings in a calendar year shall be deemed to have resigned from the Committee.

(d) Composition. As provided in Charter Section [16.108-1](#), the Mayor shall appoint members for Seats 1, 2, 3, 4, 5, and 6 on the Oversight and Advisory Committee; the Board of Supervisors shall appoint members for Seats 7, 8, 9, 10, and 11 on the Committee. The Mayor's appointments shall take effect 30 days after transmittal of the Mayor's notice of appointment to the Board of Supervisors. The Board of Supervisors may hold a public hearing on each of the Mayor's appointees to the Committee. If a vacancy occurs in any seat on the Committee, the appointing authority for the vacated seat shall appoint a successor.

(e) Qualifications of Members. Members of the Oversight and Advisory Committee shall possess the following qualifications:

Seat 1: A youth 19 years old or younger at the time of appointment for the term, recommended to the Mayor by the Youth Commission. Because this Committee member may be younger than 18 years at the time of appointment, this member is not subject to the requirement of Charter Section [4.101\(a\)\(2\)](#) that members be electors of the City and County unless and until the member reaches the age of 18 years.

Seat 2: The same qualifications as for Seat 1.

Seat 3: A parent or guardian of a youth, which youth, at the time of the member's appointment for the term, is under the age of 18 years and enrolled in the San Francisco Unified School District. This Committee member shall have demonstrated commitment to improving access to and quality of services for children, youth, and families.

Seat 4: A person with expertise or substantial experience working in services and programs for children ages 5 and younger.

Seat 5: A person with expertise or substantial experience working in the field of children and youth services in communities that are low-income or underserved.

Seat 6: A person who has demonstrated commitment to improving access and quality of services for children, youth, and families in communities that are low-income or underserved.

Seat 7: A person who is a Disconnected Transitional-Aged Youth, as that term is used in Charter Section [16.108](#), 18 through 24 years of age at the time of appointment, and who is familiar with the issues and challenges faced by Disconnected Transitional-Aged Youth and with services, programs, and systems for them.

Seat 8: A parent or guardian of a child, which child is enrolled in kindergarten through 8th grade at the time of the member's appointment for the term. This Committee member shall be from a low-income community or have expertise or substantial experience working to promote the interests of communities of color and shall have demonstrated a commitment to improving access and quality of services for children, youth, and families.

Seat 9: A parent or guardian of a child, which child, at the time of the member's appointment for the term, is under the age of 5 years and enrolled in a publicly-subsidized or City-funded program. This Committee member shall have demonstrated a commitment to improving access and quality of services for children, youth, and families.

Seat 10: A person with expertise or substantial experience working in the field of children and youth services in communities that are low-income or under served.

Seat 11: A person who has demonstrated commitment to improving access to and quality of services for children, youth, and families.

In addition to the stated qualifications for each seat on the Committee, current City employees who are at the department head or deputy department head level of authority, SFUSD employees who are at the Director or Assistant Superintendent level of authority or higher, and current employees or members of the boards of directors of organizations where DCYF is the decision-maker for funding may not serve as members of the Oversight and Advisory Committee. For purposes of this subsection (e), a part-time intern with a DCYF-funded organization who is 24 years old or younger shall not be considered an employee of that organization.

(f) Timing of Appointments; Measuring Terms; First Meeting. The Mayor and the Board of Supervisors shall appoint the initial members of the Committee by July 1, 2015. The appointing authorities are encouraged to make their respective application processes as open and transparent as possible.

The terms of the initial appointees shall commence on the date of the first meeting of the Committee, which may occur when at least eight members have been appointed, and no later than July 1, 2015. Terms of Committee members shall be measured from the date of the first Committee meeting.

(g) Term Limits. Members may not serve more than two consecutive two-year terms, except that the members initially appointed to Seats 1, 3, 5, 7, 9, and 11, while remaining eligible to serve a consecutive second-two year term, shall serve for a first term of three

years. For the purpose of these term limits, serving more than half of a term shall count as serving a full term on the Committee.

(h) Committee Operations. At its first meeting, which, as subsection (f) states, shall be no later than July 1, 2015, the Oversight and Advisory Committee shall select a Chair and Vice-Chair. Thereafter, the Oversight and Advisory Committee shall adopt bylaws governing its meetings and operations.

(i) Staffing. DCYF shall provide sufficient staffing for the Oversight and Advisory Committee and the Service Provider Working Group referenced in Section [2A.234](#). The Youth Commission shall provide support to the Committee members in Seats 1, 2, and 7 in areas such as training in city government operations, policy analysis and development, and public outreach.

(Added by Ord. [15-15](#), File No. 141215, App. 2/13/2015, Eff. 3/15/2015)

ARTICLE V: BOND OVERSIGHT COMMITTEES

CITIZENS' GENERAL OBLIGATION BOND OVERSIGHT COMMITTEE

SEC. 5.30. - ESTABLISHMENT.

The Board of Supervisors of the City and County of San Francisco (the "Board") shall establish and appoint members to an independent citizens' general obligation bond oversight committee (the "committee"), pursuant to Section 5.32 hereof, prior to issuing any general obligation bonds (the "bonds") subsequent to the effective date of this measure.

(Added by Proposition F, 3/5/2002)

SEC. 5.31. PURPOSE.

(a) The purpose of the committee shall be to inform the public concerning the expenditure of general obligation bond proceeds. The committee shall actively review and report on the expenditure of taxpayers' money in accordance with the voter authorization. The committee shall convene to provide oversight for: (1) ensuring that bond revenues are expended only in accordance with the ballot measure, and (2) ensuring that no funds are used for any administrative salaries or other general governmental operating expenses, unless specifically authorized in the ballot measure for such bonds. The committee has no power to review bond proposals prior to voter approval. Further, the committee shall not participate or interfere in the selection process of any vendor hired to execute bond funded projects.

(b) In furtherance of its purpose, the committee may engage in any of the following activities:

(1) Inquiring into the disbursement and expenditure of the proceeds of bonds approved by voters by receiving any reports, financial statements, correspondence or other documents and materials related to the expenditure of bond funds from agencies that receive proceeds from these bonds.

(2) Holding public hearings to review the disbursement and expenditure of the proceeds of bonds approved by voters.

(3) Inspecting facilities financed with the proceeds of bonds approved by voters.

(4) Receiving and reviewing copies of any capital improvement project proposals or plans developed by the City.

(5) Reviewing efforts by the City to maximize bond proceeds by implementing cost-saving measures, including, but not limited to, all of the following: (i) mechanisms designed to reduce the costs of professional fees and site preparation and design: and (ii) recommendations regarding the joint use of core facilities and use of cost-effective and efficient reusable facility plans.

(6) Commissioning independent review of the disbursement and expenditure of the proceeds of bonds approved by voters by accessing any funds set aside for this purpose under Subsection (c) of this Section to retain outside auditors, inspectors and necessary experts to conduct such independent review.

(c) To the extent permitted by law, each ballot measure shall provide that one-tenth of one percent of the gross proceeds from the proposed bonds be deposited in a fund established by the Controller's Office and appropriated by the Board at the direction of the committee to cover the costs of said committee.

(Added by Proposition F, 3/5/2002)

SEC. 5.32. PUBLIC MEETINGS.

(a) The Board shall, without expending bond funds, provide the committee with any necessary technical assistance and shall provide administrative assistance in furtherance of its purpose and sufficient resources to publicize the conclusions of the committee.

(b) All committee proceedings shall be subject to the California Public Records Act (Section 6254, et seq., of the Government Code of the State of California) and the City's Sunshine Ordinance (Chapter 67 of this Code). The committee shall issue regular reports on the results of its activities. A report shall be issued at least once a year. Minutes of the proceedings of the committee and all documents received and reports issued shall be a matter of public record and be made available on the Board's website.

(Added by Proposition F, 3/5/2002)

SEC. 5.33. MEMBERSHIP.

(a) The committee shall consist of at least nine members to be appointed as follows: three members by the Mayor; three by the Board; two members by the Controller; and one member by the Civil Grand Jury. Each member shall serve for a term of two years without compensation and for no more than two consecutive terms.

The members appointed by the Mayor shall be comprised, as follows:

(1) One member shall be active in a business organization representing the business community located within the City.

(2) One member shall be active in a labor organization.

(3) One member shall be active in a community organization.

The members appointed by the Board shall be comprised, as follows:

(1) One member shall be active in a business organization representing the business community located within the City.

(2) One member shall be active in a labor organization.

(3) One member shall be active in a community organization.

The members appointed by the Controller shall be comprised as follows:

(1) One member with expertise in auditing governmental financial statements or with expertise in public finance law.

(2) One member with expertise in construction management.

The member appointed by the Civil Grand Jury shall be a member of the Civil Grand Jury or a designee appointed by the Civil Grand Jury.

(b) No employee or official of the City shall be appointed to the committee. No vendor, contractor, or consultant of the City that performs work funded by bonds issued by the City shall be appointed to the committee.

(Added by Proposition F, 3/5/2002)

SEC. 5.34. WASTE.

If, after reviewing materials provided by an agency, department or other entity (each an "agency") receiving proceeds from the sale of bonds, the committee, after conducting its own independent audit and after consultation with the City Attorney, determines that bond proceeds were spent on purposes not authorized by the ballot measure, the committee may, by majority vote, prohibit the issuance of bonds for any remaining bond authorization.

The committee's decision to prohibit the sale of authorized, unsold bonds may be appealed by the agency to the Board within 30 days. The Board may overturn this decision by a supermajority vote of the members present at the meeting at which the matter is presented.

The prohibition on the issuance of bonds for any remaining bond authorization may be lifted by the Board after the agency provides the committee and the Board with documentation of corrective action satisfactory to the Board.

(Added by Proposition F, 3/5/2002)

SEC. 5.35. GENERAL OBLIGATION BOND ORDINANCES.

All bond ordinances introduced after the effective date of this ordinance shall contain a statement incorporating the provisions of this Ordinance in such bond ordinance.

(Added by Proposition F, 3/5/2002)

SEC. 5.36. APPLICATION.

This Article V shall apply to all general obligation bonds with unexpended proceeds, except for Section 5.31(c) which shall apply only to bond authorizations approved by voters subsequent to the effective date of this Ordinance.

(Added by Proposition F, 3/5/2002)

Sec. **10.100. CIVIL SERVICE COMMISSION.**

There is hereby established a Civil Service Commission which is charged with the duty of providing qualified persons for appointment to the service of the City and County.

The Commission shall consist of five members appointed by the Mayor, pursuant to Section [3.100](#), for six-year terms. Not less than two members of the Commission shall be women.

The persons so appointed shall, before taking office, make under oath and file in the office of the County Clerk the following declaration: "I am opposed to appointments to the public service as a reward for political activity and will execute the office of Civil Service Commissioner in the spirit of this declaration."

A commissioner may be removed only upon charges preferred in the same manner as in this Charter provided for elective officers.

The regular meetings of the Commission shall be open to the public and held at such a time as will give the general public and employees of the City and County adequate time within which to appear before the Commission after the regular daily working hours of 8:00 a.m. to 5:00 p.m. Such person or persons shall be given an opportunity to be heard by the Commission before final action is taken in any case involving such person or persons.

SEC. **10.101. GENERAL POWERS AND DUTIES.**

The Civil Service Commission shall adopt rules, policies and procedures to carry out the civil service merit system provisions of this charter and, except as otherwise provided in this Charter, such rules shall govern applications; examinations; eligibility; duration of eligible lists; certification of eligibles; leaves of absence for employees and officers; appointments; promotions; transfers; resignations; lay-offs or reduction in force, both permanent and temporary, due to lack of work or funds, retrenchment or completion of work; the designation and filling of positions, as exempt, temporary, provisional, part-time, seasonal or permanent; status and status rights; probationary status and the administration of probationary periods, except duration; pre-employment and fitness for duty medical examinations, except for the conditions under which referrals for fitness for

duty examinations will be made, and the imposition of new requirements; classification; conflict of interest; and such other matters as are not in conflict with this Charter; provided, however, that the minimum rule for the certification of eligibles shall be the Rule of Three Scores, and provided further that rules for leave due to illness or disability shall be approved by the Board of Supervisors. Changes to the rules may be proposed by members of the Commission, the Executive Assistant or the Human Resources Director and approved or rejected by the Commission. The Commission may, upon ten days' notice, make changes in the rules, which changes shall thereupon be printed and be in force; provided that no such changes in rules shall affect a case pending before the Commission.

The Commission shall have power to institute and prosecute legal proceedings for violations of any civil service merit system or Department of Human Resources provisions of this Charter.

The Commission shall establish an inspection service for the purpose of investigating the conduct or an action of appointees in all positions and of securing records of service for promotion and other purposes. All departments shall cooperate with the Commission in making its investigations and any person hindering the Commission or its agents shall be subject to suspension.

The Commission shall by rule establish procedures to review and resolve allegations of discrimination as defined in [Article XVII](#) of this Charter or otherwise prohibited nepotism or favoritism appealed to it pursuant to this section. The determination reached under Commission procedures shall be final and shall forthwith be enforced by every employee and officer.

The Commission shall have the power to inquire into the operation of the civil service merit system to ensure compliance with merit principles and rules established by the Commission. After such inquiry, the Commission may direct the Human Resources Director to take such action as the Commission believes necessary to carry out the civil service provisions of this Charter. In any hearing conducted by the Commission or by any hearing officer it appoints pursuant to this section, the Commission or the hearing officer shall have the power to subpoena and require the attendance of witnesses and the production of records.

The Commission may require periodic reports from the Human Resources Director in a manner and form which it shall prescribe.

