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February 1, 2002

OPINION NO. 2002-01

SUBJECT: Summary of Legal Requirements for Mayoral Appointments of Members to Boards and Commissions, Removal and Other Matters Relating to Such Boards and Commissions, and Mayoral Seats on Boards and Commissions

REQUESTED BY: GLORIA YOUNG
Clerk of the Board of Supervisors

PREPARED BY: BURK E. DELVENTHAL, Deputy City Attorney
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You asked us to provide a summary of legal requirements regarding boards and commissions where the Mayor has appointing authority, including requirements relating to the appointment and removal of members. In addition, this memorandum addresses appointment and removal of department heads in related departments, and identifies boards and commissions where the Mayor holds a seat. Per your request this memorandum does not generally address the Mayor's authority to appoint members to purely advisory boards created by ordinance or State law or the Mayor's authority to sit on such boards, although a few boards that are primarily advisory have been included (due to appointment questions arising from time to time).

This memorandum contains three main sections, followed by an Index:

- I. Overview (page 2).
- II. Creation of Boards and Commissions, Appointment and Removal of Members and Related Matters, and Appointment and Removal of Department Heads Serving Under Those Boards and Commissions (pages 2 - 5).
- III. Enumeration of Boards and Commissions (pages 6-29).

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OPINION NO. 2002-01**I. OVERVIEW**

This memorandum covers the three types of boards and commissions where the Mayor makes appointments and/or holds a seat:

- ◆ First, boards and commissions created by the San Francisco Charter to run City offices, agencies, and departments (Section III.A., at pages 6 - 20);
- ◆ Second, boards and commissions created by ordinance to run City offices, agencies, and departments (Section III.B., at pages 21 - 25); and,
- ◆ Third, boards and commissions created under State statutes, which are not part of the municipal corporation City and County of San Francisco but are separate legal entities, some of which carry out State functions (Section III.C., at pages 25 - 29).

II. CREATION OF BOARDS AND COMMISSIONS, APPOINTMENT AND REMOVAL OF MEMBERS AND RELATED MATTERS, AND APPOINTMENT AND REMOVAL OF DEPARTMENT HEADS SERVING UNDER THOSE BOARDS AND COMMISSIONS**A. CREATION OF BOARDS AND COMMISSIONS**

The San Francisco Charter (hereinafter, "Charter") creates most boards and commissions. The 1932 Charter created most current commissions. The Board of Supervisors also created a few commissions by ordinance, as authorized by the 1932 Charter. These ordinance-created boards and commissions have the same power as those created directly by the 1932 Charter. Under the 1996 Charter the Board of Supervisors may also create new boards or commissions by ordinance.

B. MAYORAL RESPONSIBILITIES FOR APPOINTING BOARD AND COMMISSION MEMBERS

Under Charter §3.100, the Mayor is responsible for the general administration and oversight of all departments and governmental units in the executive branch of the City and County. Except where noted below in the description of each commission, the Mayor makes appointments to boards and commissions that are effective immediately and remain in effect,

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unless rejected by a two-thirds vote of the Board of Supervisors within 30 days following the transmittal of a Notice of Appointment to the Clerk of the Board of Supervisors. The Notice of Appointment must include the appointee's qualifications to serve, and a statement as to how the appointee represents the communities of interest, neighborhoods and diverse populations of the City and County. (Charter §3.100(17).)

Also, the Mayor has a seat but no vote on all Charter or ordinance-created boards and commissions appointed by the Mayor. (Charter §3.100(9).)

C. RESIDENCY REQUIREMENTS

In general, Charter §4.101 governs residency and other requirements for appointees to boards and commissions. Except where the Charter specifies to the contrary, members of boards and commissions created by the Charter must be, and remain during their tenure, "electors," defined as a person registered to vote in the City and County. This voting registration requirement encompasses other requirements: that members be of legal voting age, residents of the City and County, and U.S. citizens. We have noted specific exceptions to these requirements, where applicable, in the description of each Charter-created board or commission.

In the case of boards and commissions created by ordinance, however, the appointing officer or entity may waive the residency requirement if a qualified local elector cannot be located. In addition, the ordinance may specify that members need not be of legal voting age or residents, but may not dispense with the citizenship requirement. (Charter §4.101(2).) We have noted specific exceptions to the age and residency requirements, where applicable, in the description of each board or commission created by ordinance.

D. COMPENSATING COMMISSIONERS

The Board of Supervisors sets compensation for all commissions under Charter §A8.400, except where compensation is specified or barred by other Charter provisions or controlling law. We have noted specific exceptions to §A8.400, where applicable, in the description of each board or commission.

E. TENURE OF BOARD AND COMMISSION MEMBERS

Under the Charter and applicable ordinances, the term for appointees to most boards and commissions is four years. Exceptions to this rule are noted below, where applicable, in the

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description of each board or commission. The same criteria and procedures that apply to initial appointments also apply to appointments of persons to complete unexpired terms. (Charter §4.101(2).)

The term for each seat on a commission is fixed at the time the commission is constituted. The term continues through time without regard to whether the office is vacant or the incumbent is a "hold-over" commissioner who continues in office after the term to which he or she was appointed has expired. Charter §18.114 provides that when a new commission is created, and when new members are added to an existing board or commission, the members must be appointed to staggered terms.

F. REMOVING BOARD AND COMMISSION MEMBERS

In general, members of boards and commissions serve at the pleasure of the Mayor or other appointing authorities. But some commissioners may be removed only for cause. This memorandum indicates at-will tenure generally as, "may be removed by the appointing authority," and for-cause tenure generally as, "removal under §15.105 of the Charter."

