TO:  HONORABLE EDWIN LEE, Mayor  
ANGELA CALVILLO, Clerk of the Board of Supervisors

FROM:  BURK E. DELVENTHAL, Chief, Government Division
       JANA CLARK, Deputy City Attorney

DATE:  August 18, 2014

RE:  Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

In this memorandum, we provide a summary of the legal requirements regarding the various boards, commissions and other entities to which the Mayor, or the Mayor and the Board of Supervisors (sometimes referred to below as the "Board"), or the President of the Board of Supervisors, have appointing authority. This memorandum updates and supersedes our earlier memorandum Opinion No. 2010-01, dated February 12, 2010.

We do not generally address here the Mayor's authority to appoint members to purely advisory entities created by ordinance or state or federal law or the Mayor's authority to sit on such bodies. We have included a few bodies that are primarily advisory in light of appointment questions that have arisen. Nor do we address other advisory bodies to which only the Board of Supervisors or City officials other than the Mayor make appointments. For information on other types of appointments, see the Board of Supervisors’ "Annual Listing of Active Boards, Commissions, Committees, and Task Forces and Requirement of Membership" as posted on the Board of Supervisors website in compliance with The Maddy Act, California Government Code §54972 (http://www.sfbos.org/index.aspx?page=3045).

This memorandum has two main sections followed by an index that lists alphabetically all the boards and commissions included in this memorandum. The first section contains a general discussion of matters relating to: the appointment and removal of commissioners, including residency, compensation and tenure; the appointment and removal of department heads; and the appointment and removal of members to boards of multi-county agencies.
The second section contains an enumeration of the boards and commissions. Included in the listing for each board is a description of six key features: the board's purpose; the number and appointment of its members; the term members serve; the process for removal of members; whether members receive compensation or health benefits; and whether the board appoints a department head.

There are four general types of boards and commissions and other entities where the Mayor, or the Mayor and the Board of Supervisors, make appointments to some or all of the seats, or where the Mayor holds a voting seat:

1. Boards and commissions and certain other entities created by the San Francisco Charter to run City offices, agencies, and departments, or to serve in a substantive role for those City bodies (Section II.A., Memorandum pages 13-56);

2. Boards and commissions and certain other entities created by ordinance or resolution to run City offices, agencies, and departments, or to serve in a substantive role for those City bodies (Section II.B.1 voter-approved ordinances, Memorandum pages 57-65; Section II.B.2 Board of Supervisors-approved ordinances and resolutions, Memorandum pages 66-95);

3. Boards and commissions and certain other entities created under state or federal statutes, which are not part of the municipal corporation City and County of San Francisco and are separate legal entities that have jurisdiction within the territorial limits of the County, some of which carry out state and federal functions (Section II.C., Memorandum pages 96-115); and

4. Boards and commissions on which City and County of San Francisco representatives sit together with representatives from other California counties to carry out joint functions (Section II. D, Memorandum pages 116-123).
I. CREATION OF BOARDS AND COMMISSIONS, APPOINTMENT AND REMOVAL OF MEMBERS AND RELATED MATTERS, APPOINTMENT AND REMOVAL OF DEPARTMENT HEADS SERVING UNDER THOSE BOARDS AND COMMISSIONS, AND BOARDS OF MULTI-COUNTY AGENCIES

A. BOARDS AND COMMISSIONS

(1) CREATION OF BOARDS AND COMMISSIONS

California general law regulates cities unless voters in the city adopt a charter to govern their own municipal affairs. In a chartered city, the charter is the constitution of the city and regulates and governs all aspects of city governance and administration. San Francisco voters have adopted several charters for the City, most recently in 1932 and then in 1995 (effective 1996). The San Francisco Charter (the "Charter") has created most of the boards and commissions in San Francisco government.

Many current boards and commissions derive their genesis from the 1932 Charter and amendments to that Charter. Amendments to the 1996 Charter created other boards and commissions. Also, Charter amendments have revised provisions for existing Charter-created boards and commissions.

The Board of Supervisors has also created a few boards and 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. The 1996 Charter also authorizes the Board of Supervisors to create new boards or commissions by ordinance. Also, San Francisco voters have created some boards and commissions by voting to approve an ordinance on the ballot at a Citywide election.

The City has created some legally separate board or commission-type entities under state or federal law. These entities are not part of the municipal corporation of the City and County of San Francisco, but have jurisdiction within San Francisco. These entities carry out various state

\[1\] References to "Charter" or "Code" in this document are to the City and County of San Francisco Charter and Municipal Codes (e.g., Administrative Code, Campaign and Governmental Conduct Code, Environment Code, Planning Code, etc.), unless otherwise stated. References to "Board of Supervisors" are to the City and County of San Francisco Board of Supervisors.
and federal functions at the local City and County level (e.g., the Health Authority, Housing Authority, Parking Authority, the Successor Agency, and the Workforce Investment Board).

Finally, State law and agreements among public entities, including San Francisco, have created certain multi-county agencies in which San Francisco participates. (See Section I.C. of this Memorandum.)

(2) MAYORAL RESPONSIBILITIES FOR APPOINTING BOARD AND COMMISSION MEMBERS

Under Charter section 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 board and commission, the Mayor makes appointments to boards and commissions under Charter section 3.100(18).

Section 3.100 appointments are effective upon transmittal of a Notice of Appointment to the Clerk of the Board of Supervisors, and remain in effect, unless rejected by a two-thirds vote of the Board of Supervisors within 30 days following transmittal of the Notice of Appointment to the Clerk. 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. The Mayor should transmit the Notice of Appointment to the Clerk promptly upon making the appointment. For the appointee to exercise the powers of the office, that person must take the oath of office prescribed by state law. (For more information on the appointment process see City Attorney Opinion No. 2003-05, available on the City Attorney’s website, http://www.sfcityattorney.org/Modules/ShowDocument.aspx?documentid=82.)

This memorandum identifies certain appointments that are subject to approval, rather than rejection of the Board of Supervisors. In those instances, the appointee may not exercise the powers of the office until the Board has approved the appointment, and the appointee has taken the oath of office.

The Mayor must provide written notice to the Ethics Commission of the name of any appointee who has assumed or left office if City law requires the appointee to file a Statement of Economic Interests with the Ethics Commission. The Mayor must provide the notice within 15 days of the appointee assuming or leaving office.

Also, the Mayor has a seat but no vote on all Charter or ordinance-created boards and commissions to which the Mayor makes appointments. (Charter §3.100(9).)
Mayoral appointments to (and Mayoral seats on) legally separate board and commission-type entities created under state or federal law, including multi-county agencies, are governed by the laws, agreements and by-laws applicable to each of those entities. They vary from entity to entity. This memorandum includes a summary of the appointment requirements for each such entity in its individual section (see Memorandum sections II.C. and D).

(3) RESIDENCY AND OTHER REQUIREMENTS FOR COMMISSIONERS

In general, Charter section 4.101 governs residency and other requirements for appointees to City boards and commissions. Except where the Charter specifies otherwise, members of Charter-created boards and commissions must be, and remain during their tenure, "electors." The Charter defines an elector as a person registered to vote in the City and County. This voter registration requirement encompasses other requirements: that a member be of legal voting age, a resident of the City and County, and a United States citizen. We have noted specific exceptions to these requirements, where applicable, in the description of the Charter-created boards and commissions.

For City boards and commissions created by ordinance, the appointing officer or entity may waive the residency requirement if that officer or entity cannot locate a qualified local elector. Also, 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 the boards and commissions created by ordinance.

Some City boards and commissions must include members who come from a particular profession, trade, union, or business. These requirements are noted for applicable boards and commissions. Where an appointee is selected to represent a particular interest, the Ethics Commission may grant that appointee a waiver from certain conflict of interest laws.

Membership criteria for appointment to legally separate board and commission-type entities created under state or federal law, including multi-county agencies, are governed by the laws, agreements and by-laws applicable to each of those entities. These criteria vary from entity to entity. A summary of the membership criteria for each such entity is included in its individual section of this memorandum. (See Memorandum sections II.C. and D.)

(4) COMPENSATING COMMISSIONERS

Under Charter section A8.400, the Board of Supervisors sets compensation, if any, for all
City boards and commissions, except where the Charter or other controlling law specifies otherwise. We have noted specific exceptions to section A8.400, where applicable, in the description of the City boards and commissions.

Compensation for members of legally separate board and commission-type entities created under state or federal law, including multi-county agencies, is governed by the laws and agreements and by-laws applicable to each of those entities. They vary from entity to entity. A summary of the compensation provisions for each such entity is included in its individual section of this memorandum. (See Memorandum sections II.C. and D.)