The Commission may hear appeals from an action of the Human Resources Director in accordance with its rules, including but not limited to:

1. Allegations of discrimination as defined in [Article XVII](#) of this Charter. Notwithstanding any other provisions of this Charter except the fiscal provisions hereof, the decision of the Commission regarding allegations of discrimination shall forthwith be enforced by every officer and employee;
2. Allegations of fraud; and
3. Allegations of conflict of interest.

No action by the Human Resources Director which is the subject of any appeal shall be stayed during the appeal process except by a majority vote of the Civil Service Commission.

The Commission shall have the power and it shall be its duty to appoint an executive assistant to be the administrative head of the affairs under its control who shall serve at its pleasure; provided, however, that any person who has Civil Service status in the position of executive assistant to the Commission on the effective date of this section as amended shall continue to have Civil Service status in the position of executive assistant under the Civil Service provisions of this Charter. The executive assistant shall periodically report to the Commission on operation of the civil service merit system and may make recommendations to the Civil Service Commission regarding its rules, policies and procedures.

Sec. 4.118. COMMISSION ON THE ENVIRONMENT.

The Commission on the Environment shall consist of seven members appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. Members may be removed by the Mayor.

The Department of the Environment shall regularly produce an assessment of San Francisco's environmental condition. It shall also produce and regularly update plans for the long-term environmental sustainability of San Francisco.

Pursuant to the policies and directives set by the Commission, and under the supervision and direction of the department head, the Department shall manage the environmental programs, duties and functions assigned to it pursuant to Section [4.132](#) or by ordinance.

The Commission shall have the authority to review and make recommendations on any policy proposed for adoption by any City agency regarding conformity with the long-term plans for environmental sustainability, except for those regarding building and land use.

The Commission may investigate and make recommendations to all City agencies related to operations and functions, such as:

1. Solid waste management;
2. Recycling;
3. Energy conservation;
4. Natural resource conservation;
5. Environmental inspections;
6. Toxics;
7. Urban forestry and natural resources;
8. Habitat restoration; and
9. Hazardous materials.

The Commission shall conduct public education and outreach to the community on environmental issues, including, but not limited to each of the categories listed above.

Sec. 4.119. COMMISSION ON THE STATUS OF WOMEN.

The Commission on the Status of Women shall consist of seven members. Commission members shall be appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. Members may be removed by the Mayor only pursuant to Section [15.105](#). The Commission shall develop and recommend policies and practices for the City and County to reduce the particular impacts on women and girls of problems such as domestic violence, sexual harassment, employment and health care inequity, and homelessness, as well as advocate on behalf of women and girls in such areas. The Commission may be assigned additional duties and functions by ordinance or pursuant to Section [4.132](#).

Sec. 4.100.1. COMMISSION STREAMLINING TASK FORCE.

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

The City Administrator shall provide administrative support to the Streamlining Task Force. The Controller and the City Administrator shall provide professional and technical assistance to the Streamlining Task Force. All City and County officials, departments, and other agencies, and all appointive boards and commissions, shall cooperate with the Streamlining Task Force as it performs its responsibilities under this Section [4.100.1](#).

For purposes of this Section [4.100.1](#), an "appointive board" or "commission" includes any body that meets the definition of a "legislative body," under California Government Code § 54952, whether denominated a "board," "commission," "council," "committee," "task force," "advisory body," or otherwise.

(b) Composition of the Streamlining Task Force. The Streamlining Task Force shall consist of five members. Seat 1 shall be held by the City Administrator or the City Administrator's designee, who must be an employee of the Office of the City Administrator. Seat 2 shall be held by the Controller or the Controller's designee, who must be an employee of the Office of the Controller. Seat 3 shall be held by the City Attorney or the City Attorney's designee, who must be an employee of the Office of the City Attorney. Seat 4 shall be held by a representative of organized labor representing the public sector, appointed by the President of the Board of Supervisors. Seat 5 shall be held by an individual with expertise in open and accountable government, appointed by the Mayor. The Mayor's

appointment shall not be subject to rejection by the Board of Supervisors under Charter Section [3.100](#)(18). Members in seats 4 and 5 shall serve at the pleasure of their appointing authority.

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

(d) Streamlining Task Force Report and Recommendations. By no later than February 1, 2026, the Streamlining Task Force shall prepare and submit to the Mayor and the Clerk of the Board of Supervisors a report containing the Streamlining Task Force's recommendations as to which existing appointive boards and commissions, if any, should be eliminated in their entirety, consolidated, revised to limit their powers and/or duties, or revised to expand their powers and/or duties as a result of a consolidation.

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

(e) Effectuation of Recommendations.

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

During its tenure, the Streamlining Task Force shall have the authority to introduce one or more ordinances to effectuate its recommendations relating to the elimination,

consolidation, or revision of any appointive board or commission established by ordinance, other than any appointive board or commission that was established or amended by the adoption of an ordinance approved by the voters and cannot be amended or rescinded without voter approval. Such ordinance(s) shall go into effect 90 days after the date of introduction unless before the expiration of the 90-day period two-thirds of all members of the Board of Supervisors vote to disapprove the ordinance.

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

(Added by Proposition E, Approved 11/5/2024)

Sec. 4.120. DISABILITY AND AGING SERVICES COMMISSION.

(a) The Disability and Aging Services Commission shall consist of seven members appointed by the Mayor, pursuant to Section 3.100, for four-year terms. Members may be removed by the Mayor. The Commission shall oversee the Department of Disability and Aging Services, including the functions of the Public Guardian/Administrator, as well as carry out any additional duties and functions assigned to the Commission by ordinance or pursuant to Section [4.132](#).

(b) As of January 15, 2020, Seat 1 on the Commission shall be held by a person who is 60 years old or older; Seat 2 shall be held by a person with a disability, as defined under the Americans With Disabilities Act, who is 18 years old or older; and Seat 3 shall be held by a person who served in the United States military and who was discharged or released under conditions other than dishonorable. Seats 4, 5, 6, and 7, shall have no required qualifications in addition to those set forth in Section [4.101](#).

(c) For the purpose of calculating the terms of particular seats on the Commission, Seats 1, 2, and 3 are hereby designated as the seats with terms ending on January 15, 2020. Notwithstanding Charter Section [4.101.5](#), members in those seats who do not as of January 15, 2020 hold the qualifications set forth in subsection (b) respectively may no longer serve in those seats.

(Amended by Proposition I, Approved 11/8/2016; [Proposition B](#), Approved 11/5/2019)

Sec. 13.103.5. ELECTIONS COMMISSION.

An Elections Commission shall be established to oversee all public federal, state, district and municipal elections in the City and County. The Commission shall set general policies for the Department of Elections and shall be responsible for the proper administration of the general practices of the Department, subject to the budgetary and fiscal provisions of this Charter. These duties shall include but not be limited to approving written plans prior to each election, submitted by the Director of Elections, detailing the policies, procedures, and personnel that will be used to conduct the election as well as an assessment of how well the plan succeeded in carrying out a free, fair and functional election.

The Commission shall consist of seven members who shall serve five-year terms. No person appointed as a Commission member may serve as such for more than two successive five-year terms. Any person appointed as a Commission member to complete more than two and one-half years of a five-year term shall be deemed, for the purpose of this section, to have served one full term. No person having served two successive five-year terms may serve as a Commission member until at least five years after the expiration of the second successive term in office. Any Commission member who resigns with less than two and one-half years remaining until the expiration of the term shall be deemed, for the purposes of this section, to have served a full five-year term.

The Mayor, the Board of Supervisors, the City Attorney, the Public Defender, the District Attorney, the Treasurer, and the Board of Education of the San Francisco Unified School District each shall appoint one member of the Commission. The member appointed by the Mayor shall have a background in the electoral process. The member appointed by the City Attorney shall have a background in elections law. The member appointed by the Treasurer shall have a background in financial management. The members appointed by the District Attorney, Public Defender, the Board of Education of the San Francisco Unified School District, and the Board of Supervisors shall be broadly representative of the general public. In the event a vacancy occurs, the appointing authority who appointed the member vacating the office shall appoint a qualified person to complete the remainder of the term. All members initially appointed to the Election Commission shall take office on the first day of January, 2002.

The initial terms of Commission members shall expire according to the following guidelines: the term of the members appointed by the Mayor and the Board of Education of the San Francisco Unified School District shall expire on January 1, 2003; the term of the members appointed by the Board of Supervisors and the Treasurer shall expire on January 1 2004; the term of the member appointed by the City Attorney shall expire January 1, 2005; the term of the member appointed by the Public Defender shall expire January 1, 2006; and the term of the member appointed by the District Attorney shall expire January 1, 2007.

Members of the Commission shall serve without compensation. Members of the Commission shall be officers of the City and County, and may be removed by the appointing authority only pursuant to Section [15.105](#). During his or her tenure, members and employees of the Elections Commission are subject to the following restrictions:

(a) Restrictions on Holding Office. No member or employee of the Elections Commission may hold any other City or County office or be an officer of a political party.

(b) Restrictions on Employment. No member or employee of the Elections Commission may be a registered campaign consultant or registered lobbyist, or be employed by or receive gifts or other compensation from a registered campaign consultant or registered lobbyist. No member of the Elections Commission may hold any employment with the City and County and no employee of the Elections Commission may hold any other employment with the City and County.

(c) Restrictions on Political Activities. No member or employee of the Elections Commission may participate in any campaign supporting or opposing a candidate or ballot measure that will appear on the San Francisco ballot, other than candidates seeking election to federal or statewide office. For purposes of this section, participation in a campaign includes but is not limited to making contributions or soliciting contributions to any committee, including general purpose committees; publicly endorsing or urging endorsement of any candidate or ballot measure; or participating in decisions by organizations to participate in a campaign.

If a person appointed to the Elections Commission is, at the time of appointment, an officer or employee, as prohibited by this section, that person shall be eligible to serve on the Elections Commission only if he or she resigns from his or her office or employment within thirty days of appointment.

(Added November 2001; amended November 2002)

Sec. 4.117. ENTERTAINMENT COMMISSION.

The San Francisco Entertainment Commission shall consist of seven members nominated and appointed pursuant to this section. The Mayor shall nominate four members to the commission, and the Board of Supervisors shall appoint, by motion, three other members to the commission. Each nomination of the Mayor shall be subject to approval by the Board of Supervisors, and shall be the subject of a public hearing and vote within 60 days. If the Board of Supervisors fails to act on a mayoral nomination within 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed approved. Appointments to the commission shall become effective on the date the Board of Supervisors adopts a motion approving the nomination or on the 61st day following the date the mayoral nomination was transmitted to the Clerk of the Board of Supervisors if the Board of Supervisors fails to act upon the nomination prior to such date.

Of the four members nominated by the Mayor, the Mayor shall nominate one member to represent the interests of City neighborhood associations or groups, one member to represent the interests of entertainment associations or groups, one member to represent the interests of the urban planning community, and one member to represent the interests of the law enforcement community. Of the three members of the commission appointed by the Board of Supervisors, one member shall represent the interests of City neighborhood associations or groups, one member shall represent the interests of entertainment associations or groups, and one member shall represent the interests of the public health community.

To stagger the terms of the members, the initial appointments to the commission shall be as follows: the Mayor shall nominate two members to serve terms of four years, one member to serve a term of three years, and one member to serve a term of two years. Of the three remaining members of the commission, the Board of Supervisors shall appoint one member to serve a term of four years, one member to serve a term of three years, and one

member to serve a term of two years. Except for appointments to fill a vacancy, all subsequent appointments shall be for a term of four years.

Members of the commission nominated by the Mayor may be suspended by the Mayor and removed by the Board of Supervisors only as set forth in Section [15.105](#). Members of the commission appointed directly by the Board of Supervisors may be suspended by a motion of the Board of Supervisors approved by six votes and may be removed by the Board of Supervisors only as set forth in Section [15.105](#).

(Added November 2002)

Sec. 15.100. ETHICS COMMISSION.

The Ethics Commission shall consist of five members who shall serve six-year terms; provided that the first five commissioners to be appointed to take office on the first day of February, 2002 shall by lot classify their terms so that the term of one commissioner shall expire at 12:00 o'clock noon on each of the second, third, fourth, fifth and sixth anniversaries of such date, respectively; and, on the expiration of these and successive terms of office, the appointments shall be made for six-year terms.

The Mayor, the Board of Supervisors, the City Attorney, the District Attorney and the Assessor each shall appoint one member of the Commission. The member appointed by the Mayor shall have a background in public information and public meetings. The member appointed by the City Attorney shall have a background in law as it relates to government ethics. The member appointed by the Assessor shall have a background in campaign finance. The members appointed by the District Attorney and Board of Supervisors shall be broadly representative of the general public.

In the event a vacancy occurs, the officer who appointed the member vacating the office shall appoint a qualified person to complete the remainder of the term. Members of the Commission shall serve without compensation. Members of the Commission shall be officers of the City and County, and may be removed by the appointing authority only pursuant to Section [15.105](#).

No person may serve more than one six-year term as a member of the Commission, provided that persons appointed to fill a vacancy for an unexpired term with less than three years remaining or appointed to an initial term of three or fewer years shall be eligible to be appointed to one additional six-year term. Any term served before the effective date of this Section shall not count toward a member's term limit. Any person who completes a term as a Commissioner shall be eligible for reappointment six years after the expiration of his or her term. Notwithstanding any provisions of this Section or any other section of the Charter to the contrary, the respective terms of office of the members of the Commission who shall hold office on the first day of February, 2002, shall expire at 12 o'clock noon on said date, and the five persons appointed as members of the Commission as provided in this Section shall succeed to said offices on said first day of February, 2002, at 12 o'clock noon;

provided that if any appointing authority has not made a new appointment by such date, the sitting member shall continue to serve until replaced the new appointee.