Under §15.105 the Mayor may suspend most for-cause commissioners and all elected office holders for official misconduct. "Official misconduct" is defined in Charter Article XVII as:

"any wrongful behavior by a public officer in relation to the duties of his or her office, willful in its character, including any willful or corrupt failure, refusal or neglect of an officer to perform any duty enjoined on him or her by law, or conduct that falls below the standard of decency, good faith and right action impliedly required of all public officers."

Upon suspension under §15.05, the Mayor must immediately notify the Ethics Commission and Board of Supervisors of the suspension in writing. The Mayor must present written charges against the officer to the Ethics Commission and Board of Supervisors at or before their next regularly scheduled meeting following such suspension. The Mayor must also immediately furnish a copy of the charges to the officer, who has the right to appear with counsel before the Ethics Commission in his or her defense. After the hearing, the Ethics Commission must make a recommendation to the Board of Supervisors as to whether the charges should be sustained. If, after reviewing the complete record, the Board of Supervisors sustains the charges by not less than a three-fourths vote of all eleven members (i.e., nine votes), the suspended officer shall be removed from office. If the charges are not sustained, or not acted on by the Board of Supervisors within 30 days of receipt of the record from the Ethics Commission, the suspended

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officer shall be reinstated.

Also, the law creating several boards and commissions allows for "automatic" removal of members if they do not meet certain attendance requirements. These procedures are noted below, where applicable, in the description of each board or commission.

G. RECALL OF BOARD AND COMMISSION MEMBERS

Any member of the Airport Commission, Ethics Commission or the Public Utilities Commission may be recalled by the voters as provided by Charter §14.103 and the laws of the State of California. But no recall petition may be initiated for any officer who has held office for less than six months.

H. RESIGNATION BY BOARD AND COMMISSION MEMBERS

Under San Francisco Administrative Code §16.89-15 (hereinafter, "Administrative Code"), any member of a board or commission may resign by presenting a written resignation to the body or officer that appointed the member. Such resignation becomes effective at the time the office of the appointing authority receives it, unless otherwise stated in the resignation. (Administrative Code §16.89-16.) An offer of resignation, while indicating the office holder's willingness to vacate the office, does not constitute, by itself, a resignation.

I. APPOINTMENT AND REMOVAL OF DEPARTMENT HEADS SERVING UNDER BOARDS OR COMMISSIONS

The Charter also grants the Mayor power to appoint and to seek removal of most department heads. The Mayor has the power to appoint department heads from among three or more nominees submitted by a commission. In his or her discretion, however, the Mayor may appoint a department head who has been individually nominated by the commission without receiving three nominations.

The Mayor may also seek removal of most department heads, by recommending removal of a department head to the appropriate board or commission. The commission must act on the Mayor's recommendation by removing or retaining the department head within 30 days. Failure to timely act on the Mayor's recommendation constitutes official misconduct. (Charter §§3.100(18), 4.102(6).) Exceptions to these procedures for appointing and removing department heads are noted below, where applicable, in the description of each board or commission.

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OPINION NO. 2002-01**III. ENUMERATION OF BOARDS AND COMMISSIONS****A. CHARTER-CREATED BOARDS AND COMMISSIONS****AIRPORT COMMISSION****CHARTER §4.115**

Members: Consists of five members appointed by the Mayor under Charter §3.100 (17).

Term: Four years.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105. Alternatively, voters may recall members under Charter §14.103.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §§3.100 (18) and 4.102(5), the Mayor appoints the department head from a list of three or more qualified candidates submitted by the Commission. In his or her discretion, however, the Mayor may appoint a department head who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the department head on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the department head, and the Commission must act on the Mayor's recommendation by removing or retaining the department head within 30 days. (Charter §4.102(6).)

ARTS COMMISSION**CHARTER §5.103**

Members: Consists of 15 members appointed by the Mayor under Charter §3.100 (17). Eleven members must be practicing arts professionals, including two architects, a landscape architect, and representatives of the performing, visual, literary, and media arts; and four members must be lay members. The President of the Planning Commission, or a member of the Planning Commission designated by the President, serves ex officio. Charter §5.100 requires that vacancies on the Commission be filled within 90 days.

Term: Four years.

Removal: May be removed by the Mayor.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: The Commission appoints and may remove the department director.

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OPINION NO. 2002-01**ASIAN ART COMMISSION****CHARTER §§5.102, 5.104**

Members: Consists of 27 members appointed by the Mayor. In filling vacancies the Mayor solicits nominations from the Commission, giving due consideration to nominees' knowledge, experience, education, training, interest, or activity in the fields of Asian art and culture. Charter §5.102 exempts Commissioners from the elector requirement. Mayoral appointments to this Commission are not subject to Charter §3.100(17). Charter §5.100 requires that vacancies on the Commission be filled within 90 days.

Term: Three years.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105.

Compensation: No compensation. (Charter §5.102.)

Appointment and Removal of Department Head: The Commission appoints and may remove the director.

BOARD OF APPEALS**CHARTER §4.106**

Members: Consists of five members appointed by the Mayor under Charter §3.100(17).

Term: Four years.

Removal: May be removed by the Mayor.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: The Board appoints and may remove an executive secretary, who serves as department head.

BUILDING INSPECTION COMMISSION**CHARTER §4.121**

Members: Consists of seven members. The Mayor appoints four members: a structural engineer, a licensed architect, a residential builder, and a representative of a community-based non-profit housing development corporation. The President of the Board of Supervisors appoints three members: a residential tenant, a residential landlord, and a member of the general public. (Charter §3.100 (17) does not apply.)

Term: Two years.

Removal: May be suspended by the appointing officer and removed by the Board of Supervisors for official misconduct under Charter §15.105.

Compensation: No compensation. (Charter §D3.750-1.)

Appointment and Removal of Department Head: The Commission appoints and may remove the department head.