(5) HEALTH SERVICES BENEFITS FOR COMMISSIONERS

Charter sections 12.202 and A8.420 establish a Health Service System and provide that officers of the City and County, and other officers as provided by ordinance, are entitled to membership in the system. Administrative Code section 16.700 lists boards and commissions whose members are eligible to participate in the Health Service System.

Members of legally separate board and commission-type entities created under state or federal law, including multi-county agencies (see Memorandum sections II.C. and D.), generally are not eligible for participation in the City and County of San Francisco health services plan solely by virtue of their appointment to such entities. (A member may be separately eligible to participate in the City and County health services plan by virtue of that member's public office.)

(6) TENURE OF COMMISSIONERS

Under the Charter and applicable ordinances, the term for appointees to most City boards and commissions is four years. The same criteria and procedures that apply to initial appointments also apply to appointments of persons to complete unexpired terms. (Charter §4.101(2).) Exceptions to this rule are noted below, where applicable, in the description of each board or commission.

The term for each seat on a board or commission is fixed at the time the commission is constituted. A commission is "constituted" when a majority of its members are sworn in. The term for each seat runs whether the seat is occupied or vacant. Charter section 18.114 provides that when a new board or commission is created or when new members are added to an existing board or commission, initial appointments must give the members staggered terms.
In general, once a term expires the incumbent, if not replaced, may retain the office as a holdover commissioner for a maximum of 60 days. Members of citizen advisory committees and Charter Article V and Charter Article XII boards and commissions are not subject to the 60-day limitation. The 60-day provision does not apply where the Charter expressly prohibits holdovers, for example, the Police Commission. The hold-over incumbent is replaced by operation of law once the Mayor appoints another candidate to the office and that candidate has taken the oath of office. Upon appointment the replacement candidate will serve the unexpired balance of the term. Exceptions to this rule are noted below, where applicable, in the description of each board or commission.

An important distinction exists between the term of an office and an individual commissioner’s tenure in that office. The term of an office is generally a fixed period of time measured from a fixed anniversary date. For City boards and commissions, the term is generally four years from the date a quorum of the entity was first sworn into office (unless the enabling legislation mandates a specific operative date). The term runs with the office, not with the individual occupant. As mentioned above, the term continues to run whether the seat is occupied or vacant. If, for example, a seat is left open for six months after the date the term expires, the term of the office remains four years, but the next commissioner -- if appointed six months after the prior term expired -- will hold office only for the remaining three and one-half years of that next term. The commissioner does not have a right to a full four years in office from the date of his or her appointment.

The terms of office for members of legally separate board and commission-type entities created under state or federal law, including multi-county agencies, are governed by the laws, agreements and by-laws applicable to each of those entities. They vary from entity to entity. A summary of the term of office provisions for each such entity is included in its individual section of this memorandum. (See Memorandum sections II.C. and D.)

(7) REMOVING COMMISSIONERS

Many members of boards and commissions serve at the pleasure of the Mayor or other appointing authorities; that is, they serve an at-will tenure. Other commissioners may be removed only for cause. All for-cause commissioners must receive notice and an opportunity to be heard before they can be removed. In this memorandum we indicate at-will tenure generally as, "may be removed by the appointing authority," or “serves at the pleasure of the appointing authority,” and for-cause tenure generally as, “removal under §15.105 of the Charter,” or “may be removed only for cause.”
Under the Charter, the Mayor may suspend most for-cause commissioners and all elected office holders for official misconduct. For some boards and commissions, the Mayor may suspend only his or her appointee(s). (Charter §15.105(b).) "Official misconduct" is defined in Charter section 15.105(e):

Official misconduct means any wrongful behavior by a public officer in relation to the duties of his or her office, willful in its character, including any 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 and including any violation of a specific conflict of interest or governmental ethics law. When any City law provides that a violation of the law constitutes or is deemed official misconduct, the conduct is covered by this definition and may subject the person to discipline and/or removal from office.

Removal is mandatory upon conviction of a felony crime involving moral turpitude. (Charter §15.105(c).)

Upon suspending a public officer under the Charter, 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 meetings 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 holding a hearing on the charges, the Ethics Commission must recommend to the Board of Supervisors whether the charges should be sustained. If, after reviewing the complete record, the Board of Supervisors sustains the charges by no less than a three-fourths vote of all eleven members (i.e., nine votes), the suspended officer is 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 officer is reinstated. (Charter § 15.105(a).)

The law creating several City 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. City boards and commissions may not impose such automatic removal requirements through their own by-laws.

Removal requirements for members of legally separate board and commission-type entities created under state or federal law, including multi-county agencies, are governed by the
laws and agreements and by-laws applicable to each of those entities. They vary from entity to entity. A summary of the removal provisions for each such entity is included in its individual section of this memorandum. (See Memorandum sections II.C. and D.)

(8) RECALL OF COMMISSIONERS

Any member of the Airport Commission, Ethics Commission, or the Public Utilities Commission may be recalled by the voters as provided in Charter section 14.103 and by the laws of the State of California. Any member of the Port Commission may also be recalled by the voters. (Charter §§4.114, 14.103.) But no recall petition may be initiated for any officer whose term of office ends in six months or less. (California Elections Code §11007.)

(9) RESIGNATION BY COMMISSIONERS

Under San Francisco Administrative Code section 16.89-15, any member of a City board or commission may resign by presenting a written resignation to the body or officer that appointed the member. An oral statement of resignation alone is not sufficient. Such resignation becomes effective at the time the office of the appointing authority receives the written resignation, unless otherwise stated in the resignation. (Administrative Code §16.89-16.) For instance, a notice of resignation could state that the resignation will become effective once the appointing officer designates a new appointee. An offer of resignation, while indicating the office holder's willingness to vacate the office, does not, by itself, constitute a resignation. For further information see City Attorney Opinion No. 2007-01 "Laws Governing Resignations of Appointed City Officers," which is available on the City Attorney's website (http://www.sfcityattorney.org/Modules/ShowDocument.aspx?documentid=111).

(10) CONFLICTS OF INTEREST

Members of boards and commissions are subject to a number of state and local laws governing conflicts of interest. These laws include restrictions on the ability of officials to participate in decisions in which they have a financial interest, as well as limitations on the receipt of gifts, lobbying, and the holding of incompatible offices. Please refer to the most recent City Attorney's “Good Government Guide -- An Overview of the Laws Governing the Conduct of Public Officials,” for an overview of these laws. This Guide is available on the City Attorney’s website (http://www.sfcityattorney.org/index.aspx?page=7).
(11) THE ROLE OF COMMISSIONS AND COMMISSIONERS

A City commission is authorized to establish plans, policies and goals for the department, while the department head is responsible for the day-to-day management and administration of the department. Individual commissioners have no power over the department or the department head. As a body, the commission may set administrative policy for the department, provided that it gives its direction solely through the department head. If the department head does not follow the commission's instructions on a particular administrative matter, the commission may either accept the department head's decision or remove him or her. The board or commission may choose to express its displeasure without removing the department head. Certain department heads may only be removed for cause; others may have employment contracts. Except for purposes of inquiry, individual commissioners may not initiate or take actions in their official capacity without commission authorization. Further, individual commissioners may not interfere with the administration of the department. (For a more in-depth discussion of the role of commissions, commissioners, and department heads, please see City Attorney Opinion No. 2003-01, which is available on the City Attorney’s website at http://www.sfcityattorney.org/Modules/ShowDocument.aspx?documentid=77.)

Some boards or commissions exercise both the above-described oversight functions and specific quasi-judicial functions in areas such as permitting, licensing, or discipline (e.g., the Planning Commission, the Municipal Transportation Agency, the Entertainment Commission, and the Police and Fire Commissions). Others, such as the Board of Appeals, exist exclusively as quasi-judicial bodies to hear and decide matters within the jurisdiction conferred by state statute, City ordinance, or the Charter.

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

The Charter empowers the Mayor to appoint and to seek removal of most department heads serving under boards and commissions. The Mayor has the power to appoint department heads from among three or more nominees submitted by a board or commission. But, the Mayor may appoint a department head even though the Commission submitted fewer than three nominations. The City Attorney’s Office has given long-standing public advice that the three-nominee process is intended to give the Mayor a range of selection. If the Mayor does not object, the board or commission may submit fewer than three nominees. While the Mayor may indicate a preferred nominee before the board or commission submits its nominee(s), the board or commission is not legally obligated to honor the Mayor’s preference.

Generally, the Mayor may seek removal of most department heads by recommending removal of a department head to the appropriate board or commission, which must act on the
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.