During his or her tenure, members and employees of the Ethics Commission are subject to the following restrictions:

(a) Restrictions on Holding Office. No member or employee of the Ethics Commission may hold any other City or County office or be an officer of a political party.

(b) Restrictions on Employment. No member or employee of the Ethics Commission may be a registered lobbyist or campaign consultant, or be employed by or receive gifts or other compensation from a registered lobbyist or campaign consultant. No member of the Ethics Commission may hold employment with the City and County and no employee of the Commission may hold any other employment with the City and County.

(c) Restrictions on Political Activities. No member or employee of the Ethics Commission may participate in any campaign supporting or opposing a candidate for City elective office, a City ballot measure, or a City officer running for any elective office. For the purposes of this section, participation in a campaign includes but is not limited to making contributions or soliciting contributions to any committee within the Ethics Commission's jurisdiction, publicly endorsing or urging endorsement of a candidate or ballot measure, or participating in decisions by organizations to participate in a campaign.

The Commission may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items material to the performance of the Commission's duties or exercise of its powers.

(Amended November 2001; November 2002; November 2003)

Sec. 5.105. THE FINE ARTS MUSEUMS OF SAN FRANCISCO.

The California Palace of Legion of Honor and the M.H. de Young Memorial Museum shall compromise the Fine Arts Museums of San Francisco, or such other title as may be chosen by not less than two-thirds of the trustees of the Fine Arts Museums. The Fine Arts Museums Board of Trustees shall consist of 62 members to be elected by the members of the Board. On a vote of the majority of members, the number of Trustees may be increased or decreased from time to time as needed, provided that the number of Trustees shall not be more than 62, and provided further that a vote to decrease the number shall not affect the power or tenure of any incumbent. The Board may act by majority of the members present at meetings in which a quorum is in attendance.

In selecting members to serve on the Board, the Board of Trustees shall give due consideration to nominees who are broadly representative of the diverse communities of the City and County and knowledgeable in the fields of art and culture, as demonstrated by their experience, training, interest or philanthropic activity.

A quorum of the Board shall consist of one-third of the number of trustees in office at the time. A majority or two-thirds vote of the Board shall mean a majority or two-thirds vote of the number of trustees present at the meeting at which the vote is taken.

The Board is responsible for the protection and conservation of the assets of the Fine Arts Museums and for setting the public course the Museums will follow. The Board shall assure that the Museums are open, accessible and vital contributors to the cultural life of the City and County, and that the Museums' programs bring art appreciation and education to all the people of the City and County.

The Board may enter into agreements with a not-for-profit or other legal entity to develop or operate the museums and to raise and maintain funds for the museums' support.

Sec. 4.108. FIRE COMMISSION.

The Fire Commission shall consist of five members appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. Members may be removed by the Mayor. In addition to any other powers set forth in this Charter, the Fire Commission is empowered to prescribe and enforce any reasonable rules and regulations that it deems necessary to provide for the efficiency of the Department, provided that the civil service and ethics provisions of this Charter shall control in the event of any conflict with rules adopted under this section.

(Amended November 2003)

Sec. 4.110. HEALTH COMMISSION.

The Health Commission shall consist of seven members appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. The Commission shall have less than a majority of direct care providers. Members may be removed by the Mayor only pursuant to Section [15.105](#). The Commission shall control the property under its jurisdiction.

The Commission and the Department shall manage and control the City and County hospitals, emergency medical services, and in general provide for the preservation, promotion and protection of the physical and mental health of the inhabitants of the City and County, except where the Charter grants such authority to another officer or department. The Commission and the Department may also determine the nature and character of public nuisances and provide for their abatement.

Sec. 12.200. HEALTH SERVICE BOARD.

There shall be a Health Service Board which shall consist of seven members as follows: one member of the Board of Supervisors, to be appointed by the President of the Board of Supervisors; two members appointed by the Mayor pursuant to Section [3.100](#), one of whom shall be an individual who regularly consults in the health care field, and the other a doctor

of medicine; one member nominated by the Controller and three members elected from the active and retired members of the System from among their number. Elections shall be conducted by the Director of Elections in a manner prescribed by ordinance. Elected members need not reside within the City and County.

Not later than April 1, 2013 the Controller shall nominate a candidate for appointment to the Health Services Board for a two-year term commencing on May 15, 2013. The Controller shall transmit a written notice of nomination to the Health Services Board. The Controller's nominee shall be subject to the approval of the Health Services Board. If the Health Services Board fails to calendar the Controller's nomination for consideration at a meeting to occur not later than 60 days after receipt of the Controller's written notice of nomination, the Controller's nominee shall be deemed approved. All subsequent appointments of Controller's nominees shall be for a five-year term and be subject to the same procedure. The Controller's nominee may not vote on his or her successor.

The terms of Health Service Board members, other than the ex officio members, shall be five years, and shall expire on May 15 of each year, with the exception that the term of the Board member that begins in May 2011 shall be three (3) years, and shall expire in May 2014, and the term of the Board member that begins in May 2013 term shall be two (2) years, and shall expire in May 2015.

The appointee nominated by the Controller shall succeed the elected member whose term expires at 12:00 noon on May 15, 2013. In the event the elected member whose term expires on May 15, 2013, leaves the Board prior to that date, the Controller shall nominate a successor to fill the unexpired term according to the procedures set forth above.

A vacancy on the Board appointed by the Mayor shall be filled by the Mayor. A vacancy on the Board of an appointee nominated by the Controller shall be filled for the unexpired term according to the procedures set forth above for Controller's nominees. A vacancy in an elective office on the Board shall be filled by a special election within 90 days after the vacancy occurs unless a regular election is to be held within six months after such vacancy shall have occurred.

The Health Service Board shall:

1. Establish and maintain detailed historical costs for medical and hospital care and conduct an annual review of such costs;
2. Apply benefits without special favor or privilege;
3. Put such plans as provided for in Section [A8.422](#) into effect and conduct and administer the same and contract therefor and use the funds of the System;
4. Make rules and regulations for the administration of business of the Health Service System, the granting of exemptions and the admission to the System of persons who are hereby made members, and such other officers and employees as may voluntarily become members with the approval of the Board; and

5. Receive, consider and, within 60 days after receipt, act upon any matter pertaining to the policies of, or appeals from, the Health Service System submitted to it in writing by any member or any person who has contracted to render medical care to the members.

Except as otherwise specifically provided, the Health Service Board shall have the powers and duties and shall be subject to the limitations of Charter Sections [4.102](#), [4.103](#) and [4.104](#).

Subject to the requirements of state law and the budgetary and fiscal provisions of the Charter, the Health Service Board may make provision for health or dental benefits for residents of the City and County of San Francisco as provided in Section [A8.421](#).

(Amended November 2004; Proposition F, Approved 11/2/2010; Proposition C, Approved 11/8/2011)

SEC. 12.201. MEDICAL DIRECTOR AND HEALTH SERVICES ADMINISTRATOR.

The Health Service Board may appoint a full-time or part-time medical director. He or she shall hold office at its pleasure. The medical director shall be responsible to the Board as a board, but not to any individual member or committee thereof. The Health Service Board shall appoint a full-time administrator with experience in administering health plans or in comparable work, who shall hold office at the Health Service Board's pleasure. The Health Services administrator shall administer the Health Service System in accordance with the provisions of this Charter and the rules, regulations and policies of the Health Service Board. The Board and each committee of the Board shall confine its activities to policy matters and to matters coming before it as an appeals board. The Board shall prepare its rules, regulations and policies so that they are clear, definite and complete and so that they can be readily administered by the Health Services administrator.

(Amended November 2004)

SEC. 12.202. MEMBERSHIP IN HEALTH SERVICE SYSTEM.

The members of the System shall consist of all officers and permanent employees of the City and County, the Unified School District, the Community College District, and such other officers, employees, dependents and retirees as provided by ordinance.

SEC. 12.203. HEALTH SERVICE SYSTEM FUND.

The Health Service System fund shall be a trust fund administered by the Health Service Board in accordance with the provisions of this Charter solely for the benefit of the active and retired members of the Health Service System and their covered dependents. The City and County, School District and Community College District shall each contribute to the Health Service System Fund amounts sufficient to efficiently administer the Health Service System.

SEC. 12.204. RETIREE HEALTH CARE TRUST FUND.

(a) The Retiree Health Care Trust Fund (RHCTF) shall be an irrevocable trust fund established under Section [A8.432](#), and separate from the Health Service System trust fund

described in Charter Sections [12.203](#) and [A8.428](#), to provide a funding source to defray the cost of the City's, and other Participating Employers', obligations to pay for health coverage for retired persons and their survivors entitled to health coverage under Section [A8.428](#). RHCTF assets shall be held for the sole and exclusive purpose of providing health coverage to eligible retired persons and their survivors, and to defray the reasonable expenses of administering the RHCTF, including but not limited to educational, actuarial, consulting, administrative support and accounting expenses associated with the RHCTF. Subject to the approval of the Board of Supervisors by resolution, the Retiree Health Care Trust Fund Board (Board) may, upon the adoption of a resolution, authorize specific payments for specific amounts enumerated in the resolution shall pay for such administrative costs from the RHCTF.

(b) The Board shall govern the RHCTF. The Board shall consist of the following five trustees: the City Controller, the City Treasurer, and the Executive Director of the San Francisco Employees' Retirement System, or their respective designees; and two trustees elected from among active employee and retired members of the City's Health Service System. One of the elected trustees shall be an active employee member and one shall be a retired member as of the date of their respective elections. Each elected trustee shall serve for a term of five years. No person may serve simultaneously as a trustee on the Board and as an elected or appointed member of the San Francisco Employees' Retirement System Board or the Health Service System Board.

(Amended by Proposition B, 6/3/2008; Proposition A, 11/5/2013)

Sec. 4.135. HISTORIC PRESERVATION COMMISSION.

GENERAL. There is hereby created a Historic Preservation Commission, which shall advise the City on historic preservation matters, participate in processes that involve historic or cultural resources, and take such other actions concerning historic preservation as may be prescribed by ordinance. The Historic Preservation Commission shall consist of seven members nominated by the Mayor and subject to approval by a majority of the Board of Supervisors.

The term and tenure of all members sitting on the Landmarks Preservation Advisory Board, created under [Article 10](#) of the Planning Code, as of the effective date of this section shall terminate on December 31, 2008. Of the original appointments to the Historic Preservation Commission, four shall be for a four-year term and three for a two-year term as follows; the odd-numbered seats shall be for four-year terms and the even-numbered seats shall be for two-year terms. After the expiration of the original terms, all appointments shall be for four-year terms, provided however, that a member may holdover until a successor has been nominated by the Mayor and approved by the Board of Supervisors. There shall be no limit on the number of terms a member may serve.

The original nominations shall be made no later than 31 days after the date of the election creating this section. If the Mayor fails to nominate an original appointment within said

period, the nomination for the original appointment may be made by the President of the Board of Supervisors, subject to the approval of a majority of the Board of Supervisors.

Within 60 days of the expiration of a term or other vacancy the Mayor shall nominate a qualified person to fill the vacant seat for the term, or the remainder of the term, subject to approval by a majority of the Board of Supervisors who shall hold a public hearing and vote on the nomination within 60 days of the Mayor's transmittal of the nomination to the Clerk of the Board of Supervisors. If the Mayor fails to make such nomination within 60 days, the nomination may be made by the President of the Board of Supervisors, subject to the approval of a majority of the Board of Supervisors. The appointment shall become effective on the date the Board of Supervisors adopts a motion approving the nomination or after 60 days from the date the Mayor transmits the nomination to the Clerk of the Board of Supervisors if the Board of Supervisors fails to act.

Members may be removed by the appointing officer only pursuant to Section [15.105](#).

QUALIFICATIONS. In addition to the specific requirements set forth below, members of the Historic Preservation Commission shall be persons specially qualified by reason of interest, competence, knowledge, training and experience in the historic, architectural, aesthetic, and cultural traditions of the City, interested in the preservation of its historic structures, sites and areas, and residents of the City. Six of the members of the Historic Preservation Commission shall be specifically qualified in the following fields:

1. Seats 1 and 2: licensed architects meeting the Secretary of the Interior's Professional Qualifications Standards for historic architecture;
2. Seat 3: an architectural historian meeting the Secretary of the Interior's Professional Qualifications Standards for architectural history with specialized training and/or demonstrable experience in North American or Bay Area architectural history;
3. Seat 4: an historian meeting the Secretary of the Interior's Professional Qualifications Standards for history with specialized training and/or demonstrable experience in North American or Bay Area history;
4. Seat 5: an historic preservation professional or professional in a field such as law, land use, community planning or urban design with specialized training and/or demonstrable experience in historic preservation or historic preservation planning.
5. Seat 6 shall be specially qualified in one of the following fields or in one of the fields set forth for Seats 1, 2, or 3;
 - a. A professional archeologist meeting the Secretary of the Interior's Professional Qualification Standards for Archeology;
 - b. A real estate professional or contractor who has demonstrated a special interest, competence, experience, and knowledge in historic preservation;
 - c. A licensed structural engineer with at least four years of experience in seismic and structural engineering principals applied to historic structures; or

d. A person with training and professional experience with materials conservation.

Seat 7 shall be an at large seat subject to the minimum qualifications set forth above.