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OPINION NO. 2002-01**CIVIL SERVICE COMMISSION****CHARTER §§10.100, 10.101**

Members: Consists of five members appointed by the Mayor under Charter §3.100(17), not less than two of whom shall be women. In addition to the oath required by the California Constitution, Commission members must take the following oath:

"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."

Term: Six years.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §10.101, the Commission appoints an executive assistant to be the administrative head of its affairs. The executive assistant serves at the Commission's pleasure.

In addition, under Charter §10.103, the Mayor appoints the Director of the Human Resources Department from candidates nominated by the Civil Service Commission and confirmed by vote of the Board of Supervisors. The Human Resources Director serves at the pleasure of the Mayor, provided that the Mayor's removal of the Human Resources Director may be rejected by a four-fifths vote of the Commission. Failure of the Commission to act within 30 days is deemed approval of the Mayor's action.

COMMISSION ON AGING**CHARTER §4.120**

Members: Consists of seven members appointed by the Mayor under Charter §3.100(17).

Term: Four years.

Removal: May be removed by the Mayor.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §§3.100(18) and 4.102(5), the Mayor appoints the department head from a list of three or more qualified candidates submitted by the Commission. In his or her discretion, however, the Mayor may appoint a department head who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the department head on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the department head, and the Commission must act on the Mayor's recommendation by removing or retaining the department head within 30 days. (Charter §4.102(6).)

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The Director of the Commission on Aging may also serve as the department head for the Department of Aging and Adult Services, but may not receive any extra compensation solely by virtue of this dual appointment. Authority for this dual appointment is found in the fiscal year 2000-2001 and 2001-2002 budget ordinances. (See, Administrative Provisions for fiscal year 2000-2001, Ordinance No. 180-00, page 130; and similar provisions in the budget ordinance for fiscal year 2001-2002, Ordinance No. 170-01.)

COMMISSION ON THE ENVIRONMENT**CHARTER §4.118**

Members: Consists of seven members appointed by the Mayor under Charter §3.100(17).

Term: Four years.

Removal: May be removed by the Mayor.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §§3.100(18) and 4.102(5), the Mayor appoints the department head from a list of three or more qualified candidates submitted by the Commission. In his or her discretion, however, the Mayor may appoint a department head who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the department head on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the department head, and the Commission must act on the Mayor's recommendation by removing or retaining the department head within 30 days. (Charter §4.102(6).)

COMMISSION ON THE STATUS OF WOMEN**CHARTER §4.119**

Members: Consists of seven members appointed by the Mayor under Charter §3.100(17).

Term: Four years.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §§3.100(18) and 4.102(5), the Mayor appoints the department head from a list of three or more qualified candidates submitted by the Commission. In his or her discretion, however, the Mayor may appoint a department head who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the department head on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the department head, and the Commission must act on the Mayor's recommendation by removing or retaining the

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department head within 30 days. (Charter §4.102(6).)

ELECTIONS COMMISSION**CHARTER §§13.103.5, 13.014, 15.105**

Members: Consists of seven members. The Mayor appoints one member with a background in the electoral process. The City Attorney appoints a member with a background in elections law. The Treasurer appoints a member with a background in financial management. The District Attorney, Public Defender, the Board of Education of the San Francisco Unified School District, and the Board of Supervisors, each appoint a member broadly representative of the general public. (Charter §3.100(17) does not apply.)

Term: Five Years. No person may serve more than two consecutive five year terms. Service of more than two and one-half years of a five year term is deemed to be one full term. Any person who completes two successive five year terms may not be reappointed to the Commission until at least five years after the expiration of the second successive term in office.

Removal: May be suspended by the appointing authority and removed by the Board of Supervisors for official misconduct under Charter §15.105.

Compensation: No compensation. (Charter §15.100.)

Appointment and Removal of Department Head: The Commission appoints a Director of Elections to a five year term. During the term the Director may be removed by the Commission for cause, upon written charges and following a hearing. The Director has the right to appeal his or her removal to the Civil Service Commission. No less than 30 days before expiration of the Director's term the Commission must appoint a Director for the next term, who may but need not be the incumbent Director.

ETHICS COMMISSION**CHARTER §§15.100, 15.101**

Members: Consists of five members. The Mayor appoints one member with a background in public information and public meetings. The Assessor appoints one member with a background in campaign finance. The Board of Supervisors and the District Attorney each appoint one member broadly representative of the general public. The City Attorney appoints one member with a background in government ethics law. (Charter §3.100(17) does not apply.)

Term: Six years. No person may serve more than one six-year term; however, persons appointed to fill a vacancy for an unexpired term with less than three years remaining or to serve an initial term of less than three years are eligible to be appointed to one additional six-year term. In addition, any person who completes a term as a Commissioner is eligible for reappointment six years after the expiration of his or her term.

Removal: May be suspended by the appointing authority and removed by the Board of Supervisors for official misconduct under Charter §15.105. Alternatively, voters may recall

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members under Charter §14.103.

Compensation: No compensation. (Charter §15.100.)

Appointment and Removal of Department Head: The Commission appoints and may remove the executive director. (Charter §15.101.)

FINE ARTS MUSEUMS BOARD OF TRUSTEES**CHARTER §§5.102, 5.105**

Members: Consists of no more than 62 trustees, elected by members of the Fine Arts Museums Board of Trustees. This is a self-perpetuating body. Under the 1932 Charter, the Mayor and the President of the Recreation and Park Commission were ex officio members. While the 1996 Charter does not provide such a role for the Mayor or the President of the Recreation and Park Commission, the Board of Trustees has listed the Mayor and the President of the Recreation and Park Commission as ex officio members in its by-laws. In selecting members to serve on the Board, the Board of Trustees must 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 activities. At least a majority of the Board of Trustees' members shall be residents of the City and County. 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. Charter §5.100 requires that vacancies on the Board of Trustees be filled within 90 days.