C. BOARDS OF MULTI-COUNTY AGENCIES

The City is a member of several multi-county agencies that neither the Charter nor the Municipal Code creates. These agencies are separate legal entities with their own power to sue and be sued, to create bonded indebtedness, enter contracts, and in some cases, to exert regulatory authority. Generally, each member city, county, or other public agency is authorized to appoint one or more directors to a multi-county board of directors. For the City, appointments are usually divided between the Mayor and the Board of Supervisors, but other City agencies such as the Municipal Transportation Agency have been granted appointment authority for some bodies. In this section, we provide background on the two types of multi-county agencies discussed in this memorandum.

The first type of multi-county agency is created by state statute and derives its authority from the state legislature. The Metropolitan Transportation Commission, the Bay Area Air Quality Management District, and the Golden Gate Bridge Highway Transit District fall into this category. State statutes empower eligible counties to appoint representatives to the board of directors and enumerate the specific powers of each agency. A mayor, board of supervisors, or other appointing authority may limit the appointment by term, removal conditions, or any other provision that is not specifically covered by state law. To determine the term and conditions of an appointee’s tenure one must consider the statute that created the agency and any declaration or resolution making the appointment.

The second type of multi-county agency, a “joint powers authority,” is created by agreement between public agencies and derives its authority from a contract known as a “joint powers agreement.” State law authorizes two or more public agencies to create a joint powers authority and to endow the new entity with some or all the powers of the parties to the contract. A joint powers agreement enumerates the powers and limitations that the member agencies have granted to or withheld from a joint powers authority. Each member generally appoints one or more representatives to a board of directors as set forth in the agreement. Unless specified in the joint powers agreement, each member retains authority over limitations such as term and removal of its own appointees. The Transbay Joint Powers Authority, the Peninsula Corridor Joint Powers Board, and the Association of Bay Area Governments fall into the category of multi-county joint powers authorities. To determine the terms and conditions of an appointee’s
tenure, one must consider any resolutions that authorized entry into the joint powers agreement, the joint powers agreement itself, and specific resolutions or declarations of appointment.
II. ENUMERATION OF BOARDS, COMMISSIONS, AND OTHER ENTITIES

A. CHARTER-CREATED BOARDS, COMMISSIONS, AND OTHER ENTITIES

AIRPORT COMMISSION

**Purpose:** The Airport is an enterprise department of the City. (Charter §4.115.) The Commission has charge of the construction, management, supervision, maintenance, extension, operation, use, and control of all property, as well as the real, personal and financial assets that are under the Commission's jurisdiction. (Charter §4.115.) Subject to the approval, amendment, or rejection of the Board of Supervisors of each issue, the Commission has exclusive authority to plan and issue revenue bonds for airport-related purposes. (Charter §4.115.)

**Members:** Consists of five members appointed by the Mayor under Charter sections 3.100(18) and 4.115.

**Term:** Four years. (Charter §4.115.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.)

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

**Compensation:** Set by the Mayor and the Board of Supervisors as part of the City budget under Charter section A8.400. Currently, each member is paid $100 per month or meeting.

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(2).)

**Appointment and Removal of Department Head:** Under Charter sections 3.100(19), 4.102(5), and 4.115, the Mayor appoints the Director of Airports from a list of three or more qualified candidates submitted by the Commission “on the basis of executive, administrative and technical qualifications.” (Charter §4.115.) The Commission may remove the Director on its own initiative. Alternatively, the Mayor may recommend that the Commission remove the Director. 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

**Purpose:** The Commission encourages artistic awareness, participation and expression; education in the arts; and approves the design of all public and private structures that extend on City property. The Commission also: (1) administers the Art Enrichment Ordinance (Administrative Code §3.19); (2) approves the design and location of all City works of art; (3) maintains the City's art collections; (4) promotes a neighborhood arts program and City-owned cultural centers; (5) administers the Cultural Equity Endowment Fund; and (6) administers the Street Artists' Program.

**Members:** Consists of 15 members appointed by the Mayor under Charter section 3.100(18). 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 section 5.100 requires the Mayor to fill vacancies on the Commission within 90 days.

**Term:** Four years. (Charter §5.103.) Charter section 4.101.5, Hold-Over Service by Commissioners, is not applicable.

**Removal:** May be removed by the Mayor. (Charter §5.103.)

**Compensation:** None. (But, the Mayor and the Board of Supervisors could set compensations as part of the City budget under Charter section A8.400).

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(3).)

**Appointment and Removal of Department Head:** The Commission appoints and may remove the Department Director.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 15

ASIAN ART COMMISSION

CHARTER §§5.102, 5.104

Purpose: The Asian Art Commission controls and manages the City’s Asian art collection with the Avery Brundage Collection as its nucleus, consistent with the conditions applicable to the Brundage Collection and other gifts; maintains a charitable foundation or other legal entity to develop the Asian Art Museum; promotes, establishes and develops an acquisition fund for Asian art objects; and collaborates 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. (Charter §5.104.)

Members: Consists of 27 members appointed by the Mayor. (Charter §5.104.) Appointments are not subject to Board of Supervisors disapproval. (Charter §5.104.) 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 §5.104.) Charter section 5.102 exempts Commissioners from the elector requirement. Charter section 5.100 requires that vacancies on the Commission be filled within 90 days.

Term: Three years. (Charter §5.102.) Charter section 4.101.5, Hold-Over Service by Commissioners, is not applicable.

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

Compensation: Prohibited. (Charter §5.102.)

Health Benefits: Eligible for health benefits. (Administrative Code §16.700(c)(4).)

Appointment and Removal of Department Head: The Commission appoints and may remove the Director. (Charter §5.102.)
BOARD OF APPEALS

**Purpose:** The Board of Appeals, formerly called the Board of Permit Appeals, is a quasi-judicial body that hears and decides appeals from departmental decisions involving the grant, denial, suspension, or revocation of permits, licenses, variances, zoning administrator determinations and other use entitlements by various commissions, departments, bureaus, agencies and officers of the City and County of San Francisco.

**Members:** Consists of five members. (Charter §4.106(a).) The Mayor nominates three members, and the President of the Board of Supervisors nominates two members. (Charter §4.106(a).) Each nomination is subject to approval by the Board of Supervisors, and is the subject of a public hearing and vote within 60 days. (Charter §4.106(a).) 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 is deemed approved. (Charter §4.106(a).) The appointment becomes effective on the date the Board adopts a motion approving the nomination, or, if the Board does not act, 60 days after the date the nomination is transmitted to the Clerk of the Board of Supervisors. (Charter §4.106(a).)

**Term:** Four years. (Charter §4.106(a)(2).) Vacancies are filled by the appointing officer. (Charter §4.106(a).)

**Removal:** May be removed by the appointing officer only for official misconduct under Charter section 15.105. (Charter §4.106(a).)

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

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(6).)

**Appointment and Removal of Department Head:** The Board appoints and may remove an Executive Secretary, who serves as Department Head. (Charter §4.106(a).)
BUILDING INSPECTION COMMISSION  

CHARTER §4.121

**Purpose:** The Commission oversees the Department of Building Inspection, which is responsible for the enforcement, administration and interpretation of the City's Housing, Building, Mechanical, Electrical, and Plumbing Codes. (Charter, Appendix D, §D3.750-4.) The Commission also hears appeals from certain decisions of the Department of Building Inspection and the Department of Public Works. (Charter, Appendix D, §D3.750-4.) Members of the Commission serve as members of the Abatement Appeals Board, which hears appeals from the Director of Building Inspection's abatement orders. (Charter, Appendix D, §D3.750-4.) The Commission may appoint a secretary, which appointment shall not be subject to the civil service provisions of the Charter. (Charter, Appendix D, §D3.750-3.) The Commission may also contract with engineers or other consultants for such services as it may require. (Charter, Appendix D, §D3.750-3.)

**Members:** Consists of seven members. (Charter §4.121.) The Mayor appoints four members: a structural engineer, a licensed architect, a residential builder (who must be a licensed contractor), and a representative of a community-based non-profit housing development corporation. (Charter §4.121.) The President of the Board of Supervisors appoints three members: a residential tenant, a residential landlord, and a member of the general public. (Charter §4.121.) Charter section 3.100(18) does not apply.

**Term:** Two years. (Charter §4.121.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.) Midterm vacancies are filled by the appointing officer. (Charter §4.121.)

**Removal:** May be suspended by the appointing officer and removed by the Board of Supervisors for official misconduct under Charter section 15.105. (Charter §4.121.)

**Compensation:** Prohibited. (Charter §D3.750-1.)

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(7).)

**Appointment and Removal of Department Head:** The Commission appoints and may remove the department head. (Charter §4.121.)
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RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

CHILDREN’S FUND CITIZENS’ ADVISORY COMMITTEE

**Purpose:** The Committee advises the Department of Children, Youth and Their Families (or other agency administering the Children’s Fund if the Department no longer exists) and the Mayor concerning the Children’s Fund.