LANDMARK AND HISTORIC DISTRICT DESIGNATIONS. The Historic Preservation Commission shall have the authority to recommend approval, disapproval, or modification of landmark designations and historic district designations under the Planning Code to the Board of Supervisors. The Historic Preservation Commission shall send recommendations regarding landmarks designations to the Board of Supervisors without referral or recommendation of the Planning Commission. The Historic Preservation Commission shall refer recommendations regarding historic district designations to the Planning Commission, which shall have 45 days to review and comment on the proposed designation, which comments, if any, shall be forwarded to the Board of Supervisors together with the Historic Preservation Commission's recommendation. Decisions of the Historic Preservation Commission to disapprove designation of a landmark or historic district shall be final unless appealed to the Board of Supervisors.

CERTIFICATES OF APPROPRIATENESS. The Historic Preservation Commission shall approve, disapprove, or modify certificates of appropriateness for work to designated landmarks or within historic districts. For minor alterations, the Historic Preservation Commission may delegate this function to staff, whose decision may be appealed to the Historic Preservation Commission.

For projects that require multiple planning approvals, the Historic Preservation Commission must review and act on any Certificate of Appropriateness before any other planning approval action. For projects that (1) require a conditional use permit or permit review under Section [309](#), et seq., of the Planning Code and (2) do not concern an individually landmarked property, the Planning Commission may modify any decision on a Certificate of Appropriateness by a 2/3 vote, provided that the Planning Commission shall apply all applicable historic resources provisions of the Planning Code.

For projects that are located on vacant lots, the Planning Commission may modify any decision on a Certificate of Appropriateness by a two-thirds vote, provided that the Planning Commission shall apply all applicable historic resources provisions of the Planning Code.

The Historic Preservation Commission or Planning Commission's decision on a Certificate of Appropriateness shall be final unless appealed to the Board of Appeals, which may modify the decision by a 4/5 vote; provided, however, that if the project requires Board of Supervisors approval or is appealed to the Board of Supervisors as a conditional use, the decision shall not be appealable to the Board of Appeals, but rather to the Board of Supervisors, which may modify the decision by a majority vote.

SIGNIFICANT OR CONTRIBUTORY BUILDING AND CONSERVATION DISTRICT DESIGNATIONS IN THE C-3 DISTRICTS. The Historic Preservation Commission shall have the authority to recommend approval, disapproval, or modification of Significant or Contributory building and Conservation District designations under the Planning Code to the Board of Supervisors. The Historic Preservation Commission shall send

recommendations regarding Significant or Contributory Buildings to the Board of Supervisors without referral or recommendation of the Planning Commission. The Historic Preservation Commission shall refer recommendations regarding Conservation District designations to the Planning Commission, which shall have 45 days to review and comment on the proposed designation, which comments, if any, shall be forwarded to the Board of Supervisors together with the Historic Preservation Commission's recommendation. Decisions of the Historic Preservation Commission to disapprove designation of a Significant or Contributory building or Conservation District shall be final unless appealed to the Board of Supervisors.

ALTERATION OF SIGNIFICANT OR CONTRIBUTORY BUILDINGS OR BUILDINGS IN CONSERVATION DISTRICTS IN THE C-3 DISTRICTS. The Historic Preservation Commission shall have the authority to determine if a proposed alteration is a Major Alteration or a Minor Alteration. The Historic Preservation Commission shall have the authority to approve, disapprove, or modify applications for permits to alter or demolish designated Significant or Contributory buildings or buildings within Conservation Districts. For Minor Alterations, the Historic Preservation Commission may delegate this function to staff, whose decision may be appealed to the Historic Preservation Commission.

For projects that require multiple planning approvals, the Historic Preservation Commission must review and act on any permit to alter before any other planning approval action. For projects that (1) require a conditional use permit or permit review under Section [309](#), et seq., of the Planning Code and (2) do not concern a designated Significant (Categories I and II) or Contributory (Category III only) building, the Planning Commission may modify any decision on a permit to alter by a 2/3 vote, provided that the Planning Commission shall apply all applicable historic resources provisions of the Planning Code.

For projects that are located on vacant lots, the Planning Commission may modify any decision on a permit to alter by a two-thirds vote, provided that the Planning Commission shall apply all applicable historic resources provisions of the Planning Code.

The Historic Preservation Commission's or Planning Commission's decision on a permit to alter shall be final unless appealed to the Board of Appeals, which may modify the decision by a 4/5 vote; provided, however, that if the project requires Board of Supervisors approval or is appealed to the Board of Supervisors as a conditional use, the decision shall not be appealable to the Board of Appeals, but rather to the Board of Supervisors, which may modify the decision by a majority vote.

MILLS ACT CONTRACTS. The Historic Preservation Commission shall have the authority to recommend approval, disapproval, or modification of historical property contracts to the Board of Supervisors, without referral or recommendation of the Planning Commission.

PRESERVATION ELEMENT OF THE GENERAL PLAN. The Historic Preservation Commission shall recommend to the Planning Commission a Preservation Element of the General Plan and shall periodically recommend to the Planning Commission proposed amendments to such Preservation Element of the General Plan. Other objectives, policies, and provisions of the General Plan and special area, neighborhood, and other plans designed to carry out the General Plan, and proposed amendments thereto, that are not

contained within such Preservation Element but that concern historic preservation shall be referred to the Historic Preservation Commission for its comment and recommendations prior to action by the Planning Commission. When the Planning Commission recommends to the Board of Supervisors for approval or rejection proposed amendments to the General Plan that concern historic preservation, any recommendation or comments of the Historic Preservation Commission on such proposed amendments shall be forwarded to the Board of Supervisors for its information.

REFERRAL OF CERTAIN MATTERS. The following matters shall, prior to passage by the Board of Supervisors, be submitted for written report by the Historic Preservation Commission regarding effects upon historic or cultural resources: ordinances and resolutions concerning historic preservation issues and historic resources; redevelopment project plans; waterfront land use and project plans; and such other matters as may be prescribed by ordinance. If the Planning Commission is required to take action on the matter, the Historic Preservation Commission shall submit any report to the Planning Commission as well as to the Board of Supervisors; otherwise, the Historic Preservation Commission shall submit any report to the Board of Supervisors.

OTHER DUTIES. For proposed projects that may have an impact on historic or cultural resources, the Historic Preservation Commission shall have the authority to review and comment upon environmental documents under the California Environmental Quality Act and the National Environmental Policy Act. The Historic Preservation Commission shall act as the City's local historic preservation review commission for the purposes of the Certified Local Government Program, may recommend properties for inclusion in the National Register of Historic Places, and may review and comment on federal undertakings where authorized under the National Historic Preservation Act. The Historic Preservation Commission shall review and comment upon any agreements proposed under the National Historic Preservation Act where the City is a signatory prior to any approval action on such agreement. The Historic Preservation Commission shall have the authority to oversee and direct the survey and inventory of historic properties.

Once a quorum of members of the Historic Preservation Commission has been originally appointed and approved, the Historic Preservation Commission shall assume any powers and duties assigned to the Landmarks Preservation Advisory Board until the Municipal Code has been amended to reflect the creation of the Historic Preservation Commission.

BUDGET, FEES, DEPARTMENT HEAD, AND STAFF. The provisions of Charter subsections [4.102\(3\)](#), [4.102\(4\)](#), [4.102\(5\)](#), and [4.102\(6\)](#) shall not apply to the Historic Preservation Commission. The Historic Preservation Commission may review and make recommendations on the Planning Department budget and on any rates, fees, and similar charges with respect to appropriate items coming within the Historic Preservation Commission's jurisdiction to the department head of the Planning Department or the Planning Commission. The department head of the Planning Department shall assume the powers and duties that would otherwise be executed by an Historic Preservation Commission department head. The Planning Department shall render staff assistance to the Historic Preservation Commission.

(Added by Proposition J, 11/4/2008)

Sec. 4.133. HOMELESSNESS OVERSIGHT COMMISSION.

(a) There shall be a Homelessness Oversight Commission ("Commission") to oversee the Department of Homelessness and Supportive Housing ("Department"), or any successor agency. The Department shall, to the extent prescribed by ordinance, manage and direct housing, programs, and services for persons experiencing homelessness in the City, including, but not limited to, street outreach, homeless shelters, transitional housing, homelessness prevention, and permanent supportive housing.

(b) The Commission shall consist of seven members, appointed as follows:

(1) Seats 1, 2, 3, and 4 shall be appointed by the Mayor subject to confirmation by the Board of Supervisors. Each nomination of the Mayor shall be subject to approval by the Board of Supervisors, and shall be the subject of a public hearing and vote within 60 days of the date the Clerk of the Board receives notice of the nomination from the Mayor. If the Board fails to act on the nomination within those 60 days, the nominee shall be deemed approved. The appointment shall become effective on the date the Board adopts a motion approving the nomination or on the 61st day after the Clerk of the Board receives notice of the nomination, whichever is earlier. Seat 1 shall be held by a person who has personally experienced homelessness. Seat 2 shall be held by a person with significant experience providing services to or engaging in advocacy on behalf of persons experiencing homelessness. Seat 3 shall be held by a person with expertise in mental health service delivery or substance use treatment. Seat 4 shall be held by a person with a record of participation in a merchants' or small business association, or neighborhood association. In addition to the aforementioned qualifications, at least one of the Mayor's appointees shall have experience in budgeting, finance, and auditing.

(2) Seats 5, 6, and 7 shall be appointed by the Board of Supervisors. Seat 5 shall be held by a person who has personally experienced homelessness. Seat 6 shall be held by a person with significant experience providing services to or engaging in advocacy on behalf of persons experiencing homelessness. Seat 7 shall be held by a person with significant experience working with homeless families with children and/or homeless youth.

(3) Section [4.101](#) shall apply to these appointments, with a particular emphasis on diversity in ethnicity, race, age, sex, gender identity, sexual orientation, and types of disabilities.

(c) Commission members shall serve at the pleasure of their respective appointing authorities and may be removed by their appointing authorities at any time. Vacancies shall be filled by the respective appointing authorities as prescribed in subsections (b)(1) and (2).

(d) Commissioners shall serve four-year terms, beginning at noon on May 1, 2023; provided, however, the term of the initial appointees in Seats 1, 4, and 6 shall be a two-year term, expiring at noon on May 1, 2025.

(e) The Commission shall elect a Chair, Vice-Chair, and officers for other such positions, if any, that it chooses to create.

(f) The Commission shall have the following powers and duties:

(1) With respect to the Department, the Commission shall exercise all of the powers and duties of boards and commissions as set forth in Sections [4.102](#), [4.103](#), and [4.104](#), including but not limited to, approving applicable departmental budgets, formulating annual and long-term goals consistent with the overall objectives of the City and County, establishing departmental performance standards, holding hearings and taking testimony, conducting public education and outreach concerning programs and services for homeless persons in San Francisco, and issues concerning homelessness, and conducting performance audits of the Department to assess the efficiency and effectiveness of the Department's delivery of services to persons experiencing homelessness and persons participating in programs overseen by the Department, and the extent to which the Department has met the annual goals and performance standards established by the Commission.

(2) Notwithstanding the Commission's authority to review and set policies, the Commission shall not have the authority to approve, disapprove, or modify criteria used to ascertain eligibility or priority for programs and/or services operated or provided by the Department, where such criteria are required as a condition of the receipt of state or federal funding.

(g) The Mayor and the Board of Supervisors shall make their initial appointments to Seats 1-7, respectively, on the Commission by no later than noon, March 1, 2023. The Commission shall come into existence upon the appointment, and confirmation where required, of four members, or at noon on May 1, 2023, whichever is later. The Commission shall have its inaugural meeting within 30 days of its coming into existence.

(Added by [Proposition C](#), Approved 11/8/2022)

Sec. 4.107. HUMAN RIGHTS COMMISSION.

The Human Rights Commission shall consist of eleven members appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. Members may be removed by the Mayor.

The Commission shall:

1. Investigate complaints of unlawful discrimination against any person;
2. Ensure the civil rights of all persons;
3. Ensure that the affirmative action plans of each department of the City and County are current and are being properly implemented; and report on the implementation of such affirmative action plans to the Mayor and Board of Supervisors;

4. Promote understanding among the residents of the City and County and work cooperatively with governmental agencies, community group and others to eliminate discrimination and the results of past discrimination by furnishing information, guidance and technical assistance;
5. Study, investigate, mediate and make recommendations with respect to the solving of community- wide problems resulting in intergroup tensions and discrimination;
6. Implement the provisions of ordinances prohibiting discrimination in all contracts and subsequent subcontracts, franchises, leases, concessions or other agreements for or on behalf of the City and County; and
7. Issue such rules and regulations for the conduct of its business, and prepare such ordinances with respect to human rights for consideration by the Board of Supervisors as are necessary to carry out the purposes of this section.

In performing its duties, the Commission may hold hearings, issue subpoenas to require witnesses to appear and require the production of evidence, administer oaths, take testimony and issue appropriate orders and petitions for court orders in such manner as may be prescribed by law.

Sec. 4.111. HUMAN SERVICES COMMISSION.

The Human Services Commission shall consist of five members appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. Members may be removed by the Mayor only pursuant to Section [15.105](#).

Sec. 6.1. INTERDEPARTMENTAL STAFF COMMITTEE ON TRAFFIC AND TRANSPORTATION (ISCOTT).