Term: Three years.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105.

Compensation: No compensation. (Charter §5.102.)

Appointment and Removal of Department Head: The Fine Arts Museums Board appoints and may remove the director.

FIRE COMMISSION**CHARTER §4.108**

Members: Consists of five members appointed by the Mayor under Charter §3.100 (17).

Term: Four years.

Removal: May be removed by the Mayor.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §§3.100(18) and 4.102(5), the Mayor appoints the Fire Chief from a list of three or more qualified candidates submitted by

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the Commission. In his or her discretion, however, the Mayor may appoint a Fire Chief who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the Chief on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the Fire Chief, and the Commission must act on the Mayor's recommendation by removing or retaining the Chief within 30 days. (Charter §4.102(6).)

HEALTH COMMISSION**CHARTER §4.110**

Members: Consists of seven members appointed by the Mayor under Charter §3.100(17). Direct care providers must be less than a majority of the members.

Term: Four years.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §§3.100(18) and 4.102(5), the Mayor appoints the department head from a list of three or more qualified candidates submitted by the Commission. In his or her discretion, however, the Mayor may appoint a department head who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the department head on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the department head, and the Commission must act on the Mayor's recommendation by removing or retaining the department head within 30 days. (Charter §4.102(6).)

HEALTH SERVICE BOARD**CHARTER §§12.200, 12.201**

Members: Consists of seven members: one member of the Board of Supervisors, appointed by the President of the Board of Supervisors; the City Attorney or a designated deputy city attorney; two members appointed by the Mayor under Charter §3.100(17), one who regularly consults in the health care field, and one who is a doctor of medicine; and three members elected by the active and retired members of the Retirement System from among their members. Elected members need not reside within the City and County.

Term: Five years (except for the Board of Supervisors' member and the City Attorney who serve ex officio without specified terms, but whose individual service is limited by their respective terms of office).

Removal: Members appointed by the Mayor may be removed by the Mayor. The President of the Board of Supervisors may appoint a different Board of Supervisors' member to sit at any

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time. The designated deputy city attorney may be changed by the City Attorney at any time.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: (Not applicable. Under Charter §12.201 the Health Service Board may appoint a full-time or part-time medical director who serves at the pleasure of the Board, but the medical director does not head a department.)

HUMAN RIGHTS COMMISSION**CHARTER §4.107;
ADMINISTRATIVE CODE §12A.4**

Members: Consists of 11 members appointed by the Mayor under Charter §3.100 (17).

Terms: Four years.

Removal: May be removed by the Mayor.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §§3.100(18) and 4.102(5), the Mayor appoints the department head from a list of three or more qualified candidates submitted by the Commission. In his or her discretion, however, the Mayor may appoint a department head who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the department head on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the department head, and the Commission must act on the Mayor's recommendation by removing or retaining the department head within 30 days. (Charter §4.102(6).)

HUMAN SERVICES COMMISSION**CHARTER §4.111**

Members: Consists of five members appointed by the Mayor under Charter §3.100(17).

Term: Four years.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105.

Compensation: No compensation.

Appointment and Removal of Department Head: Under Charter §§3.100(18) and 4.102(5), the Mayor appoints the department head from a list of three or more qualified candidates submitted by the Commission. In his or her discretion, however, the Mayor may appoint a department head who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the department head on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the department head, and the Commission must act on the Mayor's recommendation by removing or retaining the

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department head within 30 days. (Charter §4.102(6).)

JUVENILE PROBATION COMMISSION**CHARTER §7.102**

Members: Consists of seven members appointed by the Mayor under Charter §3.100(17). The Mayor appoints two of the members from lists of eligibles submitted to the Mayor by the Superior Court.

Term: Four years.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §§3.100(18) and 4.102(5), the Mayor appoints the department head from a list of three or more qualified candidates submitted by the Commission. In his or her discretion, however, the Mayor may appoint a department head who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the department head on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the department head, and the Commission must act on the Mayor's recommendation by removing or retaining the department head within 30 days. (Charter §4.102(6).)

LAW LIBRARY BOARD OF TRUSTEES**CHARTER §8.103;
CAL. STATS. 1869-1870,
Ch. 173, §1, p. 235, uncodified**

Members: Consists of 12 members: seven attorney members from the San Francisco Bar appointed by members of the Law Library Board of Trustees, and five ex officio members, consisting of the Mayor, the Presiding Judge, and three judges of the Appellate Department of the Superior Court.

Term: Indefinite.

Removal: Not specified. (The City Attorney should be consulted for direction.)

Compensation: None.

Appointment and Removal of Department Head: The Board of Trustees appoints and may remove the librarian, who is the executive officer.

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OPINION NO. 2002-01**LIBRARY COMMISSION****CHARTER §8.102**

Members: Consists of seven members appointed by the Mayor under Charter §3.100(17).

Term: Four years.

Removal: May be removed by the Mayor.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §§3.100(18) and 4.102(5), the Mayor appoints the department head from a list of three or more qualified candidates submitted by the Commission. In his or her discretion, however, the Mayor may appoint a department head who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the department head on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the department head, and the Commission must act on the Mayor's recommendation by removing or retaining the department head within 30 days. (Charter §4.102(6).)

**MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS****CHARTER §8A.102**

Members: Consists of seven members appointed by the Mayor and confirmed by the Board of Supervisors. At least four of the directors must be regular riders of the Municipal Railway and continue to be regular riders during their terms. Each director must ride the Municipal Railway an average of once each week during the director's term. Each director must have 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 have significant knowledge of, or professional experience in, the field of public transportation. (Charter §3.100(17) does not apply.)

Term: Four years. No person shall serve more than three terms.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105.