**Members:** Consists of 15 members appointed by the Mayor, who are not subject to disapproval by the Board of Supervisors. (Charter §16.108(n).) At least three members of the Committee must be parents, and at least three members must be less than 18 years old at the time of appointment. (Charter §16.108(n).) For each of the following areas, there must be at least one Committee member with professional expertise in that area: early childhood development, childcare, education, health, recreation and youth development. (Charter §16.108(n).)

**Term:** Three years. (Charter §16.108(n).) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.)

**Removal:** May be removed by the Mayor. (Charter §16.108(n).)

**Compensation:** None, but may be reimbursed for expenses actually incurred (Charter §16.108(n).)

**Health Benefits:** Not eligible for health benefits.

**Appointment and Removal of Department Head:** Not applicable.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

CIVIL SERVICE COMMISSION

CHARTER §§10.100, 10.101

**Purpose:** The Commission's primary purpose is to maintain a fair, credible and robust merit system of employment for City employees. (Charter §10.101.) To that end, the Commission adopts rules, policies and procedures to implement and refine provisions in the Charter and, where applicable, City Codes pertaining to the merit system. (Charter §10.101.) The Commission hears appeals of certain decisions made by departments and the Director of Human Resources pertaining to the operation of the civil service system and to related issues such as claims of discrimination. (Charter §10.101.) And under its Charter based duty to safeguard the merit system, the Commission decides whether departments may enter into personal services contracts with outside sources. The Commission also performs several ancillary roles, such as setting the salaries for elected City officials (Charter §§ 2.100; A8.409-1) and providing a recommendation as to prevailing wage rates that must be paid by City contractors. (Admin. Code §§ 6.22(E); 21C.7.)

**Members:** Consists of five members appointed by the Mayor, no fewer than two of whom must be women. (Charter §§3.100(18), 10.100.) 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." (Charter §10.100.)

**Term:** Six years. (Charter §10.100.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.)

**Removal:** May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter section 15.105. (Charter §§10.100, 15.105.)

**Compensation:** Set by the Mayor and the Board of Supervisors as part of the City budget under Charter section A8.400. Currently, each member is paid $100 per month.

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(8).)

**Appointment and Removal of Department Head:** Under Charter section 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. (Charter §10.101.) Also, under Charter section 10.103, the Mayor appoints the Director of the Human Resources Department from candidates nominated by the Civil Service Commission. The appointment must be confirmed by vote of the Board of Supervisors. (Oath and qualifications, Charter §10.103.) 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. (Charter §10.103.) Failure of the Commission to act within 30 days is deemed approval of the Mayor's action. (Charter §10.103.)
AGING & ADULT SERVICES
COMMISSION

Purpose: Although established by the Charter as the Commission On Aging, this Commission now calls itself the Aging and Adult Services Commission. It oversees the Department of Aging and Adult Services (DAAS). It also serves as the designated Area Agency on Aging for the City and County under federal law (42 USC §3025(a)(2)(A)), which requires it to develop, implement, and monitor an Area Plan for seniors in accordance with federal requirements (42 USC §3026). The Area Plan provides for a coordinated service delivery system to assist senior citizens (e.g., meals, senior day care), including establishing standards for services, assessing services, awarding grants for service, and making an annual report to the Boards of Supervisors on service delivery and coordination. (Administrative Code §§5.52, 5.53.) Federal law (42 USC §3026(a)(6)(D) also requires the Commission to establish an Advisory Council. The Advisory Council consists of 22 members: 11 appointed by the Commission and 11 appointed by the Board of Supervisors. (Administrative Code §5.54).

Members: Consists of seven members appointed by the Mayor under Charter §3.100(18). (Charter §4.120).

Term: Four years. (Charter §4.120). Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure at all commissioners cease 60 days after their term expires. (Charter §4.101.5.)

Removal: May be removed by the Mayor. (Charter §4.120).

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

Health Benefits: Eligible for health benefits. (Administrative Code §16.700(c)(9).)

Appointment and Removal of Department Head: Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the Department Head from a list of three or more qualified candidates submitted by the Commission. The Commission may remove the Department Head on its own initiative. (Charter §4.102(6)). 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).) 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 budget ordinances. (See, e.g., Administrative Provisions of Annual Appropriation Ordinance for Fiscal Year 2012-2013 Ordinance No. 164-12, page 279, and budget ordinances for prior years.)
COMMISSION ON THE ENVIRONMENT

**Purpose:** The Commission produces and updates plans for the long-term environmental sustainability of the City. (Charter §4.118.) The Commission may review and make recommendations on any policy proposed for adoption by any City agency regarding conformity with such plans, except for policies regarding building and land use. (Charter §4.118.) The Commission investigates and makes recommendations to all City agencies related to City operations and functions, such as: solid waste management, recycling, energy conservation, and natural resource conservation. (Charter §4.118.) It oversees the Department of the Environment's implementation of specific programs, including grants, pesticide management, resource efficiency, environmental inspections, toxics, urban forestry and natural resources, habitat restoration, and hazardous materials. (Charter §4.118.) Also, the Commission conducts public education and outreach to the community on environmental issues. (Charter §4.118.)

**Members:** Consists of seven members appointed by the Mayor under Charter section 3.100(18). (Charter §4.118.)

**Term:** Four years. (Charter §4.118.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.)

**Removal:** May be removed by the Mayor. (Charter §4.118.)

**Compensation:** Set by the Mayor and the Board of Supervisors as part of the City budget under Charter section A8.400. Currently, each member is paid $25 per meeting.

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(10).)

**Appointment and Removal of Department Head:** Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the Department Head from a list of three or more qualified candidates submitted by the Commission. The Commission may remove the Department Head on its own initiative. (Charter §4.102(6).) 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

Purpose: The Commission develops and recommends 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. (Charter §4.119.) The Commission also advocates on behalf of women and girls in such areas. (Charter §4.119.)

Members: Consists of seven members appointed by the Mayor under Charter section 3.100(18). (Charter §4.119.)

Term: Four years. (Charter §4.119.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.)

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter section 15.105. (Charter §4.119.)

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter section A8.400. Currently, each member is paid $25 per meeting.

Health Benefits: Eligible for health benefits. (Administrative Code §16.700(c)(11).)

Appointment and Removal of Department Head: Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the Department Head from a list of three or more qualified candidates submitted by the Commission. The Commission may remove the Department Head on its own initiative. (Charter §4.102(6).) 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).)
ELECTIONS COMMISSION

Purpose: The Commission sets general policies for the Department of Elections and is responsible for the proper administration of the general practices of the Department, subject to the budgetary and fiscal provisions of the Charter. (Charter §13.103.5.) Additionally, the Commission approves written plans before each election, submitted by the Director of Elections, detailing the policies, procedures, and personnel that will be used to conduct the election and, after the election, an assessment of how well the plan succeeded in carrying out a free, fair and functional election. (Charter §13.103.5.)

Members: Consists of seven members. (Charter §13.103.5.) The Mayor appoints one member with a background in the electoral process. (Charter §3.100((18) does not apply to the Mayor’s appointment.) (Charter §13.103.5.) The City Attorney appoints a member with a background in election law. (Charter §13.103.5.) The Treasurer appoints a member with a background in financial management. (Charter §13.103.5.) The District Attorney, Public Defender, the Board of Education of the San Francisco Unified School District, and the Board of Supervisors, each appoints a member broadly representative of the general public. (Charter §13.103.5.)

No member or employee of the Commission may hold any other City or County office or be an officer of a political party. (Charter §13.103.5(a).) No member or employee of the 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. (Charter §13.103.5(b).) No member or employee of the Commission may hold any other employment with the City and County. (Charter §13.103.5(b).) No member or employee may participate in any campaign supporting or opposing a candidate or a ballot measure that appears on the San Francisco ballot, other than candidates seeking election to federal or statewide office. (Charter §13.103.5(c).) Participation in a campaign includes, but is not limited to, making contributions or soliciting contributions to any committee, publicly endorsing or urging endorsement of any candidate or ballot measure, or participating in decisions by organizations to participate in a campaign. (Charter §13.103.5(c).) If a person appointed to the Commission is, at the time of appointment, an officer or employee as prohibited above, that person can only serve on the Commission if he or she resigns from that position within 30 days of appointment. (Charter §13.103.5.)

Term: Five Years. (Charter §13.103.5.) No person may serve more than two consecutive five-year terms. (Charter §13.103.5.) Service of more than two and one-half years of a five-year term is deemed to be one full term. (Charter §13.103.5.) 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. (Charter §13.103.5.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all
commisioners cease 60 days after their term expires. (Charter §4.101.5.) Midterm vacancies are filled by authority who appointed the member vacating office. (Charter §13.103.5.)

Removal: May be suspended by the appointing authority and removed by the Board of Supervisors for official misconduct under Charter section 15.105. (Charter §13.103.5.)