There is hereby established a committee to be known as the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT), consisting of the department or their designated representatives from the following departments and agencies: Municipal Transportation Agency, Planning, Public Works, Police, Fire, Public Health, and Entertainment Commission. The Director of Transportation shall serve as Chair of ISCOTT. The Director of Administrative Services of the City and County of San Francisco or the Director's designee shall review recycling plans submitted pursuant to Section [6.5](#) and recommend any conditions to ISCOTT that should be imposed on any applicant. In exercising its powers ISCOTT shall consult with any other City department or agency that could be affected by any temporary use or occupancy of a public street. ISCOTT shall have the authority to take all acts reasonably necessary for it to carry out any duties imposed upon it by law. Before acting on any application for temporary use or occupancy of public streets, street fair or an athletic event, ISCOTT shall conduct a public hearing at a publicly noticed time and place to be determined by ISCOTT.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. [99-21](#), File No. 210284, App. 7/28/2021, Eff. 8/28/2021)

Sec. 7.102. JUVENILE PROBATION.

The Juvenile Probation Commission shall consist of seven members who shall be appointed by the Mayor, pursuant to Section [3.100](#), for staggered four-year terms. Two of the members shall be appointed from lists of eligibles submitted to the Mayor by the Superior Court. The Juvenile Probation Department shall be a part of the executive branch.

Members may be removed by the Mayor only pursuant to Section [15.105](#).

Any member may serve concurrently as a member of the Juvenile Justice Commission created by state law and as a member of the Juvenile Probation Commission herein created.

The Chief Juvenile Probation Officer, assistants and deputies shall have the powers and duties conferred upon such Chief Juvenile Probation Officers, assistants and deputies by state law; and they shall perform all of the duties prescribed by such laws, and such additional duties as may be prescribed by ordinances of the Board of Supervisors.

Sec. 8.103. LAW LIBRARY.

The San Francisco Law Library shall be under the management and control of the Board of Trustees, as established by act of the Legislature approved March 9, 1870. The Board shall consist of seven appointive members of the San Francisco bar, and the Mayor, the Presiding Judge and the three judges of the Appellate Department of the Superior Court, ex-officio. All vacancies on the Board shall be filled by the Board.

Pursuant to state law, the Board shall appoint and at its pleasure may remove a librarian, who shall be its executive officer. The Board shall have complete authority to manage its affairs consistent with this Charter and state law.

Compensation of Law Library personnel shall be fixed by the executive officer of the Law Library, with approval of the Board of Trustees. Subject to the budgetary and fiscal provisions of this Charter, the City and County shall continue to fund the salaries for at least the positions of Librarian, Assistant Librarian and Bookbinder.

The City and County shall provide suitable and sufficient quarters for the Law Library, fix up and furnish the same and provide for the supply of necessary light, heat, stationery and other conveniences. The Library shall be so located as to be readily accessible to the judges and officers of the courts.

The Clerks of the Superior and Municipal Courts shall collect fees provided for law libraries by general law and the fees so collected shall be paid monthly to the Treasurer of the Law Library, and shall constitute a law library fund to be expended by the Trustees in

the purchase of books and periodicals, and in the establishment and maintenance of the Law Library.

The judiciary, City, County and state officials, members of the Bar, and all inhabitants of the City and County shall have free access, use and enjoyment of the Law Library, subject to the rules and regulations of the Trustees.

Sec. 8.102. Library Commission [PUBLIC LIBRARIES.]

Libraries including the Library Commission and the Library Department shall be a part of the executive branch.

The Commission shall consist of seven members appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. Members may be removed by the Mayor.

C. 8A.102. Municipal Transportation Agency Board of Directors — GOVERNANCE AND DUTIES.

(a) The Agency shall be governed by a board of seven directors appointed by the Mayor and confirmed after public hearing by the Board of Supervisors. All initial appointments must be made by the Mayor and submitted to the Board of Supervisors for confirmation no later than February 1, 2000. The Board of Supervisors shall act on those initial appointments no later than March, 1, 2000 or those appointments shall be deemed confirmed.

At least four of the directors must be regular riders of the Municipal Railway, and must continue to be regular riders during their terms. The directors must possess significant knowledge of, or professional experience in, one or more of the fields of government, finance, or labor relations. At least two of the directors must possess significant knowledge of, or professional experience in, the field of public transportation. During their terms, all directors shall be required to ride the Municipal Railway on the average once a week.

Directors shall serve four-year terms, provided, however, that two of the initial appointees shall serve for terms ending March 1, 2004, two for terms ending March 1, 2003, two for terms ending March 1, 2002, and one for a term ending March 1, 2001. Initial terms shall be designated by the Mayor. No person may serve more than three terms as a director. A director may be removed only for cause pursuant to [Article XV](#). The directors shall annually elect a chair. The chair shall serve as chair at the pleasure of the directors. Directors shall receive reasonable compensation for attending meetings of the Agency which shall not exceed the average of the two highest compensations paid to the members of any board or commission with authority over a transit system in the nine Bay Area counties.

(b) The Agency shall:

1. Have exclusive authority over the acquisition, construction, management, supervision, maintenance, extension, operation, use, and control of all property, as well as the real, personal, and financial assets of the Agency; and have exclusive authority over

contracting, leasing, and purchasing by the Agency, provided that any Agency contract for outside services shall be subject to Charter Sections [10.104](#)(12) and [10.104](#)(15) and that the Agency may not transfer ownership of any of the real property of the City and County without approval from the Board of Directors and the Board of Supervisors;

2. Have exclusive authority to enter into such arrangements and agreements for the joint, coordinated, or common use with any other public entity owning or having jurisdiction over rights-of-way, tracks, structures, subways, tunnels, stations, terminals, depots, maintenance facilities, and transit electrical power facilities;

3. Have exclusive authority to make such arrangements as it deems proper to provide for the exchange of transfer privileges, and through-ticketing arrangements, and such arrangements shall not constitute a fare change subject to the requirements of Sections [8A.106](#) and [8A.108](#);

4. Notwithstanding any restrictions on contracting authority set forth in the Administrative Code, have exclusive authority to enter into agreements for the distribution of transit fare media and media for the use of parking meters or other individual parking services;

5. Have exclusive authority to arrange with other transit agencies for bulk fare purchases, provided that if passenger fares increase as a result of such purchases, the increase shall be subject to review by the Board of Supervisors pursuant to Sections [8A.106](#) and [8A.108](#);

6. Notwithstanding Section [2.109](#), and except as provided in Sections [8A.106](#) and [8A.108](#), have exclusive authority to fix the fares charged by the Municipal Railway, rates for off-street and on-street parking, and all other, rates, fees, fines, penalties and charges for services provided or functions performed by the Agency;

7. Notwithstanding any provision of the San Francisco Municipal Code (except requirements administered by the Department of Public Works governing excavation, street design and official grade) have exclusive authority to adopt regulations that control the flow and direction of motor vehicle, bicycle and pedestrian traffic, including regulations that limit the use of certain streets or traffic lanes to categories of vehicles and that limit the speed of traffic; and to design, select, locate, install, operate, maintain and remove all official traffic control devices, signs, roadway features and pavement markings that control the flow of traffic with respect to streets and highways within City jurisdiction, provided that:

(i) Notwithstanding the authority established in subsection 7, the Board of Supervisors may by ordinance establish procedures by which the public may seek Board of Supervisors review of any Agency decision with regard to the installation or removal of a stop sign or the creation or elimination of a bicycle lane. In any such review, the Agency's decision shall stand unless the Board of Supervisors reverses the decision of the Agency not later than 60 days after submission of a request to the Board of Supervisors.

(ii) Nothing in this subsection 7 shall modify the authority of ISCOTT, or any successor body, over the temporary use or occupancy of public streets, or the authority of the Board of Supervisors to hear appeals regarding the temporary use or occupancy of public streets.

(iii) Nothing in subsection 7 shall modify the power of the Board of Supervisors to establish civil offenses, infractions and misdemeanors.

(iv) Notwithstanding the authority established in subsection 7, to the extent state law contemplates that Agency action authorized by subsection 7 be effectuated by ordinance, such action shall be effectuated by resolution of the Board of Directors and shall be subject to referendum in accordance with [Article 14](#), and, if a referendum petition contains the requisite number of signatures, the Board of Supervisors shall have the power to reconsider or repeal the action as provided in [Article 14](#).

8. Have exclusive authority to adopt regulations limiting parking, stopping, standing or loading as provided by state law and to establish parking privileges and locations subject to such privileges for categories of people or vehicles as provided by state law; to establish parking meter zones, to set parking rates, and to select, install, locate and maintain systems and equipment for payment of parking fees, provided that:

(i) Notwithstanding the authority established in subsection 8, the Board of Supervisors may by ordinance establish procedures by which the public may seek Board of Supervisors review of any Agency decision with regard to the creation or elimination of any preferential parking zone, the creation or elimination of any parking meter zone, the adoption of any limitation on the time period for which a vehicle may be parked, or reservation of any parking space for persons with a disability that qualifies for parking privileges under state law. In any review of a decision of the Agency pursuant to this section, the Agency's decision shall stand unless the Board of Supervisors reverses the decision of the Agency not later than 60 days after submission of a request to the Board of Supervisors.

(ii) Nothing in subsection 8 shall modify the power of the Board of Supervisors to establish civil offenses, infractions and misdemeanors.

(iii) Notwithstanding the authority established in subsection 8, to the extent state law contemplates that any Agency action authorized by subsection 8 be effectuated by ordinance, such action shall be effectuated by resolution of the Board of Directors and, if a referendum petition contains the requisite number of signatures, shall be subject to referendum in accordance with [Article 14](#), and the Board of Supervisors shall have the power to reconsider or repeal the action as provided in [Article 14](#).

9. Have exclusive authority to establish policies regarding and procure goods and services for the enforcement of regulations limiting parking, stopping, standing or loading and the collection of parking-related revenues and, along with the Police Department, have authority to enforce parking, stopping, standing or loading regulations;

10. Be responsible for chairing the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) or any successor body;

11. Be responsible for cooperating with and assisting the Police Department in the promotion of traffic safety; studying and responding to complaints related to street design, traffic control devices, roadway features and pavement markings; collecting compiling and analyzing traffic data and traffic accident data and planning improvements to improve the safety of the City's roadways; and conducting traffic research and planning;

12. Have exclusive authority to apply for, accept, and expend state, federal, or other public or private grant funds for Agency purposes;

13. To the maximum extent permitted by law, with the concurrence of the Board of Supervisors, and notwithstanding the requirements and limitations of Sections [9.107](#), [9.108](#), and [9.109](#), have authority without further voter approval to incur debt for Agency purposes and to issue or cause to be issued bonds, notes, certificates of indebtedness, commercial paper, financing leases, certificates of participation or any other debt instruments. Upon recommendation from the Board of Directors, the Board of Supervisors may authorize the Agency to incur on behalf of the City such debt or other obligations provided: 1) the Controller first certifies that sufficient unencumbered balances are expected to be available in the proper fund to meet all payments under such obligations as they become due; and 2) any debt obligation, if secured, is secured by revenues or assets under the jurisdiction of the Agency.

14. Have the authority to conduct investigations into any matter within its jurisdiction through the power of inquiry, including the power to hold public hearings and take testimony, and to take such action as may be necessary to act upon its findings; and

15. Exercise such other powers and duties as shall be prescribed by ordinance of the Board of Supervisors.

(c) The Agency's Board of Directors shall:

1. Appoint a Director of Transportation, who shall serve at the pleasure of the Board. The Director of Transportation shall be employed pursuant to an individual contract. His or her compensation shall be comparable to the compensation of the chief executive officers of the public transportation systems in the United States which the Board of Directors, after an independent survey, determine most closely resemble the Agency in size, mission, and complexity. In addition, the Board of Directors shall provide an incentive compensation plan consistent with the requirements of Section [8A.104\(k\)](#) under which a portion of the Director's compensation is based on achievement of service standards adopted by the Board of Directors.

2. Appoint an executive secretary who shall be responsible for administering the affairs of the Board of Directors and who shall serve at the pleasure of the Board.

3. In addition to any training that may be required by City, State or federal law, attend a minimum of four hours of training in each calendar year, provided by the City Attorney and the Controller regarding the legal and financial responsibilities of the Board and the Agency.

(d) The Director of Transportation shall appoint all subordinate personnel of the Agency, including deputy directors. The deputy directors shall serve at the pleasure of the Director of Transportation.

(e) Upon recommendation of the City Attorney and the approval of the Board of Directors, the City Attorney may compromise, settle, or dismiss any litigation, legal proceedings, claims, demands or grievances which may be pending for or on behalf of, or against the Agency relative to any matter or property solely under the Agency's jurisdiction. Unlitigated claims or demands against the Agency shall be handled as set forth in Charter Section [6.102](#). Any payment pursuant to the compromise, settlement, or dismissal of such litigation, legal proceedings, claims, demands, or grievances, unless otherwise specified by the Board of Supervisors, shall be made from the Municipal Transportation Fund.

(f) The Agency's Board of Directors, and its individual members, shall deal with administrative matters solely through the Director of Transportation or his or her designees. Any dictation, suggestion, or interference by a director in the administrative affairs of the Agency, other than through the Director of Transportation or his or her designees, shall constitute official misconduct; provided, however, that nothing herein contained shall restrict the Board of Directors' powers of hearing and inquiry as provided in this Section.

(g) Notwithstanding any provision of [Chapter 6](#) or [21](#) of the Administrative Code establishing any threshold amount for exercise of executive authority to execute contracts, or any successor provision of the San Francisco Municipal Code, the Agency's Board of Directors may adopt threshold amounts under which the Director of Transportation and his or her designees may approve contracts.