Compensation: Shall receive reasonable compensation for attending Agency meetings that does not exceed the average of the two highest compensations paid to members of any board or commission with authority over a transit system in the nine Bay Area counties.

Appointment and Removal of Department Head: The Board appoints a director of transportation who serves at the pleasure of the Board.

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OPINION NO. 2002-01**PARKING AND TRAFFIC COMMISSION****CHARTER §4.116**

Members: Consists of five members appointed by the Mayor under Charter §3.100(17).

Term: Four years.

Removal: May be removed by the Mayor.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §§3.100(18) and 4.102(5), the Mayor appoints the department head from a list of three or more qualified candidates submitted by the Commission. In his or her discretion, however, the Mayor may appoint a department head who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the department head on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the department head, and the Commission must act on the Mayor's recommendation by removing or retaining the department head within 30 days. (Charter §4.102(6).)

Cessation of Commission July 1, 2002: Charter §4.116 will be repealed effective July 1, 2002 pursuant to Proposition E adopted November 2, 1999. Proposition E enacted Administrative Code §8A.112, and also provided for the incorporation of the Department of Parking and Traffic (DPT) into the Municipal Transportation Agency (MTA) effective July 1, 2002. Therefore, the Parking and Traffic Commission will cease to operate July 1, 2002 when DPT becomes a department under the MTA.

PLANNING COMMISSION**CHARTER §4.105**

Members: Consists of seven members appointed by the Mayor under Charter §3.100(17).

Term: Four years.

Removal: May be removed by the Mayor.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §§3.100(18) and 4.102(5), the Mayor appoints the department head from a list of three or more qualified candidates submitted by the Commission. In his or her discretion, however, the Mayor may appoint a department head who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the department head on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the department head, and the Commission must act on the Mayor's recommendation by removing or retaining the department head within 30 days. (Charter §4.102(6).)

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OPINION NO. 2002-01**POLICE COMMISSION****CHARTER §4.109**

Members: Consists of five members appointed by the Mayor under Charter §3.100(17).

Term: Four years.

Removal: May be removed by the Mayor.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: There are two departments operating under the Police Commission: (1.) the Police Department, and (2.) the Office of Citizen Complaints.

Under Charter §§3.100(18) and 4.102(5), the Mayor appoints the Police Chief from a list of three or more qualified candidates submitted by the Commission. In his or her discretion, however, the Mayor may appoint a Police Chief who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the Chief on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the Police Chief, and the Commission must act on the Mayor's recommendation by removing or retaining the Chief within 30 days. (Charter §4.102(6).)

In addition, the Mayor appoints a nominee of the Police Commission as Director of the Office of Citizen Complaints, subject to confirmation by the Board of Supervisors. If the Board fails to act on the appointment within 30 days, the appointment is deemed approved. The Director serves at the pleasure of the Police Commission. (Charter §4.127.)

PORT COMMISSION**CHARTER §§4.114, B3.581;****BURTON ACT, CAL. STATS 1968, Ch. 1333**

Members: Consists of five members appointed by the Mayor subject to confirmation by a majority of the Board of Supervisors.

Term: Four years.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §B3.581(h) the Commission nominates and the Mayor appoints the Port Director, who serves at the pleasure of the Commission.

The Burton Act: The Burton Act, California Statutes of 1968, Chapter 1333, required a Charter amendment as a condition of the transfer of the Port from the State to the City. The Act provides at §12 that the Port must be under the control of a Harbor Commission established by City

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Charter, with five members, each serving for a term of four years. The Act also requires that the members be appointed by the Mayor, subject to confirmation by the Board.

PUBLIC UTILITIES COMMISSION**CHARTER §4.112**

Members: Consists of five members appointed by the Mayor under Charter §3.100(17).

Term: Four years.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105. Alternatively, voters may recall members under Charter §14.103.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §§3.100(18) and 4.102(5), the Mayor appoints the department head from a list of three or more qualified candidates submitted by the Commission. In his or her discretion, however, the Mayor may appoint a department head who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the department head on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the department head, and the Commission must act on the Mayor's recommendation by removing or retaining the department head within 30 days. (Charter §4.102(6).)

RECREATION AND PARK COMMISSION**CHARTER §4.113**

Members: Consists of seven members appointed by the Mayor under Charter §3.100(17).

Term: Four years.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §§3.100(18) and 4.102(5), the Mayor appoints the department head from a list of three or more qualified candidates submitted by the Commission. In his or her discretion, however, the Mayor may appoint a department head who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the department head on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the department head, and the Commission must act on the Mayor's recommendation by removing or retaining the department head within 30 days. (Charter §4.102(6).)

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OPINION NO. 2002-01**RETIREMENT BOARD****CHARTER §12.100**

Members: Consists of seven members: one member of the Board of Supervisors appointed by the President of the Board of Supervisors, three members elected by the active and retired members of the Retirement System from among their members, and three public members appointed by the Mayor under Charter §3.100(17). The public members appointed by the Mayor must be experienced in life insurance, actuarial science, employee pension planning or investment portfolio management, or hold a degree of doctor of medicine. The elected members need not be residents of the City and County. There shall not be, at any one time, more than one retired person on the Board.

Term: Five years (except for the Board of Supervisors member who serves ex officio without a specified term, but whose individual service is limited by his or her term of elected office).

Removal: Members appointed by the Mayor may be removed by the Mayor. The President of the Board of Supervisors may appoint a different Board of Supervisors' member to sit at any time.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: The Retirement Board appoints and may remove the executive director.

TAXI COMMISSION**CHARTER §4.133**

Members: Consists of seven members appointed by the Mayor under Charter §3.100(17). Appointments shall include a member from the senior or disabled communities, a driver who does not hold a taxicab medallion, a manager in a taxicab company (either a medallion holder or a company representative), a member from the hospitality industry, a member from the labor community, a member from the neighborhoods, and a member of the general public not affiliated with any of the other enumerated categories.