Compensation: Prohibited. (Charter §13.103.5.)

Health Benefits: Eligible for health benefits. (Administrative Code §16.700(c)(14).)

Appointment and Removal of Department Head: The Commission appoints a Director of Elections from a list of qualified applicants under the Civil Service provisions of the Charter, to a five-year term. (Charter §13.104.) The Director shall serve a five-year term during which, he or she may be removed by the Commission only for cause, upon written charges and following a hearing. (Charter §13.104.) The Director has the right to appeal his or her removal to the Civil Service Commission. (Charter §13.104.) 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. (Charter §13.104.) (See City and County of San Francisco Civil Service Commission Rule 114, Article IX "Director of Elections.")
ELECTIONS TASK FORCE

Purpose: Within 60 days following publication of the decennial federal census, the Director of Elections must report to the Board of Supervisors whether existing supervisorial districts continue to meet the requirements of federal, state and local law. (Charter §13.110(d).) If the Director determines that any of the districts are not in compliance with such laws, the Board of Supervisors must convene the Elections Task Force, also referred to as the Redistricting Task Force, which must redraw the district lines to conform to federal, state and local laws. (Charter §13.110(d).)

Members: Consists of nine voting members and one non-voting member. (Charter §13.110(d).) The Mayor, the Board of Supervisors, and the Elections Commission each appoint three members. (Charter §13.110(d).) The Director of Elections serves ex officio as a non-voting member. (Charter §13.110(d).) The Mayor’s appointees are not subject to disapproval by the Board of Supervisors.

Term: Not specified.

Removal: Not specified.

Compensation: Not specified.

Health Benefits: Not eligible for health benefits.

Appointment and Removal of Department Head: Not applicable.
ENTERTAINMENT COMMISSION

Purpose: The Commission coordinates planning and permitting for cultural, entertainment, athletic and similar events and establishments throughout the City to promote such establishments and events for the economic and cultural enrichment of San Franciscans and visitors to San Francisco, and to celebrate the diverse communities within San Francisco. (Administrative Code §90.1.) The Commission must accept, review, gather information regarding, and conduct hearings upon applications for entertainment-related permits; and rule upon and issue, deny, condition, suspend, revoke or transfer entertainment-related permits in accordance with applicable laws and regulations. (Administrative Code §90.4(a); see also Articles 1, 15, 15.1, and 15.2 of the San Francisco Police Code.) Additionally, the Entertainment Commission plans and coordinates the provision of City services for major events for which there is no recognized organizer, promoter, or sponsor. (Administrative Code §90.1.)

Members: Consists of seven members. (Charter §4.117.) The Mayor nominates four members, and the Board of Supervisors appoints, by motion, three members. (Charter §4.117.) Each mayoral nominee is subject to approval by the Board of Supervisors, and is the subject of a public hearing and vote within 60 days. (Charter §4.117.) All appointments to the Commission become effective on the date the Board of Supervisors adopts a motion of approval. (Charter §4.117.) Also, for mayoral nominees, the nomination is deemed approved on the 61st day following the date of its transmittal to the Clerk of the Board of Supervisors if the Board fails to act upon the nomination before such date. (Charter §4.117.) Of the four members nominated by the Mayor, one each must represent the interests of: City neighborhood associations or groups; entertainment associations or groups; the urban planning community; and the law enforcement community. (Charter §4.117.) Of the three members appointed by the Board of Supervisors, one each must represent the interests of: City neighborhood associations or groups; entertainment associations or groups; and the public health community. (Charter §4.117.)

Term: Four years. (Charter §4.117.) To stagger the terms of the members, the initial appointments to the Commission were as follows: the Mayor nominated two members to serve terms of four years, one member to a term of three years, and one to a term of two years. (Charter §4.117.) The Board of Supervisors appointed one member to a term of four years, one to serve a term of three years, and one to a term of two years. (Charter §4.117.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.)

Removal: Members nominated by the Mayor may be suspended by the Mayor and removed by the Board of Supervisors only as set forth under Charter section 15.105. (Charter §4.117.) Members 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 Charter section 15.105. (Charter §4.117.)

**Compensation:** $50 per meeting. (Administrative Code §90.3(d).) 

**Health Benefits:** Eligible for health benefits. (Charter §12.202; Administrative Code §16.700(c)(15).)

**Appointment and Removal of Department Head:** Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the Executive Director from a list of three or more qualified candidates submitted by the Commission. The Commission may remove the Executive Director on its own initiative. (Charter §4.102(6).) Alternatively, the Mayor may recommend that the Commission remove the Executive Director, and the Commission must act on the Mayor's recommendation by removing or retaining the Executive Director within 30 days. (Charter §4.102(6).)
ETHICS COMMISSION

Purpose: The Commission is responsible for the implementation, administration and interpretation of local laws relating to political campaigns, lobbying, conflicts of interest, governmental ethics, open meetings, and public records. (Charter §§ 15.102 C3.699-10.) The Commission provides advice to City officers, candidates for City office and City employees regarding these laws and proposes amendments, rules and regulations for such laws when necessary. The Commission also investigates complaints about possible violations of these laws and performs audits of campaign committees. Finally, the Commission serves as the filing officer for campaign statements, lobbyist disclosure forms, financial disclosure forms, campaign consultant statements and sunshine ordinance declarations. (Charter §§15.102, C3.699-11, C3.699-12, C3.699-13.) The Commission also has a limited legislative role because some amendments to local campaign finance and conflict of interest laws must be approved by a four-fifths vote of the Commission plus a two-thirds vote of the Board of Supervisors. (Campaign & Governmental Conduct Code §§1.103, 3.204.) By a four-fifths vote, the Commission may place on the ballot at the next succeeding general election any City ordinance that the Board of Supervisors is empowered to pass relating to conflicts of interest, campaign finance, lobbying, campaign consultants or governmental ethics. (Charter §15.102.)

Members: Consists of five members. (Charter §15.100.) The Mayor appoints one member with a background in public information and public meetings. (Charter §3.100(18) does not apply to the Mayor’s appointment.) (Charter §15.100.) The Board of Supervisors and the District Attorney each appoint one member broadly representative of the general public. (Charter §15.100.) The City Attorney appoints one member with a background in government ethics law. (Charter §15.100.) The Assessor appoints one member with a background in campaign finance. (Charter §15.100.) Members are subject to the following restrictions. No member or employee of the Commission may: hold any other City or County office or be an officer of a political party; be a registered lobbyist or campaign consultant, or be employed by or receive gifts from either a registered lobbyist or campaign consultant; hold any other employment with the City or County; or participate in any campaign supporting or opposing a candidate for City elective office, a City ballot measure, or a City officer running for elective office. (Charter §15.100.)

Term: Six years. (Charter §15.100.) No person may serve more than one six-year term; but, 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. (Charter §15.100.) Also, any person who completes a term as a Commissioner is eligible for reappointment six years after the expiration of his or her term. (Charter §15.100.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.) If a midterm
vacancy occurs, the officer who appointed the member vacating the office appoints a qualified person to complete the remainder of the term. (Charter §15.100.)

**Removal:** May be suspended by the appointing authority and removed by the Board of Supervisors for official misconduct under Charter section 15.105. (Charter §15.100.) Alternatively, voters may recall members under Charter section 14.103.

**Compensation:** Prohibited. (Charter §15.100.)

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(16).)

**Appointment and Removal of Department Head:** The Commission appoints and may remove the Executive Director. (Charter §15.101.)
FINE ARTS MUSEUMS BOARD OF TRUSTEES  

**Purpose:** The Board of Trustees 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 Fine Arts Museums consist of the California Palace of the Legion of Honor and the M.H. de Young Memorial Museum. The Board assures 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. Additionally, 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. (Charter §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 Bylaws. 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 Trustee's members must 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 section 5.100 requires that vacancies on the Board of Trustees be filled within 90 days.

**Term:** Three years. (Charter §5.102.) Charter section 4.101.5, Hold-Over Service by Commissioners, is not applicable.

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

**Compensation:** Prohibited. (Charter §5.102.)

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(17).)

**Appointment and Removal of Department Head:** The Fine Arts Museum Board appoints and may remove a Director. (Charter §5.102.)
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
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FIRE COMMISSION

**Purpose:** The Fire Commission oversees the Fire Department and ensures that the Department effectively implements the mission of the Fire Department to: protect the lives and property of the people of San Francisco from fires, natural disasters, and hazardous materials incidents; save lives by providing emergency medical services; prevent fires through prevention and education programs; and provide a work environment that values health, wellness and cultural diversity that is free of harassment and discrimination. (Charter §4.108.) The Commission exercises powers and duties as provided in Charter sections 4.100-4.104, 4.108, A8.343-A8.345, and related provisions of law.