(h) Except provided in this Article, the Agency shall be subject to the provisions of this Charter applicable to boards, commissions, and departments of the City and County, including Sections [2.114](#), [3.105](#), [4.101](#), [4.103](#), [4.104](#), [4.113](#), [6.102](#), [9.118](#), [16.100](#), and [A8.346](#). Sections [4.102](#), [4.126](#), and [4.132](#) shall not be applicable to the Agency.

(Added November 1999; Amended by Proposition A, Approved 11/6/2007)

Sec. 8A.111. Municipal Transportation Agency — CITIZENS' ADVISORY COUNCIL.

The Agency shall establish a Citizens' Advisory Council of fifteen members which shall consist of one person appointed by each member of the Board of Supervisors and four members appointed by the Mayor. Each member must be a resident of the City and County. No fewer than ten members of the Council must be regular riders of the Municipal Rail-way. At least two members must use the Municipal Railway's paratransit system, and at least three of the members must be senior citizens over the age of 60. The membership of the Council shall be reflective of the diversity and neighborhoods of the City and County. The Council may provide recommendations to the Agency with respect to any matter within the jurisdiction of the Agency and shall be allowed to present reports to the Agency's board of directors. The members of the Council shall be appointed to four-year terms and shall serve

at the pleasure of their appointing power. Staggered terms for the initial appointees to the Council shall be determined by lot.

(Added November 1999)

Sec. 16.107. PARK, RECREATION AND OPEN SPACE FUND.

(i) **Parks, Recreation, and Open Space Advisory Committee.** The Board of Supervisors shall establish, by ordinance, a Parks, Recreation, and Open Space Advisory Committee, such as the committee established in Park Code Section [13.01](#), as amended, or any successor legislation.

(Amended March 2000, June 2016; [Proposition E](#), Approved 11/3/2020)

Sec. 4.105. PLANNING COMMISSION.

GENERAL. The Planning Commission shall consist of seven members nominated and appointed pursuant to this section. Four of the members shall be nominated by the Mayor, and three of the members shall be nominated by the President of the Board of Supervisors. Charter Section [4.101](#) shall apply to these appointments, with particular emphasis on the geographic diversity of City neighborhoods. Vacancies shall be filled by the appointing officer.

Each nomination of the Mayor and the President of the Board of Supervisors is subject to approval by the Board of Supervisors, and shall be the subject of a public hearing and vote within 60 days. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed approved. The appointment shall become effective on the date the Board adopts a motion approving the nomination or after 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors.

Members may be removed by the appointing officer only pursuant to Section [15.105](#).

In order to stagger the terms, three members shall initially serve two-year terms, and four members shall initially service four-year terms. The initial two and four-year terms of office shall be instituted as follows:

1. The respective terms of office of members of the Planning Commission who hold office on the first day of July, 2002, shall expire at 12 o'clock noon on that date, and the four members appointed by the Mayor and the three members appointed by the President of the Board of Supervisors shall succeed to said offices at that time.
2. The Clerk of the Board of Supervisors shall determine by lot which two of the four Mayoral appointees shall serve an initial two-year term, and which one of the three appointees of the President of the Board of Supervisors shall serve an initial two-year term.

The remaining appointees shall serve four-year terms. All subsequent terms shall be four years.

The Commission shall provide the Mayor with at least three qualified candidates for Director of Planning, selected on the basis of administrative and technical qualifications, with special regard for experience, training and knowledge in the field of City planning.

The Commission may contract with consultants for such services as it may require subject to the fiscal provisions of this Charter.

GENERAL PLAN. The Commission shall periodically recommend to the Board of Supervisors for approval or rejection proposed amendments to the General Plan. If the Board of Supervisors fails to act within 90 days of receipt, the proposed General Plan or amendments shall be deemed approved. The General Plan which will initially consist of the Master Plan in effect immediately prior to the effective date of this Charter shall consist of goals, policies and programs for the future physical development of the City and County that take into consideration social, economic and environmental factors. In developing their recommendations, the Commission shall consult with commissions and elected officials, and shall hold public hearings as part of a comprehensive planning process. The Planning Department, in consultation with other departments and the City Administrator, shall periodically prepare special area, neighborhood and other plans designed to carry out the General Plan, and periodically prepare implementation programs and schedules which link the General Plan to the allocation of local, state and federal resources. The Planning Department may make such other reports and recommendations to the Mayor, Board of Supervisors and other offices and governmental units as it may deem necessary to secure understanding and a systematic effectuation of the General Plan.

In preparing any plans, the Planning Department may include plans for systems and areas within the Bay Region which have a planning relationship with the City and County.

REFERRAL OF CERTAIN MATTERS. The following matters shall, prior to passage by the Board of Supervisors, be submitted for written report by the Planning Department regarding conformity with the General Plan:

1. Proposed ordinances and resolutions concerning the acquisition or vacation of property by, or a change in the use or title of property owned by, the City and County;
2. Subdivisions of land within the City and County;
3. Projects for the construction or improvement of public buildings or structures within the City and County;
4. Project plans for public housing, or publicly assisted private housing in the City and County;
5. Redevelopment project plans within the City and County; and
6. Such other matters as may be prescribed by ordinance.

The Commission shall disapprove any proposed action referred to it upon a finding that such action does not conform to the General Plan. Such a finding may be reversed by a vote of two-thirds of the Board of Supervisors.

All such reports and recommendations shall be issued in a manner and within a time period to be determined by ordinance.

PERMITS AND LICENSES. All permits and licenses dependent on, or affected by, the City Planning Code administered by the Planning Department shall be approved by the Commission prior to issuance. The Commission may delegate this approval function to the Planning Department. Notwithstanding the foregoing, certificates of appropriateness for work to designated landmarks and historic districts and applications for alterations to significant or contributory buildings or properties in designated conservation districts that have been approved, disapproved, or modified by the Historic Preservation Commission shall not require approval by the Commission prior to issuance.

ENFORCEMENT. The Planning Department shall administer and enforce the City Planning Code.

ZONING AMENDMENTS. The Commission may propose for consideration by the Board of Supervisors ordinances regulating or controlling the height, area, bulk, set-back, location, use or related aspects of any building, structure or land. An ordinance proposed by the Board of Supervisors concerning zoning shall be reviewed by the Commission. Applications for the reclassification of property may be made by interested parties and must be reviewed by the Commission. Notwithstanding the foregoing, designation of a landmark, a significant or contributory building, an historic district, or a conservation district shall be reviewed by the Commission only as provided in Section [4.135](#).

Notwithstanding the Commission's disapproval of a proposal from the Board of Supervisors or the application of interested parties, the Board of Supervisors may adopt the proposed ordinance; however, in the case of any proposal made by the application of interested parties, any such adoption shall be by a vote of not less than two-thirds of the Board of Supervisors.

No application of interested parties proposing the same or substantially the same ordinance as that disapproved by the Commission or by the Board of Supervisors shall be resubmitted to or reconsidered by the Commission within a period of one year from the effective date of final action upon the earlier application.

ZONING ADMINISTRATOR. The Director of Planning shall appoint a Zoning Administrator from a list of qualified applicants provided pursuant to the Civil Service provisions of the Charter. The Zoning Administrator shall be responsible for the determination of all zoning variances. The administrator shall have the power to grant only those variances that are consistent with the general purpose and the intent of the zoning ordinance, and in accordance with the general and specific rules of the zoning ordinance, subject to such conditions and safeguards as the Zoning Administrator may impose. The power to grant variances shall be applied only when the plain and literal interpretation and enforcement of the zoning ordinance would result in practical difficulties, unnecessary hardships or where

the results would be inconsistent with the general purpose of the zoning ordinance. Decisions of the Zoning Administrator regarding zoning variances may be appealed to the Board of Appeals.

Before any such variance may be granted, there shall appear, and the Zoning Administrator shall specify in his or her findings, the facts in each case which shall establish:

(a) That there are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use of the property that do not apply generally to the property or class of uses in the same district or zone;

(b) That owing to such exceptional or extraordinary circumstances the literal enforcement of the zoning ordinance would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;

(c) That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, possessed by other property in the same zone and vicinity;

(d) That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or district in which the property is located; and

(e) That the granting of such variance will be in harmony with the general purpose and intent of the zoning ordinance and will not adversely affect the general plan.

The determination of the Zoning Administrator shall be final except that appeals therefrom may be taken, as hereinafter provided, to the Board of Appeals, exclusively and notwithstanding any other provisions of this Charter, by any person aggrieved or by any office, agency, or department of the City and County. An appeal from a determination of the Zoning Administrator shall be filed with the Board of Appeals within ten days from the date of such determination. Upon making a ruling or determination upon any matter under his or her jurisdiction, the Zoning Administrator shall thereupon furnish a copy thereof to the applicant and to the Director of Planning. No variance granted by the Zoning Administrator shall become effective until ten days thereafter. An appeal shall stay all proceedings in furtherance of the action appealed from.

CONDITIONAL USE. The Commission shall have the power to hear and decide conditional use applications. An appeal may be taken to the Board of Supervisors from a decision of the Commission to grant or deny a conditional use application. The Board of Supervisors may disapprove the decision of the Commission by a vote of not less than two-thirds of the members of the Board.

(Amended March 2002; Amended by Proposition J, 11/4/2008)

Sec. 4.109. POLICE COMMISSION.

The Police Commission shall consist of seven members appointed pursuant to this section. The Mayor shall nominate four members to the commission, at least one of whom shall be a retired judge or an attorney with trial experience. The Rules Committee of the Board of Supervisors, or any successor committee thereto, shall nominate three other members to the commission. Each nomination shall be subject to confirmation by the Board of Supervisors, and the Mayor's nominations shall be the subject of a public hearing and vote within 60 days. If the Board of Supervisors rejects the Mayor's nomination to fill the seat designated for a retired judge or attorney with trial experience, the Mayor shall nominate a different person with such qualifications. If the Board of Supervisors fails to act on a mayoral nomination within 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed confirmed. Appointments to fill a vacancy on the commission shall become operative on the date the Board of Supervisors adopts a motion confirming the nomination, or on the 61st day following the date a mayoral nomination is transmitted to the Clerk of the Board of Supervisors if the Board of Supervisors fails to vote on the nomination prior to such date. Confirmations of nominations to fill a vacancy that will be created upon the expiration of a sitting member's term shall become operative upon the expiration of the sitting member's term, or, if the Board of Supervisors fails to act on a mayoral nomination to fill such anticipated vacancy, on the 61st day following the date the nomination was transmitted to the Clerk of the Board of Supervisors or on the expiration of the sitting member's term, whichever occurs later. The terms and tenures of all members sitting on the commission as of the effective date of the amendments to this section approved at the November 2003 election shall terminate at 12 noon on April 30, 2004. To stagger the terms of the seven members thereafter, of the first four members nominated by the Mayor, two members shall serve terms of two years and two members shall serve terms of four years, and of the three members nominated by the Rules Committee, one member shall serve a term of one year, one member shall serve a term of two years, and one member shall serve a term of three years. The Clerk of the Board of Supervisors shall designate such initial terms by lot. All subsequent appointments to the commission shall be for four-year terms.

The tenure of each member shall terminate upon the expiration of the member's term. The Mayor shall transmit a nomination or renomination to the Clerk of the Board of Supervisors no later than 60 days prior to the expiration of the term of a member nominated by the Mayor. For vacancies occurring for reasons other than the expiration of a member's term, within 60 days following the creation of such vacancy, the Mayor shall nominate a member to fill such vacancy if the vacancy is for a seat filled by nomination of the Mayor.

The District Attorney, Sheriff and Public Defender may recommend persons to the Mayor and Board of Supervisors for nomination or appointment to the Police Commission.

The Mayor, with the consent of the Board of Supervisors, may remove a member the Mayor has nominated. The Board of Supervisors may remove a member the Rules Committee has nominated.

Notwithstanding any other provision of the Charter, the Chief of Police may be removed by the Commission or the Mayor, acting jointly or separately of each other. In addition to any

other powers set forth in this Charter, the Police Commission is empowered to prescribe and enforce any reasonable rules and regulations that it deems necessary to provide for the efficiency of the Department, provided that the civil service and ethics provisions of this Charter shall control in the event of any conflict with rules adopted under this section.

(Amended November 2003)

Sec. 4.114. PORT COMMISSION.

The Port Commission shall consist of five members who shall be appointed by the Mayor, subject to confirmation by a majority of the Board of Supervisors. Each of the members shall serve for a term of four years. They shall be subject to recall, suspension and removal in the same manner as an elected official.

The Commission shall have the composition and organization, and the powers, duties and responsibilities with respect to the Port that are set forth in the Burton Act, Statutes of 1968, Chapter 1333, as amended, and in the Agreement Relating to the Transfer of the Port of San Francisco from the State of California to the City and County, executed on the 24th day of January 1969.

The Commission shall be subject to the provisions of Sections [4.101](#) through [4.103](#) of this Charter, so far as those powers and duties are not inconsistent with the Burton Act and the Transfer Agreement as they are referred to in the above paragraph.

Sec. 4.112. PUBLIC UTILITIES COMMISSION.

(a) The Public Utilities Commission shall consist of five members appointed by the Mayor, subject to confirmation by a majority of the Board of Supervisors. Each of the members shall serve for a term of four years. Members may be removed by the Mayor only pursuant to Section [15.105](#).

(b) Seat 1 on the Commission shall be a member with experience in environmental policy and an understanding of environmental justice issues. Seat 2 shall be a member with experience in ratepayer or consumer advocacy. Seat 3 shall be a member with experience in project finance. Seat 4 shall be a member with expertise in water systems, power systems, or public utility management, and Seat 5 shall be an at-large member.