Term: Two years.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: Under Charter §§3.100(18) and 4.102(5), the Mayor appoints the department head from a list of three or more qualified candidates submitted by the Commission. In his or her discretion, however, the Mayor may appoint a department head who has been individually nominated by the Commission without receiving three nominations. The Commission may remove the department head on its own initiative.

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Alternatively, the Mayor may recommend that the Commission remove the department head, and the Commission must act on the Mayor's recommendation by removing or retaining the department head within 30 days. (Charter §4.102(6).)

WAR MEMORIAL BOARD OF TRUSTEES**CHARTER §5.106**

Members: Consists of 11 trustees appointed by the Mayor under Charter §3.100(17). In making appointments, the Mayor shall consider veterans and others who have a special interest in the purposes for which the War Memorial and Performing Arts Center exists. Charter §5.100 requires that vacancies on the Board of Trustees be filled within 90 days.

Term: Four years.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: The War Memorial Board appoints and may remove the director.

YOUTH COMMISSION**CHARTER §4.123**

Members: Consists of 17 members, all of whom must be between the ages of 12 and 23 at the time of appointment. The Mayor appoints six members, five of whom must be from underrepresented communities. Each member of the Board of Supervisors appoints one member. (Charter §3.100(17) does not apply.)

Term: One year.

Removal: Members serve at the pleasure of their appointing authorities, and may be removed by their appointing authorities under Charter §4.123(a). Alternatively, when the Commission certifies that a member has missed three regularly scheduled meetings of the Commission in any six-month period without prior authorization, that member is deemed to have resigned effective on the date of written certification by the Commission. (Charter §4.123(c).)

Compensation: Compensation, including reimbursement for expenses, is prohibited by Charter §4.123(d).

Appointment and Removal of Department Head: (Not applicable.)

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OPINION NO. 2002-01**B. ORDINANCE-CREATED BOARDS AND COMMISSIONS****CITIZENS ADVISORY COMMITTEE ON ELECTIONS (CACE) MUNICIPAL ELECTIONS
CODE §700**

Members: CACE consists of 11 voting members, five appointed by the Mayor and six appointed by the Board of Supervisors. The appointed members must be registered San Francisco voters, demonstrate an interest and knowledge in the elections process, and show a commitment to fair and impartial elections. The City Attorney or his or her designated representative, and the Director of Elections or his or her designated representative, are ex officio members and have a voice but no vote in proceedings.

Term: Four years.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105. Alternatively, if a member is absent from four consecutive meetings without providing notice to other members as specified, the member is deemed to have resigned by operation of law.

Compensation: None.

Appointment and Removal of Department Head: (Not applicable.)

Election Commission Report Re CACE: November 2001 Proposition E amended the Charter to create an Elections Commission. Elections Code §760 provides that "the Elections Commission shall within seven months after the effective date of such Charter Amendment submit a report to the Board of Supervisors containing the Commission's recommendations regarding (1) whether the CACE should continue to exist, and (2) if so, what its role should be."

FILM COMMISSION**ADMINISTRATIVE CODE §57.2**

Members: Consists of 11 members appointed by the Mayor. At least six members must be residents of the City and County. The Commission is to be composed of "outstanding members of the community." The Commission may include members who have experience in areas such as performing and creative arts, production, film or sound technology, services and facilities, education, presentation and producing, or interactive multimedia. Members must be broadly representative of ethnic, racial, gender, age, and sexual orientation groups, and shall otherwise reflect the diversity of the City and County. The President of the Arts Commission of the City and County is invited to serve as a non-voting, ex officio member of the Film Commission.

Term: Four years.

Removal: May be removed by the Mayor.

Compensation: None.

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Appointment and Removal of Department Head: The Commission appoints the executive director who acts as department head and serves at the Commission's pleasure.

GOLDEN GATE PARK CONCOURSE AUTHORITY**GOLDEN GATE PARK REVITALIZATION ACT OF 1998;
ADMINISTRATIVE CODE, APPENDIX 41, §4**

Members: Consists of seven directors appointed by the Mayor. Appointments become effective immediately and remain in effect, unless rejected by a two-thirds vote of the Board of Supervisors within 30 days following transmittal of written notice to the Board of Supervisors of such appointments, as if the directors were City Commissioners subject to the appointment procedures set forth in Charter §3.100(17). Directors are selected according to criteria that include (a) demonstrated interest and knowledge of matters within the jurisdiction of the Authority, and (b) experience and knowledge in one or more of the following areas: parks and recreation, environment and conservation, transportation, museums, the neighborhoods bordering Golden Gate Park, structural engineering, architecture or landscape design. No single interest may be represented by a majority of the members appointed.

Term: Four years.

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105.

Compensation: No compensation.

Appointment and Removal of Department Head: Under Golden Gate Park Concourse Authority By-laws, Article VII, the Authority's Board of Directors appoints and may remove the chief executive officer.

IMMIGRANT RIGHTS COMMISSION**ADMINISTRATIVE CODE §5.201**

Members: Consists of 15 voting members. Eleven members are appointed by the Board of Supervisors and four by the Mayor under Charter §4.101. At least eight of the 15 members must be immigrants. Members appointed to the Commission must have a demonstrated knowledge and interest in the health, human services, educational, or employment issues that affect immigrants residing in San Francisco, and must reflect the geographic, ethnic, and sexual orientation diversity of San Francisco.

Term: Two years.

Removal: May be removed by the appointing authority.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: (Not applicable.)