**Members:** Consists of five members appointed by the Mayor under Charter section 3.100(18).

**Term:** Four years. (Charter §4.108.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.)

**Removal:** May be removed by the Mayor. (Charter §4.108.)

**Compensation:** Set by the Mayor and the Board of Supervisors as part of the City budget under Charter section A8.400. Currently, each member is paid $100 per month.

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(18).)

**Appointment and Removal of Department Head:** Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the Fire Chief from a list of three or more qualified candidates submitted by the Commission. The Commission may remove the Fire Chief on its own initiative. (Charter §4.102(6).) 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 Fire Chief within 30 days. (Charter §4.102(6).)
HEALTH COMMISSION

Purpose: The Health Commission, together with the Public Health Department, manage and control the City and County hospitals and 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. (Charter §4.110.) The Commission and the Department also determine the nature and character of public nuisances and provide for their abatement. (Charter §4.110.)

Members: Consists of seven members appointed by the Mayor under Charter section 3.100(18). Less than a majority of the members can be direct care providers. (Charter §4.110.)

Term: Four years. (Charter §4.110.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.)

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

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter section A8.400. Currently, each member is paid $100 per month.

Health Benefits: Eligible for health benefits during their time in City service. (Administrative Code §16.700(c)(21).)

Appointment and Removal of Department Head: Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the Department Head from a list of three or more qualified candidates submitted by the Commission. The Commission may remove the Department Head on its own initiative. (Charter §4.102(6).) 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  

**Purpose:** The Board contracts for and administers health plans for members and their dependants. The Board establishes and maintains detailed historical costs for medical and hospital care and conducts an annual review of such costs, approving rates and benefits on an annual basis, makes rules and regulations for administering the business of the Health Service System, and acts upon appeals from Health Service System members and those who have contracted to render medical care to the members. (Charter §12.200.)

**Members:** Consists of seven members: one member of the Board of Supervisors, to be appointed by the President of the Board of Supervisors; two members appointed by the Mayor under 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. Elected members need not reside within the City. (Charter §12.200.)

**Term:** 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 expired at 12:00 noon on May 15, 2013. (Charter §12.200.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.) Midterm vacancies in seats on the Board appointed by the Mayor are 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. (Charter §12.200.)

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

**Compensation:** Not specified.

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(22).)

**Appointment and Removal of Department Head:** Under Charter §12.201, the Health Service Board appoints a full time who serves office at the Health Service Board’s pleasure.
HISTORIC PRESERVATION COMMISSION

Purpose: The Commission advises the City on historic preservation matters, approves Certificates of Appropriateness for landmarks or for resources located in historic districts under Article 10 of the Planning Code, and approves Permits to Alter for certain downtown buildings under Article 11 of the Planning Code. The Commission may initiate the designation of a particular property as a landmark or geographic collections of properties as a historic district, and recommend approval, disapproval or modification of proposed nominations of properties and districts under the Planning Code, as well as to State and Federal registers. The Commission must review and make recommendations to the Board of Supervisors on applications for Mills Act contracts. The Commission must recommend a Preservation Element of the General Plan to the Planning Commission. The Commission also reviews and comments on projects affecting historical resources under the California Environmental Quality Act and the National Historic Preservation Act. The Board of Supervisors must refer certain matters to the Commission for a written report, including, but not limited to, ordinances and resolutions concerning historic resources.

Members: Consists of seven voting members nominated by the Mayor and subject to the approval of a majority of the Board of Supervisors. The appointed members must be specifically qualified by reason of training or experience in the historic and cultural traditions of the City and interested in the preservation of the City’s historic structures, sites and areas. Additionally, Seats 1 and 2 must be licensed architects, Seat 3 must be an architectural historian, and Seat 4 must be a historian, all of whom must meet the Secretary of the Interior's Professional Qualification Standards for their respective fields. Seat 5 must be a historic preservation professional or other professional as set forth in Charter section 4.135, Seat 6 must be from a list of professions set forth in Charter section 4.135, and Seat 7 is at large.

Term: Of the original appointments, the four odd-numbered seats are for a four-year term and the three even-numbered seats are for a two-year term; then, all seats are four-year terms. Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.)

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

Compensation: $50 per hearing.

Health Benefits: Eligible for health benefits.

Appointment and Removal of Department Head: The Planning Director, department head of the Planning Department, executes the duties that would otherwise be executed by a Historic Preservation Commission department head. The Commission does not govern a department and does not have appointment or removal authority over the Planning Director.
HUMAN RIGHTS COMMISSION

Purpose: The Commission itself, and through overseeing the City department of the same name, advocates for the human and civil rights of all persons by: investigating and mediating complaints of unlawful discrimination in public contracting, employment, housing and public accommodations; studying, investigating, mediating and making recommendations concerning intergroup tensions; implementing ordinances prohibiting discrimination in contracting, including the Local Business Enterprise and Non-Discrimination in Contracting Ordinance; and providing technical assistance, information and referrals related to discrimination and human rights to individuals, community groups, businesses and government agencies. (Charter §4.107; Administrative Code § 12A.5.)

Members: Consists of 11 members appointed by the Mayor under Charter section 3.100(18). (Charter §4.107.)

Term: Four years. (Charter §4.107.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.)

Removal: May be removed by the Mayor. (Charter §4.107.)

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter section A8.400. Currently, each member is paid $50 per meeting for attending up to two meetings per month.

Health Benefits: Eligible for health benefits. (Administrative Code §16.700(c)(23.).)

Appointment and Removal of Department Head: Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the Department Head from a list of three or more qualified candidates submitted by the Commission. The Commission may remove the Department Head on its own initiative. (Charter §4.102(6).) 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

Purpose: The Commission oversees the Department of Human Services; formulates, evaluates and approves goals, objectives, plans, programs, and expenditures; and sets policies consistent with the overall objectives of the City and County, for City and County social service programs. (Charter §4.102.) These programs include general assistance (welfare), CalWORKs, subsidized housing and homeless services, CalFresh (food stamps), Medi-Cal enrollment, subsidized child care, and providing for the care and custody of abused and neglected children.

Members: Consists of five members appointed by the Mayor under Charter section 3.100(18). (Charter §4.111.)

Term: Four years. (Charter §4.111.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.)

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter section 15.105. (Charter §4.111.)

Compensation: Set by the Mayor and the Board of Supervisors in the Annual Salary Ordinance as part of the City budget under Charter section A8.400.

Health Benefits: Eligible for health benefits. (Administrative Code §16.700(c)(24).)

Appointment and Removal of Department Head: Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the Department Head from a list of three or more qualified candidates submitted by the Commission. The Commission may remove the Department Head on its own initiative. (Charter §4.102(6).) 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).)
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities  

JUVENILE PROBATION COMMISSION  
CHARTER §7.102

**Purpose:** The Commission oversees the Juvenile Probation Department, including review of current policies and procedures to ensure that the Department promotes the safety and welfare of juveniles entering the juvenile justice system and follows state and court mandates for protection of the juveniles. The Commission also serves as a resource for positive change in the lives of youth and their families, accountability to victims, and the protection of the public.  

**Members:** Consists of seven members appointed by the Mayor under Charter section 7.102. The Mayor appoints two of the members from lists of eligibles submitted by the Superior Court. (Charter §7.102.) A 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. (Charter §7.102.)  

**Term:** Four years. (Charter §7.102.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.)  

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

**Compensation:** Set by the Mayor and the Board of Supervisors as part of the City budget under Charter section A8.400. Currently, each member is paid $25 per meeting for attending up to two meetings per month.  

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(25).)  

**Appointment and Removal of Department Head:** Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the Department Head from a list of three or more qualified candidates submitted by the Commission. The Commission may remove the Department Head on its own initiative. (Charter §4.102(6).) 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).) Failure to act on the Mayor's recommendation shall constitute official misconduct. (Charter §4.102(6).)
LAW LIBRARY BOARD OF TRUSTEES

CHARTER §8.103;
CALIFORNIA STATUTES
1869-1870, CHAPTER 173 §1,
PAGE 235, UNCODIFIED

Purpose: The Law Library Board of Trustees oversees the San Francisco Law Library, which was created by State Law in 1870. (Charter §8.103; Cal. Stats. 1869-1870 [Ch. 173, §16, p. 239].) The San Francisco Law Library provides free access and use of legal reference material to the Judiciary, the Bar, City and State officials and members of the public. (Charter §8.103.)
Currently, the Law Library is located at 1145 Market Street, 4th Floor.

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. (Charter §8.103.)

Term: Indefinite. All midterm vacancies on the Board are filled by the Board. (Charter §8.103.)

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

Compensation: Fixed by the executive officer with approval of the Board of Trustees. (Charter §8.103.)