(c) The respective terms of office of members of the Public Utilities Commission who old office on August 1, 2008 shall expire at noon on that date, and the members appointed pursuant to the amendments to this Section approved at the June 2008 election shall succeed to said office at that time. In order to provide for staggered terms, the members appointed to Seats 2 and 4 shall serve for an initial term of two years from August 1, 2008. The remaining three members appointed to Seats 1, 3, and 5 shall serve for an initial term of four years from August 1, 2008, and thereafter the terms of all members shall be four years.

(d) The Commission shall have charge of the construction, management, supervision, maintenance, extension, operation, use and control of all water and energy supplies and utilities of the City as well as the real, personal and financial assets, which are under the Commission's jurisdiction on the operative date of this Charter, or assigned pursuant to Section [4.132](#).

(Amended by Proposition E, Election 6/3/2008)

Sec. 8B.125. Public Utilities Rate Fairness Board — RATES.

Notwithstanding Charter sections [2.109](#), [3.100](#) and [4.102](#) or any ordinance (including, without limitation, Administrative Code

), the Public Utilities Commission shall set rates, fees and other charges in connection with providing the utility services under its jurisdiction, subject to rejection – within 30 days of submission – by resolution of the Board of Supervisors. If the Board of Supervisors fails to act within 30 days the rates shall become effective without further action.

In setting retail rates, fees and charges the Commission shall:

1. Establish rates, fees and charges at levels sufficient to improve or maintain financial condition and bond ratings at or above levels equivalent to highly rated utilities of each enterprise under its jurisdiction, meet requirements and covenants under all bond resolutions and indentures, (including, without limitation, increases necessary to pay for the retail water customers' share of the debt service on bonds and operating expenses of any state financing authority such as the Regional Water System Financing Authority), and provide sufficient resources for the continued financial health (including appropriate reserves), operation, maintenance and repair of each enterprise, consistent with good utility practice;
2. Retain an independent rate consultant to conduct rate and cost of service studies for each utility at least every five years;
3. Set retail rates, fees and charges based on the cost of service;
4. Conduct all studies mandated by applicable state and federal law to consider implementing connection fees for water and clean water facilities servicing new development;
5. Conduct studies of rate-based conservation incentives and/or lifeline rates and similar rate structures to provide assistance to low income users, and take the results of such studies into account when establishing rates, fees and charges, in accordance with applicable state and federal laws;
6. Adopt annually a rolling 5-year forecast of rates, fees and other charges; and
7. Establish a Rate Fairness Board consisting of seven members: the City Administrator or his or her designee; the Controller or his or her designee; the Director of the Mayor's

Office of Public Finance or his or her designee; two residential City retail customers, consisting of one appointed by the Mayor and one by the Board of Supervisors; and two City retail business customers, consisting of a large business customer appointed by the Mayor and a small business customer appointed by the Board of Supervisors.

The Rate Fairness Board may:

- i. Review the five-year rate forecast;
- ii. Hold one or more public hearings on annual rate recommendations before the Public Utilities Commission adopts rates;
- iii. Provide a report and recommendations to the Public Utilities Commission on the rate proposal; and
- iv. In connection with periodic rate studies, submit to the Public Utilities Commission rate policy recommendations for the Commission's consideration, including recommendations to reallocate costs among various retail utility customer classifications, subject to any outstanding bond requirements.

These provisions shall be effective January 3, 2003 for the setting of retail rates, fees and charges related to the clean water system. If the voters approve bonds for the Public Utilities Commission's Capital Improvement Program at the November 5, 2002 election then the provisions of this section shall take effect on July 2, 2006 for the setting of retail rates, fees and charges related to the water system. If the voters do not approve such bonds then this section will take effect on January 3, 2003.

(Added November 2002)

Sec. 4.141. PUBLIC WORKS COMMISSION.

(a) **Purpose.** There is hereby established a Public Works Commission.

(b) **Membership and Terms of Office.**

(1) The Commission shall consist of five members, appointed as follows:

Seats 1 and 5 shall be appointed by the Board of Supervisors. Seats 2 and 4 shall be appointed by the Mayor subject to confirmation by the Board of Supervisors. Seat 3 shall be appointed by the Controller subject to confirmation by the Board of Supervisors.

Each nomination of the Mayor and the Controller shall be subject to approval by the Board of Supervisors, and shall be the subject of a public hearing and vote within 60 days of the date the Clerk of the Board receives notice of the nomination from the Mayor or Controller. If the Board fails to act on the nomination within those 60 days, the nominee shall be deemed approved. The appointment shall become effective on the date the Board adopts a motion approving the nomination or on the 61st day after the Clerk of the Board receives notice of the nomination, whichever is earlier.

Qualifications for commissioners that are desirable, but not required, include a background or experience in cleaning and maintaining public spaces, urban forestry, urban design, construction, skilled crafts and trades, finance and audits, architecture, landscape architecture, engineering, or performance measurement and management.

(2) Members of the Commission shall serve four-year terms; provided, however, the term of the initial appointees in Seats 1, 3, and 5 shall be two years.

(3) Commissioners may be removed from office at will by their respective appointing authority.

(c) **Powers and Duties.** With regard to the Department of Public Works, the Commission shall exercise all the powers and duties of boards and commissions set forth in Sections [4.102](#), [4.103](#), and [4.104](#), except for the authority conferred on the Sanitation and Streets Commission in Section [4.139](#), and may take other actions as prescribed by ordinance.

(d) **Transition following November 8, 2022 election.** The tenures and terms of members of the Commission on November 8, 2022 shall continue as provided in this Section [4.141](#).

(Added by [Proposition B](#), Approved 11/3/2020; amended by [Proposition B](#), Approved 11/8/2022)

Sec. 4.113. RECREATION AND PARK COMMISSION.

The Recreation and Park Commission shall consist of seven members appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. Members may be removed by the Mayor only pursuant to Section [15.105](#).

Pursuant to the policies and directives set by the Commission and under the direction and supervision of the General Manager, the Recreation and Park Department shall manage and direct all parks, playgrounds, recreation centers and all other recreation facilities, avenues and grounds under the Commission's control or placed under its jurisdiction thereafter, unless otherwise specifically provided in this Charter.

The Department shall promote and foster a program providing for organized public recreation of the highest standard.

The Department shall issue permits for the use of all property under the Commission's control, pursuant to the policies established by the Commission.

As directed by the Commission, the Department shall administer the Park, Recreation and Open Space Fund pursuant to Section [16.107](#) of this Charter.

The Department shall have the power to construct new parks, playgrounds, recreation centers, recreation facilities, squares and grounds, and to erect and maintain buildings and structures on parks, playgrounds, square, avenues and grounds, except as follows:

1. No building or structure, except for nurseries, equipment storage facilities and comfort stations, shall be erected, enlarged or expanded in Golden Gate Park or Union Square Park unless such action has been approved by a vote of two-thirds of the Board of Supervisors;

2. No park land may be sold or leased for non-recreational purposes, nor shall any structure on park property be built, maintained or used for non-recreational purposes, unless approved by a vote of the electors. However, with permission of the Commission and approval by the Board of Supervisors, subsurface space under any public park, square or playground may be used for the operation of a public automobile parking station under the authority of the Department of Parking and Traffic, provided that the Commission determines that such a use would not be, in any material respect or degree, detrimental to the original purpose for which a park, square or playground was dedicated or in contravention of the conditions of any grant under which a park, square or playground might have been received. The revenues derived from any such use, less the expenses incurred by the Department of Parking and Traffic in operating these facilities, shall be credited to Recreation and Park Department funds.

3. The Commission shall have the power to lease or rent any stadium or recreation field under its jurisdiction for athletic contests, exhibitions and other special events and may permit the lessee to charge an admission fee.

(Amended March 2000)

Sec. 12.204. RETIREE HEALTH CARE TRUST FUND.

(a) The Retiree Health Care Trust Fund (RHCTF) shall be an irrevocable trust fund established under Section [A8.432](#), and separate from the Health Service System trust fund described in Charter Sections [12.203](#) and [A8.428](#), to provide a funding source to defray the cost of the City's, and other Participating Employers', obligations to pay for health coverage for retired persons and their survivors entitled to health coverage under Section [A8.428](#). RHCTF assets shall be held for the sole and exclusive purpose of providing health coverage to eligible retired persons and their survivors, and to defray the reasonable expenses of administering the RHCTF, including but not limited to educational, actuarial, consulting, administrative support and accounting expenses associated with the RHCTF. Subject to the approval of the Board of Supervisors by resolution, the Retiree Health Care Trust Fund Board (Board) may, upon the adoption of a resolution, authorize specific payments for specific amounts enumerated in the resolution shall pay for such administrative costs from the RHCTF.

(b) The Board shall govern the RHCTF. The Board shall consist of the following five trustees: the City Controller, the City Treasurer, and the Executive Director of the San Francisco Employees' Retirement System, or their respective designees; and two trustees elected from among active employee and retired members of the City's Health Service System. One of the elected trustees shall be an active employee member and one shall be a retired member as of the date of their respective elections. Each elected trustee shall serve for a term of five years. No person may serve simultaneously as a trustee on the Board and

as an elected or appointed member of the San Francisco Employees' Retirement System Board or the Health Service System Board.

(Amended by Proposition B, 6/3/2008; Proposition A, 11/5/2013)

Sec. 12.100. RETIREMENT BOARD.

(a) The Retirement Board shall consist of seven members as follows: one member of the Board of Supervisors appointed by the President, three public members to be appointed by the Mayor pursuant to Section [3.100](#), and three members elected by the active members and retired persons of the Retirement System from among their number. The public members appointed by the Mayor shall be experienced in life insurance, actuarial science, employee pension planning or investment portfolio management, or hold a degree of doctor of medicine. There shall not be, at any one time, more than one retired person on the Board. The term of the members, other than the Board of Supervisors member, shall be five years, one term expiring on February 20 of each year. The three elected members need not be residents of the City and County. Vacancies on the Board shall be filled by the Mayor for the remainder of the unexpired term, except that in the case of elected employee members, a vacancy shall be filled by a special election within 120 days after the vacancy occurs unless the next regularly scheduled employee member election is to be held within six months after such vacancy occurred. Elections shall be conducted by the Director of Elections in a manner prescribed by ordinance.

(b) The Board shall appoint and may remove an executive director and an actuary. The executive director may be a joint Chief Executive Officer-Chief Investment Officer, or a Chief Executive Officer only. The Board may employ a consulting actuary.

Any executive director hired on or after January 1, 2023, shall be employed under an individual contract. Under the contract, the executive director's compensation shall be comparable to the compensation of executive directors of public retirement systems in the United States who perform similar functions and that the Board, after an independent survey, determines most closely resemble the Retirement System in size, mission, and complexity. In addition, the Board may provide an incentive compensation bonus plan for the executive director based on performance goals established by the Board. For purposes of approving the executive director's individual employment contracts, the Board may exercise all powers of the City and County, the Board of Supervisors, the Mayor, and the Director of Human Resources under [Article XI](#) of this Charter. The executive director's individual employment contract shall not alter or interfere with the Retirement or Vacation provisions of this Charter or the Health Plans established by the City's Health Service Board; provided however, that the Board may contribute toward defraying the cost of the executive director's health premiums and retirement pick-up.

(c) In accordance with Article XVI, Section 17, of the California Constitution, the Retirement Board shall have plenary authority and fiduciary responsibility for investment of monies and administration of the Retirement System.

The Board shall be the sole authority and judge, consistent with this Charter and ordinances, as to the conditions under which members of the Retirement System may receive and may continue to receive benefits under the Retirement System, and shall have exclusive control of the administration and investment of such funds as may be established.

The Retirement Board shall discharge its duties with respect to the system with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with these matters would use in the conduct of an enterprise of a like character and with like aims.

The Board shall determine City and County and District contributions on the basis of a normal contribution rate which shall be computed as a level percentage of compensation which, when applied to the future compensation of the average new member entering the System, together with the required member contribution, will be sufficient to provide for the payment of all prospective benefits of such member. The portion of liability not provided by the normal contribution rate shall be amortized over a period not to exceed twenty years.

(d) The Board may act by a majority of the members present at a meeting so long as a quorum is in attendance.

(Amended by [Proposition A](#), Approved 11/8/2022)

Sec. 4.139. SANITATION AND STREETS COMMISSION.

(a) **Purpose.** There is hereby established a Sanitation and Streets Commission.

(b) **Membership and Terms of Office.**

(1) The Commission shall consist of five members, appointed as follows: Seats 1 and 2 shall be appointed by the Board of Supervisors. Seat 3 shall be appointed by the Controller subject to confirmation by the Board of Supervisors. Seats 4 and 5 shall be appointed by the Mayor subject to confirmation by the Board of Supervisors.

Each nomination of the Mayor and the Controller shall be subject to approval by the Board of Supervisors, and shall be the subject of a public hearing and vote within 60 days of the date the Clerk of the Board receives notice of the nomination from the Mayor or Controller. If the Board fails to act on the nomination within those 60 days, the nominee shall be deemed approved. The appointment shall become effective on the date the Board adopts a motion approving the nomination or on the 61st day after the Clerk of the Board receives notice of the nomination, whichever is earlier.

Qualifications for commissioners that are desirable, but not required, include a background or experience in cleaning and maintaining public spaces, urban forestry, urban design, construction, skilled crafts and trades, finance and audits, architecture, landscape architecture, engineering, or performance measurement and management.

(2) Members of the Commission shall serve four-year terms; provided, however, the term of the initial appointees in Seats 1 and 4 shall be two years.

(3) Members may be removed at will by their respective appointing officer.

