

LEGISLATIVE DIGEST

(7/1/2024)

[Charter Amendment - Commission Reform]

Describing and setting forth a proposal to the voters at an election to be held on November 5, 2024, to amend the Charter of the City and County of San Francisco to establish the Commission Streamlining Task Force charged with making recommendations to the Mayor and the Board of Supervisors about ways to modify, eliminate, or combine the City’s appointive boards and commissions to improve the administration of City government; require the City Attorney to prepare a Charter Amendment to implement the Task Force’s recommendations relating to Charter commissions, for consideration by the Board of Supervisors; and authorize the Task Force to introduce an ordinance to effectuate its recommendations relating to appointive boards and commissions codified in the Municipal Code, which ordinance shall go into effect within 90 days unless rejected by a two-thirds vote of the Board of Supervisors.

Existing Law

Currently, there are over 100 appointive boards and commissions (hereinafter referred to collectively as “commissions”) that perform work on behalf of the City or provide non-binding guidance to City officials and departments. The Charter establishes most of the commissions in San Francisco government that exercise the City’s sovereign powers and have decisionmaking authority. But there also are several bodies created in the Charter that are purely advisory. Under state law, a locality’s Charter may only be amended by a vote of the electors. Therefore, Charter-created commissions may not be eliminated, revised, or consolidated with other bodies without voter approval.

The Board of Supervisors also has the authority, by ordinance, to create boards and commissions that exercise the City’s sovereign powers. There are a few boards and commissions created by ordinance that exercise the City’s sovereign powers. But it is more common for ordinances to create advisory bodies, which lack the authority to set policy for the City. Where a commission is created by ordinance, the Board of Supervisors has the authority to eliminate, revise, or consolidate it with other bodies by ordinance.

Under the Charter, only the Mayor, members of the Board of Supervisors, and City departments may introduce ordinances.

Amendments to Current Law

The proposed Charter Amendment would establish a Commission Streamlining Task Force (“Task Force”) charged with making recommendations to the Mayor and the Board of Supervisors about ways to modify, eliminate, or combine the City’s appointive boards and

commissions to improve the administration of City government. The Task Force, which would be convened by no later than February 1, 2025, would be comprised of five members, including the City Administrator, or their designee, the Controller, or their designee, the City Attorney, or their designee, a representative of organized labor, appointed by the President of the Board of Supervisors, and a person with expertise in open and accountable government, appointed by the Mayor.

The measure would require the Budget and Legislative Analyst to prepare a report by no later than September 1, 2025, analyzing the cost of the City's current system of boards and commissions, as well as the projected financial impact of eliminating or consolidating commissions.

The measure would require the Task Force to prepare and submit to the Mayor and the Board of Supervisors by no later than February 1, 2026, recommendations about ways to modify, eliminate, or combine the City's appointive boards and commissions to improve the administration of City government. The City Attorney would be required to prepare a Charter Amendment to implement the Task Force's recommendations relating to commissions established in the Charter. The Board of Supervisors would be required to hold a hearing by not later than April 1, 2026 on the Task Force's recommendations and the draft Charter Amendment.

The measure would also authorize the Task Force to introduce ordinances to effectuate its recommendations relating to appointive boards and commissions codified in the Municipal Code, other than those bodies that may only be rescinded or amended by the voters, which ordinances would go into effect within 90 days unless rejected by a two-thirds vote of the Board of Supervisors.

Background

This legislative digest was revised on May 30, 2024 to correct an error in the original digest by specifying that it is the President of the Board of Supervisors – and not the full Board – that will appoint one member to the Commission Streamlining Task Force.