Health Benefits: Eligible for health benefits. (Charter §12.202; Administrative Code §§1.150, 16.700(c)(26).)

Appointment and Removal of Department Head: The Board of Trustees appoints and may remove the librarian, who is the Executive Officer. (Charter §8.103.)
LIBRARY COMMISSION

Purpose: The Library Commission is the policy-making body that oversees the San Francisco Public Library system (“Library”). The Library includes the Main Library, 27 neighborhood branch libraries, and a bookmobile service. The Library Commission sets policy for the department and is responsible for the Library budget. The Commission also oversees implementation of the Branch Library Improvement Program, approved by San Francisco voters in November 2000, which prioritizes library construction and modifications that reduce seismic risk, complies with the Americans with Disabilities Act (ADA), meets modern technological needs and current code requirements, and provides spaces that are responsive to the communities’ needs.

Members: Consists of seven members appointed by the Mayor pursuant to Charter section 3.100(18). (Charter §8.102.)

Term: Four years. (Charter §8.102.) Commissioners may serve as hold-over commissioners up to 60 days after their term expires, unless they are re-appointed. (Charter §4.101.5.)

Removal: May be removed by the Mayor. (Charter §8.102.)

Compensation: None. (But, the Mayor and the Board of Supervisors could set compensation as part of the City budget under Charter section A8.400.)

Health Benefits: Eligible for health benefits. (Administrative Code §16.700(c)(27).)

Appointment and Removal of Department Head: Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the Department Head from a list of three or more qualified candidates submitted by the Commission. The Commission may remove the Department Head on its own initiative. (Charter §4.102(6).) 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).)
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 40

MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

CHARTER §8A.102

Purpose: The Board of Directors of the Municipal Transportation Agency and the Director of Transportation oversee the San Francisco Municipal Transportation Agency (SFMTA), which operates the City’s public transit service, the Municipal Railway. (Charter §§8A.101(a), 8A.102(c).) Through its Sustainable Streets division, the SFMTA is also responsible for traffic regulation and control, traffic engineering, parking enforcement, and administration of 40 off-street parking facilities (18 garages, 22 lots). (Charter §§8A.101(a), 8A.112, 8A.113.) Through its Taxi and Accessible Services division, the SFMTA is also responsible for licensing and regulating City taxicabs and taxicab drivers, including wheelchair-accessible cabs and other elements of the City's paratransit program. (Charter §8A.101(b).)

The Director of Transportation serves at the pleasure of the SFMTA Board of Directors, but has sole control of the agency's administrative matters. (Charter §8A.102(c), (f).) All employees of the SFMTA are subordinate to the Director of Transportation. (Charter §8A.102(d).) Deputy Directors and other at-will SFMTA employees serve at the pleasure of the Director of Transportation (Charter §8A.102(d)), but the agency is subject to the City's civil service system. (Charter §8A.104(b).) The SFMTA is authorized to perform for itself many functions the Director of Human Resources (DHR) performs for other City departments. (Charter §8A.104(a), (c) – (n).)

The SFMTA is funded through the Municipal Transportation Fund, which includes a guaranteed portion of the City's general fund. (Charter §8A.105.) Revenues from parking meters, off-street parking facilities (garage and metered lots), fines, penalties for parking violations, and transit fares, are generally dedicated to the SFMTA. (Charter §8A.105.)

The SFMTA has more autonomy than most City departments and has exclusive authority over many matters within its jurisdiction. The SFMTA has "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." (Charter §8A.102(b)1.) The SFMTA also has 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)." (Charter §8A.102(b)1.) The SFMTA may not transfer ownership of any real property without approval of the MTA Board of Directors and the Board of Supervisors. (Charter §8A.102(b)1.) The SFMTA is subject to Charter §9.118. (Charter §8A.102(h).) The SFMTA is generally subject to City ordinances of general application, but, is solely responsible for the administration and enforcement of such requirements. (Charter §8A.101(d).)

The SFMTA has "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,
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities  

signs, roadway features and pavement markings that control the flow of traffic with respect to streets and highways within City jurisdiction . . . ." (Charter §8A.102(b)7.) But, the Board of Supervisors may by ordinance establish procedures by which the public may seek Board of Supervisors review of decisions regarding the installation or removal of any stop sign or creation or elimination of a bicycle lane. (Ibid.) The SFMTA has exclusive authority to adopt parking regulations, including establishing parking privileges, establishing parking meter zones, and setting parking rates, and to adopt policies regarding collection of parking revenues. (Charter §8A.102(b)8, 9.) But, the Board of Supervisors may by ordinance establish procedures by which the public may seek their review of decisions regarding the creation or elimination of parking meter zones, adoption of any parking time limitation, or disabled parking regulation. (Charter §§8A.102(b)8, 9.)

The SFMTA also has exclusive authority over taxi-related functions and taxi-related fares, fees, charges, budgets, and personnel of the former Taxi Commission. (Charter §8A.101(b).) The Taxi Commission was transferred to the SFMTA in 2009.

The SFMTA Board of Directors also serve ex officio as Commissioners of the San Francisco Parking Authority Commission. (Charter §8A.112.) The SFMTA provides administrative support and services to the Parking Authority, which owns six of the City's 18 parking garages. (Charter §8A.112.)

Members: Consists of seven members appointed by the Mayor and confirmed after a public hearing by the Board of Supervisors. (Charter §8A.111.) Charter section 3.100(18) does not apply. At least four of the directors must be regular riders of the Municipal Railway and continue to be regular riders during their terms. (Charter §8A.111.) Each director must ride the Municipal Railway an average of once each week during the director's term. (Charter §8A.111.) Each director must have significant knowledge of, or professional experience in, one or more of the fields of government, finance, or labor relations. (Charter §8A.102(a).) At least two of the directors must have significant knowledge of, or professional experience in, the field of public transportation. (Charter §8A.102(a).)

Term: Four years. (Charter §8A.111.) No person may serve more than three terms. (Charter §8A.102(a).) Commissioners may serve as hold-over commissioners up to 60 days after their term expires, unless they are re-appointed. (Charter §4.101.5.)

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter section 15.105. (Charter §§8A.102(a), 15.105.)

Compensation: 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. (Charter §8A.102(a).) Currently, each member is paid $100 per month.

Health Benefits: Eligible for health benefits. (Administrative Code §16.700(24).)
Appointment and Removal of Department Head: The SFMTA's Board of Directors appoints a Director of Transportation who serves at the pleasure of the Board under an employment contract. (Charter §8A.102(c)1.)
MUNICIPAL TRANSPORTATION AGENCY CITIZENS’ ADVISORY COUNCIL

Purpose: The Council provides recommendations to the Municipal Transportation Agency with respect to matters within the jurisdiction of the Agency and presents reports to the Agency's Board of Directors. (Charter §8A.111.)

Members: Consists of 15 members: one member appointed by each member of the Board of Supervisors, and four members appointed by the Mayor. (Charter §8A.111.) The Mayor’s appointees are not subject to disapproval by the Board of Supervisors. Each member must be a resident of the City. (Charter §8A.111.) At least ten members must be regular riders of the Municipal Railway, at least two members must use the Municipal's Railway paratransit system, and at least three members must be senior citizens over the age of 60. (Charter §8A.111.) The membership of the Council shall be reflective of the diversity and neighborhoods of the City and County. (Charter §8A.111.)

Term: Four years. (Charter §8A.111.)

Removal: The members serve at the pleasure of their respective appointing authorities. (Charter §8A.111.)

Compensation: Not specified.

Health Benefits: Not eligible for health benefits.

Appointment and Removal of Department Head: Not applicable.
PARKING AND TRAFFIC COMMISSION

[No longer in existence.]

The Parking and Traffic Commission ceased to exist on July 1, 2002 under November 2, 1999 Proposition E, which repealed Charter section 4.116, effective July 1, 2002. On July 1, 2002 the Department of Parking and Traffic was incorporated as a separate department of the Municipal Transportation Agency. The Municipal Transportation Agency's Board of Directors now governs the Department of Parking and Traffic and exercises all remaining powers of the Parking and Traffic Commission, including serving ex officio as the governing body of the Parking Authority. (Charter §§8A.100 et seq.)
PLANNING COMMISSION

MAYOR LEE, AND CLERK OF THE BOARD CALVILLO

DATE: August 18, 2014

RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 45

CHARTER §4.105

Purpose: The Planning Commission oversees the Planning Department. (Charter §4.105.) The Commission must review all proposed amendments to the Planning Code. (Charter §4.105.) It is also responsible for periodically recommending amendments to the City's General Plan to the Board of Supervisors and for providing findings regarding consistency with the General Plan before the Board may take action on certain matters. (Charter §4.105.) The Commission has review authority over all permits regulated by the Planning Code, except certain permits issued under Articles 10 and 11. (Charter §§4.105, 4.135.) The Commission normally delegates this review function to Department staff.

