

City Commissions and Mayoral Authority*

Digest by the Ballot Simplification Committee

Status: Draft for Consideration
On: Friday, July 26, 2024
Members: Packard, Anderson, Wong, Troy, Wang

Deadline to Request Reconsideration: TBD

The Way It Is Now: The City has a total of about 130 appointed boards, commissions, and advisory bodies (commissions). Under current law:

- There is no limit on how many commissions the City may have.
- Many commissions have decision-making authority. Others are merely advisory. Some decide appeals and other administrative proceedings.
- Some commissions oversee and set policy for City departments. These commissions generally nominate candidates to serve as department head. The Mayor has authority to appoint the department head solely from the candidates the commission nominates. Generally, only the commission has authority to remove the department head.
- For many commissions, the Mayor appoints at least a majority of its members, and the Board of Supervisors (Board) appoints the remaining members. The Mayor's appointments are generally subject to Board confirmation or rejection.
- The Mayor and Board may remove members from some commissions only for official misconduct.
- The City pays commissioners and provides them healthcare benefits.
- The Police Commission adopts rules governing police officers' conduct.

The Proposal: The proposed measure would make these changes to the City Charter:

- Limit the City to a total of 65 commissions.
- Retain 22 commissions, including those overseeing the Port, Public Utilities, Airport, Municipal Transportation Agency, Civil Service, Planning, Fire, Police, Recreation and Park, Disability and Aging Services, Ethics, Elections, Board of Appeals, War Memorial and Performing Arts Center, City museums, City employee retirement and health benefits, redistricting, residential rent control, and garbage rates. The measure would also allow the City to retain commissions that federal or state law require.
- Dissolve all other commissions 16 months after the measure's effective date, subject to a process for the City to consider reauthorizing or restructuring them within the 65-commission limit. A five-member task force appointed by City officials would recommend within nine months of the measure's effective date which commissions the City should reauthorize or restructure. The Board could by ordinance reauthorize or restructure those commissions within the 16-month period to prevent them from dissolving. The Board could later reestablish commissions and create new commissions, subject to the 65-commission limit.
- Require that any commissions the Board reauthorizes, restructures, or creates could only advise the Board and Mayor, and not have decision-making authority, except as state or federal law require. The measure would

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generally transfer decision-making authority of former commissions to the head of the department the commission oversaw and transfer authority to decide appeals and other proceedings to hearing officers.

- Allow the Mayor to appoint at least two-thirds of the members of reauthorized, restructured, or new commissions and some retained commissions, without Board review. The Board would have authority to appoint up to one-third of the members of those commissions. Generally, the Board and Mayor could each remove the members they appoint for any lawful reason.
- Prohibit the City from paying commissioners or providing them healthcare benefits.
- Give the Mayor sole authority to appoint and remove most City department heads.
- Give the Police Chief sole authority to adopt rules governing police officers' conduct.

If Proposition ___ passes with more votes than Proposition ____, then Proposition ___ would have no legal effect.

A "YES" Vote Means: : If you vote "yes," you want to limit the total number of commissions the City may have to 65, retain 22 decision-making commissions, dissolve other commissions after 16 months unless the City chooses to retain or reauthorize them as advisory bodies, change how some commissioners are appointed, give the Mayor sole authority to appoint and remove City department heads, prohibit the City from providing commissioners compensation and health benefits and give the Police Chief sole authority to adopt rules governing police officers' conduct.

A "NO" Vote Means: If you vote "no," you do not want to make these changes.