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OPINION NO. 2002-01**RESIDENTIAL RENT STABILIZATION AND
ARBITRATION BOARD (RENT BOARD)****ADMINISTRATIVE CODE §37.4**

Members: Consists of five members appointed by the Mayor. Appointments must include two landlords, two tenants, and one person who is neither a landlord nor a tenant and who owns no residential rental property. Members must be residents of the City and County of San Francisco. Additionally, each member has a specific alternate possessing the same qualifications as the member. The Mayor also appoints the alternates.

Term: Four years.

Removal: May be removed by the Mayor.

Compensation: Subject to budgetary and fiscal limitations of the Charter, each member is paid \$75 per Commission meeting attended if the meeting lasts for three or more hours, \$50 if the meeting lasts one - three hours, or \$25 if the meeting lasts one hour or less, in a single 24-hour period. The total per diem shall not exceed \$750 per month. (Rent Board Rules and Regulations §2.15.)

Appointment and Removal of Department Head: The Chair of the Rent Board appoints the Executive Director with the approval of a majority of the Rent Board members. Under Charter §§4.102(5), 4.102(6), and 10.104(5), the Executive Director serves at the pleasure of the Rent Board.

SMALL BUSINESS COMMISSION**ADMINISTRATIVE CODE
§§5.120 - 5.122**

Members: Consists of seven members appointed by the Mayor.

Term: Four years.

Removal: May be removed by the Mayor.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.

Appointment and Removal of Department Head: (Not applicable, because the Small Business Commission does not head or administer any City department. Under Administrative Code §5.120, the Small Business Commission and the Office of Small Business Affairs are part of the Department of Business and Economic Development.)

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OPINION NO. 2002-01**SOUTHEAST COMMUNITY FACILITY COMMISSION ADMINISTRATIVE CODE
§54.2**

Members: Consists of seven members appointed by the Mayor. Unless the Mayor determines that it is otherwise impracticable, persons appointed to serve as members of the Commission must either reside or work in the Bayview-Hunters Point community as defined in Administrative Code §54.2(b). Each vacancy must be filled within 30 days.

Term: Four years.

Removal: May be removed by the Mayor. Alternatively, any member who misses three regularly scheduled meetings of the Commission in any 12-month period without the express approval of the Commission given at a regularly scheduled meeting, is deemed to have resigned from the Commission.

Compensation: Each member is paid \$50 per Commission meeting or committee meeting attended. Total compensation shall not exceed \$100 per month.

Appointment and Removal of Department Head: The Commission appoints an executive director who serves at the pleasure of the Commission.

**STATE LEGISLATION COMMITTEE ADMINISTRATIVE CODE
§5.5 - 5.11**

Members: Consists of seven members: the Mayor, who acts as chair; the City Attorney; two members of the Board of Supervisors designated by the President of the Board of Supervisors; the Controller; the Assessor; and the Treasurer. Each member may designate a representative to attend the meeting in his or her absence.

Term: Members serve ex officio without any specified term, so the service of individuals is limited by the terms of their respective elected offices. A designated representative of a member may be changed at any time.

Removal: (Not applicable.)

Compensation: No compensation.

Appointment and Removal of Department Head: (Not applicable.)

TELECOMMUNICATIONS COMMISSION ADMINISTRATIVE CODE §11.87

Members: Consists of five members appointed by the Mayor, subject to approval or rejection by Resolution of the Board of Supervisors. Appointments do not become effective until approved by the Board. No person is eligible to serve as a member who is a telecommunications provider or who is employed by a telecommunications provider within the City that may have business before the Commission. At least one member of the Commission must have expertise

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in fields related to the Commission's work, including but not limited to, telecommunications management and telecommunications engineering. At least one member of the Commission must represent the public, educational and government access to telecommunications, and information technologies. At least two members must represent the interests of consumers and the general public.

Term: Three years.

Removal: May be removed by the Mayor. Alternatively, when the Commission certifies that a member has missed three regularly scheduled meetings of the Commission in any 12-month period without prior authorization of the Commission, that member is deemed to have resigned effective on the date of written certification by the Commission.

Compensation: \$25 for each meeting of the Commission actually attended; provided that no member shall be paid for attending more than three meetings in any one calendar month.

Appointment and Removal of Department Head: The Director is appointed and may be removed by the Mayor under Charter §3.100(18) and Administrative Code §§11.86 and 11.88.

VETERANS' AFFAIRS COMMISSION**ADMINISTRATIVE CODE §§5.102, 5.103**

Members: Consists of 15 members. The Board of Supervisors appoints 11 members and the Mayor appoints four members. The appointees must include: (a) at least three women veterans; and, (b) one person who served in the Armed Forces of the United States of America and is suffering under a physical disability arising from that service, in accordance with the definitions applied in such cases by the Veteran's Administration.

Term: Four years.

Removal: None specified, therefore members may be removed by the appointing authority only for cause. The appointing authority should consult with the City Attorney regarding procedures prior to any such removal.

Compensation: None.

Appointment and Removal of Department Head: (Not applicable.)

C. BOARDS AND COMMISSIONS CREATED UNDER STATE STATUTES**HEALTH AUTHORITY****WELFARE & INSTITUTIONS CODE §14087.36;
ADMINISTRATIVE CODE §69**

Members: Consists of 19 members: the Director of Public Health, the Director of Mental Health, and the Chancellor of the University of California at San Francisco, or their respective designees; one member appointed by the Mayor; 14 members appointed by the Board of

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Supervisors; and, one non-voting member appointed by the Health Commission.

Term: Three years for 13 Board of Supervisors appointees, no specified term for other members.

Removal: A designee of the Director of Public Health or Mental Health or Chancellor serves at the pleasure of the designating authority; the Mayoral appointee serves at the pleasure of the Mayor; 13 Board appointees may be removed by the Board only upon recommendation of the Health Authority for reasons specified in Welfare & Institutions Code §14087.36, while the 14th appointee serves at the pleasure of the Board; and, the non-voting appointee serves at the pleasure of the Health Commission.