(c) **Duties.** The Commission shall hold public hearings and set policies for the Department of Public Works (the “Department”) regarding sanitation standards and protocols, and maintenance of the public right of way. In addition, the Commission shall:

(1) review and evaluate data regarding the condition of the public right of way, including but not limited to data collected by the Department and annual reports generated by the Controller; and

(2) establish minimum standards of cleanliness for the public right of way, and set baselines for services to be administered by the Department to maintain cleanliness of the public right of way.

Notwithstanding Sections [4.102](#), [4.103](#), and [4.104](#) of this Charter, the Commission shall exercise only the powers set forth in this subsection (c), and the Public Works Commission shall exercise the oversight authority described in those sections over the Department of Public Works, as set forth in Section [4.141](#).

(d) **Transition following November 8, 2022 election.** The tenures and terms of members of the Commission on November 8, 2022 shall continue as provided in this Section [4.139](#).

(Added by [Proposition B](#), Approved 11/3/2020; amended by [Proposition B](#), Approved 11/8/2022)

Sec. 4.137. SHERIFF’S DEPARTMENT OVERSIGHT.

(a) Establishment of Oversight Board.

(1) The Sheriff’s Department Oversight Board (“SDOB”) is hereby established. The SDOB shall consist of seven members. The Board of Supervisors shall appoint four members (to Seats 1, 2, 3, and 4), and the Mayor shall appoint three members (to Seats 5, 6, and 7). Seat 4 shall be held by a person with experience in labor representation.

(2) Members shall serve four-year terms, beginning at noon on March 1, 2021; provided, however, the term of the initial appointees to Seats 1, 3, and 5 shall expire at noon on March 1, 2023, whereas the term of the initial appointees to Seats 2, 4, 6, and 7 shall expire at noon on March 1, 2025.

(3) No person may serve more than three successive terms as a member. No person having served three successive terms may serve as a member until at least four years after the expiration of the third successive term. Service for a part of a term that is more than half the period of the term shall count as a full term; further, this subsection (a)(3) makes

no distinction between the two-year terms referenced in subsection (a)(2) and four-year terms.

(4) Members may be removed from office only for official misconduct under [Article XV](#).

(5) All members shall complete a training and orientation on custodial law enforcement, constitutional policing, and Sheriff's Department ("SFSD") policies and procedures, within 90 days of assuming office for their first term. The Sheriff or the Sheriff's designee shall prescribe the content of and shall administer the training and orientation regarding SFSD patrol and custodial law enforcement, policies and procedures. SFSD shall develop the training content based on guidelines recommended by the National Association of Civilian Oversight for Law Enforcement ("NACOLE") or successor association, the Bar Association of San Francisco or successor association, and/or the American Civil Liberties Union, and SFSD shall consult with the Department of Police Accountability, Public Defender, and the District Attorney in developing the training content.

(b) SDOB Powers and Duties. The SDOB shall:

(1) Appoint, and may remove, the Sheriff's Inspector General in the Office of Sheriff's Inspector General ("OSIG"), established in subsection (d).

(2) Evaluate the work of the OSIG, and may review the Sheriff's Inspector General's individual work performance.

(3) Compile, evaluate, and recommend law enforcement custodial and patrol best practices.

(4) Conduct community outreach and receive community input regarding SFSD operations and jail conditions, by holding public meetings and soliciting input from persons incarcerated in the City and County.

(5) Prepare and submit a quarterly report to the Sheriff and Board of Supervisors regarding the SDOB evaluations and outreach, and OSIG reports submitted to SDOB.

(6) By March 1 of each year, prepare and present to the Board of Supervisors or a committee designated by the President of the Board, an annual report that includes a summary of SDOB evaluations and outreach, and OSIG reports submitted to SDOB, for the prior calendar year.

(c) In performing its duties, the SDOB may hold hearings, issue subpoenas to witnesses to appear and for the production of evidence, administer oaths, and take testimony.

(d) Establishment of Office of Sheriff's Inspector General. There is hereby established the Office of Sheriff's Inspector General ("OSIG"), which shall be a department under the SDOB, and separate from the Sheriff's Department. The OSIG shall be headed by the Sheriff's Inspector General, appointed by the SDOB as set forth in subsection (b)(1). The Sheriff's Inspector General shall be exempt from civil service selection, appointment, and removal procedures.

(e) **OSIG Powers and Duties.** The OSIG shall:

(1) Receive, review, and investigate complaints against SFSD employees and SFSD contractors; provided, however, that the OSIG shall refer complaints alleging criminal misconduct to the District Attorney, and refer complaints alleging violations of ethics laws to the Ethics Commission.

(2) Investigate the death of any individual in the custody of the SFSD. The OSIG shall refer evidence of criminal misconduct regarding any death in custody to the District Attorney. Notwithstanding such a referral, the OSIG may continue to investigate a death in custody unless OSIG's investigation will interfere with a criminal investigation conducted by the District Attorney, or any law enforcement agency to which the District Attorney may refer the evidence of criminal misconduct.

(3) Recommend disciplinary action to the Sheriff where, following an investigation pursuant to subsection (e)(1) or (e)(2), the OSIG determines that an employee's actions or omissions violated law or SFSD policy; provide notice of and a copy of the recommendation, the reasons for the recommendation, and supporting records, to the extent permitted by State or federal law, to the employee; and make available to the public any records and information regarding OSIG's disciplinary recommendations to the extent permitted by State or federal law.

(4) Develop and recommend to the Sheriff an SFSD use of force policy and a comprehensive internal review process for all use of force and critical incidents.

(5) Prepare and submit a quarterly report to the Sheriff and the SDOB regarding OSIG investigations that includes the number and type of complaints under subsection (e)(1) filed; trend analysis; the outcome of the complaints; any determination that the acts or omissions of an employee or contractor, in connection with the subject matter of a complaint under subsection (e)(1), or a death in custody under subsection (e)(2), violated law or SFSD policy; the OSIG's recommendations, if any, for discipline; the outcome of any discipline recommendations; and the OSIG's policy recommendations under subsection (e)(4).

(6) Monitor SFSD operations, including the provision of services to incarcerated individuals, through audits and investigations, to ensure compliance with applicable laws and policies.

(f) In performing its duties, the OSIG may hold hearings, issue subpoenas to witnesses to appear and for the production of evidence, administer oaths, and take testimony. The OSIG also may request and the Sheriff shall require the testimony or attendance of any employee of the SFSD.

(g) **Cooperation and Assistance from City Departments.** In carrying out their duties, the SDOB and OSIG shall receive prompt and full cooperation and assistance from all City departments, officers, and employees, including the Sheriff and SFSD and its employees, which shall, unless prohibited by State or federal law, promptly produce all records and information requested by the SDOB or OSIG, including but not limited to (1) personnel and

disciplinary records of SFSD employees, (2) SFSD criminal investigative files, (3) health information pertaining to incarcerated individuals, and (4) all records and databases to which the SFSD has access, regardless of whether those records pertain to a particular complaint or incident. The Sheriff also shall, unless prohibited by State or federal law, allow the OSIG unrestricted and unescorted access to all facilities, including the jails. The SDOB and OSIG shall maintain the confidentiality of any records and information it receives or accesses to the extent required by local, State, or federal law governing such records or information.

In carrying out their duties, the SDOB and OSIG shall cooperate and collaborate with organizations that contract with SFSD to provide legal services to incarcerated individuals.

(h) **Budget and Staffing.** Subject to the fiscal, budgetary, and civil service provisions of the Charter, the OSIG staff shall include no fewer than one investigator for every 100 sworn SFSD employees. No SDOB or OSIG staff, including the Sheriff's Inspector General, shall have been employed previously by a law enforcement agency or a labor organization representing law enforcement employees.

(i) Nothing in this Section [4.137](#) shall prohibit, limit, or otherwise restrict the Sheriff or the Sheriff's designee from investigating the conduct of an employee or contractor of the SFSD, or taking disciplinary or corrective action permitted by City or State law.

(j) Nothing in this Section [4.137](#), including but not limited to subsections (f) and (g), is intended to or shall be interpreted to abrogate, interfere with, or obstruct the independent and constitutionally and statutorily designated duties of the Sheriff, including the Sheriff's duty to investigate citizens' complaints against SFSD personnel and the duty to operate and manage the jails, the California Attorney General's constitutional and statutory responsibility to oversee the Sheriff, or other applicable State law. In carrying out their duties, the SDOB and OSIG shall cooperate and coordinate with the Sheriff so that the Sheriff, the SDOB, and the OSIG may properly discharge their respective responsibilities.

(Added by [Proposition D](#), Approved 11/3/2020; amended by Proposition C, Approved 11/5/2024)

Sec. 4.134. SMALL BUSINESS COMMISSION.

(a) There shall be a Small Business Commission to oversee the San Francisco Office of Small Business. The Commission shall consist of seven members, who shall serve at the pleasure of the appointing authority. The Mayor shall appoint four members of the Commission; the Board of Supervisors shall appoint the remaining three members. The Mayor shall designate two of his or her initial appointments to serve for two-year terms; the Board of Supervisors shall designate one of its initial appointments to serve a two-year term. Thereafter, all commissioners shall serve for four-year terms.

(b) At least five of the individuals appointed to the Commission shall be owners, operators, or officers of San Francisco small businesses. One of the individuals appointed to the Commission may be either a current or former owner, operator, or officer of a San

Francisco small business. One member of the Commission may be an officer or representative of a neighborhood economic development organization or an expert in small business finance.

Pursuant to Government Code Section 87103, individuals appointed to the Commission under this Section are intended to represent and further the interest of the particular industries, trades, or professions specified herein. Accordingly, it is found that for purposes of persons who hold such office, the specified industries, trades, or professions are tantamount to and constitute the public generally within the meaning of Government Code Section 87103.

(c) The Mayor and the Board of Supervisors shall select Commission members who reflect the diversity of neighborhood and small business interests in the City.

(Added November 2003)

Sec. 418.7. SOMA COMMUNITY STABILIZATION FUND.

(a) Purpose. There is hereby established a separate fund set aside for a special purpose entitled the SOMA Community Stabilization Fund ("Fund"), and within the Fund an account related to the Community Facilities District defined in Section [434](#) called the SoMa Community Facilities District Account ("Community Facilities District Account"). The Fund and the Community Facilities District Account shall be held and maintained by the Controller. All monies collected by DBI pursuant to Section [418.3](#) shall be deposited in the Fund, to be maintained by the Controller. The Controller may direct certain proceeds of the Community Facilities District special tax, as defined in Section [434](#), collected pursuant to Section [434](#), to be deposited into the Community Facilities District Account. Proceeds of bonds issued for the Community Facilities District shall not be deposited into the Community Facilities District Account. The receipts in the Fund and the Community Facilities District Account are hereby appropriated in accordance with law to be used solely to address the effects of destabilization on residents and businesses in SOMA subject to the conditions of this Section [418.7](#).

(b) Use of Funds.

(1) All monies deposited in the Fund shall be used to address the impacts of destabilization on residents and businesses in SOMA including assistance for: affordable housing and community asset building, small business rental assistance, development of new affordable homes for rental units for low income households, rental subsidies for low income households, down payment assistance for home ownership for low income households, eviction prevention, employment development and capacity building for SOMA residents, job growth and job placement, small business assistance, leadership development, community cohesion, civic participation, cultural preservation, and community based programs and economic development. Monies in the Community Facilities District Account may be used for the purposes specified in this subsection (b) that are authorized uses of Community Facilities District revenues under the proceedings for

the Community Facilities District and that are described in the Central SoMa Implementation Program Document.

(2) Monies from the Fund may be appropriated by the Mayor's Office of Housing and Community Development ("MOHCD") without additional approval by the Board of Supervisors to the Planning Commission or other City department or office to commission economic analyses for the purpose of revising the fee, to complete a nexus study to demonstrate the relationship between residential development and the need for stabilization assistance if this is deemed necessary, provided these expenses do not exceed a total of \$100,000. The receipts in the Fund may be used to pay the expenses of MOHCD in connection with administering the Fund and monitoring the use of the Funds. Before expending funds on administration, MOHCD must obtain the approval of the Board of Supervisors by Resolution. Monies in the Community Facilities District Account may not be used for the purposes described in this subsection (b)(2).

(c) Reporting. The Controller's Office shall file a report with the Board of Supervisors in even-numbered years, which report shall set forth the amount of money collected in the Fund. The Fund shall be administered and expended by MOHCD, but all expenditures shall first be approved by the Board of Supervisors through the legislative process. In approving expenditures from the Fund, MOHCD and the Board of Supervisors shall consider any comments from the SOMA Community Stabilization Fund Community Advisory Committee in

of the Administrative Code, the public, and any relevant City departments or offices. With respect to the Community Facilities District Account, the Controller's Office also shall comply with the reporting requirements set forth in the Special Tax Financing Law and Government Code Section 50075 *et seq.*

(Added by Ord. 108-10, File No. 091275, App. 5/25/2010; amended by Ord. [263-13](#), File No. 130549, App. 11/27/2013, Eff. 12/27/2013; Ord. [296-18](#), File No. 180184, App. 12/12/2018, Eff. 1/12/2019; Ord. [242-19](#), File No. 181215, App. 11/1/2019, Eff. 12/2/2019)

Sec. 5.106. WAR MEMORIAL AND PERFORMING ARTS CENTER.

The governing board of the War Memorial and Performing Arts Center shall consist of eleven trustees appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. In making appointments the Mayor shall give due consideration to veterans and others who have a special interest in the purposes for which the Center exists. Members may be removed by the Mayor only pursuant to Section [15.105](#).

The governing board shall appoint and may remove a director.