

City and County of San Francisco  
**HUMAN RIGHTS COMMISSION**

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Sheryl Evans Davis  
Executive Director



London Breed  
Mayor

Date: November 1<sup>st</sup>, 2022

RE: Consent Calendar Research Memorandum

Section 3 of the Human Rights Commission's bylaws outlining the approval of Grants and Contracts reads as:

*"The Director, or his or her designee, shall provide the Commission with all contract and grant solicitations before its issuance. The Director, or his or her designee, shall submit all grants and contracts to the Commission for final approval."*

The Executive Director requested an assessment of other Commissions' existing policies and procedures to guide the HRC in crafting its Consent Calendar practices. The Finance Division assessed the twenty-eight Commissions' bylaws, charters, and meeting agendas. The Division collected data on the following:

1. What governing documents provided "approval" power to Commission (Bylaws, Charter, etc.);
2. If a consent calendar process was formalized (listed as a formal agenda item);
3. What supporting documents a Department provided to a Commission (applications, legal agreements, summaries, etc.);
4. What actors serve as contract or grant recommenders to the Commission; and
5. Where the consent calendar fell within the Commission's meeting agenda.

The findings indicate that for most Commissions, the power to approve contracts or grants comes from a Commission's bylaws or rules. Seven (7) Commissions have contract or grant approval vested in them via Charter. At this time, the HRC does not have any contracts but is drafting solicitations for such items. The Commission should expect to see such things in the future.

Most Commissions have a formal Consent Calendar listed as an agenda item, with

fourteen (14) commissions adopting standard consent calendars and twelve (12) opting not to adopt such a procedure. The Department did not collect data on items beyond solicitations, contracts, and grants due to the inconsistency of listed items that ranged from the aforementioned to publication notices, updated minutes, and more. The placement of the Consent Calendar within a Commission's agenda is relatively even split, with nine (9) Commissions opting to have the Consent Calendar item towards the end of a meeting and eight (8) choosing to have the Consent Calendar item closer to the beginning of a Commission meeting. Of the Commissions that had consent calendars, more opted not to provide further supporting documentation beyond the line items listed than Commissions that chose to provide supporting documentation. The type of documentation ranged from memorandums submitted by Executive Directors or Department Staff to summary reports, redacted agreements, and application excerpts (applicant's scope of work and proposed budget).

The Finance Division recommends adopting a formalized consent calendar process to further achieve the Executive Director's goals of ensuring Department transparency, accountability, and integrity. Upon further review of the procedures adopted by Commissions of similar tier and size, the HRC is advised to structure the implementation of its consent calendar similarly to that of the San Francisco Arts Commission.

The HRC should implement a pre-approval process like the San Francisco Arts Commission. This approval process would require that before the finalization of an agreement, the Commission will have the opportunity to provide consent or request further discussion. In the event of a request, the matter may be removed from the Consent Calendar and considered a separate item. This procedure would also allow the Executive Director to review any consent calendar items that may concern the Commission before the item becomes a legally binding agreement. It is advised that this process be adopted as it does not require submitting supplemental documents and allows the Commission to provide more significant input should it have concerns about particular items. It is further recommended that a department staff member be present at meetings to provide additional information and answer any questions regarding consent calendar items. The announcement of new and expiring solicitations for grants and contracts should also be included in the consent calendar. Solicitations include Requests for Proposals (RFP) and Requests for Qualifications (RFQ). The Arts Commission has grant and contract awardees

recommended to the Commission by selection committees/panels, subcommittees, or department divisions. As we advance, the HRC should state in its consent calendar what actor(s) recommend an item be approved by Commission. These actors should be limited to selection committees/panels, subcommittees, or department divisions.

The Finance Division also recommends that to avoid meeting delays that the Commission place the consent calendar as one of the last agenda items due to the number of items that would be subject to approval or removal for further discussion.