Compensation: No compensation.

Appointment and Removal of Department Head: Under Welfare & Institutions Code §14087.36, the Health Authority appoints and may remove the chair of the authority.

HOUSING AUTHORITY COMMISSION**HEALTH & SAFETY CODE
§§34200 et. seq.**

Members: Consists of seven members appointed by the Mayor. Two members must be Housing Authority tenants, one of whom must be over 62 years of age. Members must be residents of San Francisco. (Health & Safety Code §34270.1.)

Term: Two years for tenant members, four years for other members.

Removal: May be removed by the Mayor for inefficiency, neglect of duty or misconduct in office, after service of written charges and hearing. Failure to maintain a residence in San Francisco will cause that office to be vacant. (Health & Safety Code §§34270.1, 34282.)

Compensation: \$50 per meeting not to exceed four meetings per month.

Appointment and Removal of Department Head: The Housing Authority Commission appoints and may remove the executive director.

INDUSTRIAL DEVELOPMENT AUTHORITY BOARD**GOVERNMENT CODE §§91520 et seq.;**
ADMINISTRATIVE CODE §§42.1 et seq.

Members: Consists of five members. The Mayor provides one name for each vacancy on the Industrial Development Authority Board to the Board of Supervisors, which "alone" appoints the members. (Administrative Code §42.4; also see, Government Code §91522.)

Term: Three years.

Removal: May be removed by the Board of Supervisors for cause after notice and opportunity for hearing. (Government Code §91522.)

Compensation: None.

Appointment and Removal of Department Head: (Not applicable.)

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OPINION NO. 2002-01**PARKING AUTHORITY****STREETS & HIGHWAYS CODE §§32650 et seq.;**
ADMINISTRATIVE CODE §§17.1 et seq.

Members: Consists of five members appointed by the Mayor with approval of the Board of Supervisors.

Term: Four years.

Removal: May be removed by the Mayor with approval of the Board of Supervisors.

Compensation: Same as members of the Parking and Traffic Commission. (Parking and Traffic Commission compensation is set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400.)

Appointment and Removal of Department Head: The department head is appointed by and serves at the pleasure of the Parking Authority. (Administrative Code §17.6.)

Cessation of Parking and Traffic Commission July 1, 2002: Prior to July 1, 2002, Parking and Traffic Commission members serve ex officio as members of the Parking Authority pursuant to Streets & Highway Code §32657(b) and Charter §4.116. However, pursuant to Proposition E adopted November 2, 1999, the Parking and Traffic Commission will cease to exist on July 1, 2002 and the Commission's responsibilities will be placed under the Municipal Transportation Authority Board. At that time it will be determined whether Municipal Transportation Authority Board can serve ex officio as the Parking Authority's governing body.

REDEVELOPMENT AGENCY COMMISSION**HEALTH & SAFETY CODE §§33100 et seq.;**
ADMINISTRATIVE CODE §§24.1 - 24.6

Members: Consists of seven members appointed by the Mayor with approval of the Board of Supervisors. At least one member must be a woman. (Administrative Code §24.1-1.)

Term: Four years.

Removal: May be removed by the Mayor for inefficiency, neglect of duty, or misconduct in office, after service of written charges and hearing. (Health & Safety Code §33115.)

Compensation: \$25 per meeting for each meeting attended, provided that the aggregate amount paid to any one member shall not exceed \$1,250 per year, and the aggregate amount paid to all members shall not exceed \$6,250 per year. (Administrative Code §24.4.)

Appointment and Removal of Department Head: The Commission appoints the Executive Director, who serves at the pleasure of the Commission. (Health & Safety Code §33126.)

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OPINION NO. 2002-01**RELOCATION APPEALS BOARD****HEALTH & SAFETY CODE §33417.5;
ADMINISTRATIVE CODE §§24.7, 24B.1**

Members: Consists of five members appointed by the Mayor and approved by the Board of Supervisors.

Term: Three years.

Removal: None specified, and therefore members may only be removed by the Mayor for cause.

Compensation: None.

Appointment and Removal of Department Head: (Not applicable.)

**TREASURE ISLAND DEVELOPMENT AUTHORITY
BOARD OF DIRECTORS****HEALTH & SAFETY CODE
§33492.5**

Members: Consists of seven members appointed by the Mayor. Directors must be selected based on their expertise in the areas of real estate development, urban planning, environmental protection and resource conservation, homeless assistance, financing, and other disciplines relevant to the reuse of Treasure Island. Appointments of Directors who are officers of the City and County of San Francisco or officers of the San Francisco Redevelopment Agency are effective immediately and remain in effect, unless rejected by a two-thirds vote of the Board of Supervisors within 30 days following transmittal of written notice to the Board of Supervisors of such appointments. Appointments of Directors who are not officers of the City or the San Francisco Redevelopment Agency are effective only upon approval by a majority of the Board of Supervisors. (Bylaws §7.)

Term: Four years. There are no limits on the number of consecutive terms a Director may hold office. (Bylaws §8.)

Removal: May be removed by the Mayor, with or without cause, at any time. (Bylaws §9.)

Compensation: None specified. (Bylaws §15.)

Appointment and Removal of Department Head: Under an agency agreement between the City and the Authority the Mayor's office currently provides the Authority's staff, including the Executive Director (*i.e.*, the Executive Director is an employee of the Mayor's office). Absent such an agency agreement, the Authority would appoint its Executive Director.

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Very truly yours,

DENNIS J. HERRERA
City Attorney

/ S /

BURK E. DELVENTHAL
Deputy City Attorney

APPROVED:

/ S /

DENNIS J. HERRERA
City Attorney

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