Members: Consists of seven members. (Charter §4.105.) The Mayor nominates four members and the President of the Board of Supervisors nominates three members. (Charter §4.105.) Each nomination is subject to approval by the Board of Supervisors at a public hearing and vote within 60 days. (Charter §4.105.) Charter section 4.101 applies to these appointments, with particular emphasis on the geographic diversity of City neighborhoods. (Charter §4.105.)

Term: Four years. (Charter §4.105.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.) Midterm vacancies are filled by the appointing officer. (Charter §4.105.)

Removal: By the appointing officer, only for official misconduct under Charter section 15.105. (Charter §4.105.)

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter section A8.400. Currently, each member is paid $200 per meeting.

Health Benefits: Eligible for health benefits. (Administrative Code §16.700(c)(29.).)

Appointment and Removal of Department Head: Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the Planning Director from a list of three or more qualified candidates submitted by the Commission, selected on the basis of administrative and technical qualifications, with special regard for experience, training, and knowledge in the field of city planning. (Charter §4.105.) The Commission may remove the Director of Planning on its own initiative. (Charter §4.102(6).) Alternatively, the Mayor may recommend that the Commission remove the Director, and the Commission must act on the Mayor's recommendation by removing or retaining the Director within 30 days. (Charter §4.102(6).)
POLICE COMMISSION

CHARTER §4.109

Purpose: The Police Commission is the oversight and policy-making body for the Police Department and the Office of Citizen Complaints (OCC). The Police Commission also adjudicates discipline cases involving sworn members of the Police Department. The Police Department is responsible for preserving the public peace; reducing the fear of crime; preventing, detecting and investigating crime; and protecting life and property by enforcing federal, state and local laws. The OCC is responsible for investigating citizen complaints of police misconduct, providing investigatory findings and recommendations for discipline to the Chief of Police, and, in certain situations, filing disciplinary charges directly with the Police Commission.

Members: Consists of seven members: four members are nominated by the Mayor and confirmed by the Board of Supervisors; and three members are appointed by the Board of Supervisors.

Term: Four years. (To stagger the terms, the initial terms of some members were less than four years, as provided by Charter section 4.109 as amended by November 2003 Proposition H.) After a Commissioner completes his or her term, that Commissioner’s appointment expires and the position is vacant until the Commissioner is reappointed or a new Commissioner is appointed. There can be no holdover tenure for members of the Police Commission.

Removal: The Mayor may remove Mayoral appointees for any reason, but only with the approval of the Board. The Board may remove its appointees at any time, for any reason, by majority vote.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter §A8.400. Currently, each member is paid $100 per month.

Health Benefits: Eligible for health benefits. (Administrative Code §16.700(c)(30).)

Appointment and Removal of Department Head: Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the Police Chief from a list of at least three qualified applicants submitted by the Commission. Both the Commission and the Mayor may remove the Police Chief, acting jointly or separately. (Charter §4.109.) Under Charter section 4.127, the Mayor appoints a nominee of the Police Commission as Director of the OCC, 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. If the office of OCC Director is vacant, and until the Mayor makes an appointment that is confirmed by the Board, the Commission must appoint an interim Director. Both the interim and permanent Director serve at the pleasure of the Police Commission. (Charter §4.127.)
PORT COMMISSION

CHARTER §§4.114, B3.581;
BURTON ACT, CALIFORNIA STATUTES
1968, CHAPTER 1333

Purpose: The Port Commission oversees the Port, which is an enterprise department of the City that has the power and duty to use, conduct, operate, maintain, manage, regulate, and control the port area of San Francisco (property along the Bay waterfront transferred by the State and held by the City in trust for the people of the State), subject to California Statutes of 1968, Chapter 1333 (Burton Act) and the City Charter (Charter §B3.581), for the promotion and accommodation of waterborne commerce and navigation, public recreation, marine resource protection and uses necessary or incidental to those purposes.

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

Term: Four years. Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.)

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter section 15.105. (Charter §§4.114, 15.105.) Alternatively, voters may recall members under Charter sections 4.114 and 14.103.

Compensation: Set by the Mayor and the Board of Supervisors as part of the City budget under Charter section A8.400. Currently, each member is paid $100 per month.

Health Benefits: Eligible for health benefits. (Administrative Code §16.700(c)(31).)

Appointment and Removal of Department Head: Under Charter section 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 Port property from the State to the City. The Act provides at section 12 that the Port must be under the control of a Harbor Commission established by City Charter, with five members, each serving a term of four years. The Act also requires that the members be appointed by the Mayor, subject to confirmation by the Board of Supervisors.
PUBLIC UTILITIES COMMISSION

**Purpose:** The Commission is an enterprise department of the City. It has exclusive charge of the construction, management, supervision, maintenance, extension, expansion, operation, use and control of all water, clean 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. (Charter §8B.121(a).)  

**Members:** Consists of five members appointed by the Mayor subject to confirmation by a majority of the Board, under Charter section 4.112 as amended in Proposition E at the June 3, 2008 election. The Charter specifies qualifications necessary for four of the five seats: Seat 1 - environmental policy and environmental justice; Seat 2 - ratepayer and consumer advocacy; Seat 3 - project finance; Seat 4 - water systems, power systems, or public utility management; and Seat 5 - at-large member. (Charter §4.112(b).)  

**Term:** Four years. (Charter §4.112(c).) The terms for Seats 2 and 4 expire on August 1, 2014, and the terms for Seats 1, 3 and 5 expire on August 1, 2016. (Charter §4.112(c).) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.)  

**Removal:** May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter section 15.105. (Charter §4.112(a).) Alternatively, voters may recall members under Charter section 14.103.  

**Compensation:** Set by the Mayor and the Board of Supervisors as part of the City budget under Charter section A8.400. Currently, each member is paid $100 per month.  

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(32).)  

**Appointment and Removal of Department Head:** Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the General Manager from a list of three or more qualified candidates submitted by the Commission. The Commission may remove the General Manager on its own initiative. (Charter §4.102(6).) Alternatively, the Mayor may recommend that the Commission remove the General Manager, and the Commission must act on the Mayor's recommendation by removing or retaining the General Manager within 30 days. (Charter §4.102(6).) The Commission may enter into an employment contract with the General Manager.
PUBLIC UTILITIES RATE FAIRNESS BOARD

CHARTER §8B.125

Purpose: The Public Utilities Rate Fairness Board: reviews the Public Utilities Commission’s five-year rate forecast; holds public hearings on rate recommendations before the PUC adopts rates; provides a report and recommendation to the PUC on rate proposals; and, in connection with periodic rate studies, submits rate policy recommendations to the PUC, including recommendations to reallocate costs among various retail utility customer classifications, subject to any outstanding bond requirements. (Charter §8B.125.) The Rate Fairness Board is advisory, and has no decision making authority.

Members: The Board consists 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 retail customers, one appointed by the Mayor and one by the Board of Supervisors; and two city retail business customers, a large business customer appointed by the Mayor and a small business customer appointed by the Board of Supervisors. (Charter §8B.125.) The Mayor’s appointments are not subject to disapproval by the Board of Supervisors.

Term: Not specified.

Removal: Not specified.

Compensation: Not specified.

Health Benefits: Not separately eligible for health benefits from the City and County of San Francisco by virtue of appointment to the Public Utilities Rate Fairness Board.

Appointment and Removal of Department Head: Not applicable.
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 50

RECREATION AND PARK COMMISSION  

CHARTER §4.113

Purpose: The Commission sets the policies and directives for the Recreation and Park Department, and under these policies, and with the direction and supervision of the General Manager, the Recreation and Park Department manages and directs all parks, playgrounds, recreation centers and all other recreation facilities, avenues and grounds under the Commission's control or placed under its jurisdiction. (Charter §4.113.) The Commission has the power to lease or rent any stadium or recreation field under its jurisdiction for athletic contests, exhibitions and other special events, and permit the lessee to charge an admission fee. In that capacity it is an enterprise department. (Charter §4.113.)

Members: Consists of seven members appointed by the Mayor under Charter section 3.100(18). (Charter §4.113.)

Term: Four years. (Charter §4.113.) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissionors cease 60 days after their term expires. (Charter §4.101.5.)

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter section 15.105. (Charter §4.113.)

Compensation: None. (But, the Mayor and the Board of Supervisors could set compensation as part of the City budget under Charter section A8.400.)

Health Benefits: Eligible for health benefits. (Administrative Code §16.700(c)(33).)

Appointment and Removal of Department Head: Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the Department Head from a list of three or more qualified candidates submitted by the Commission. The Commission may remove the Department Head on its own initiative. (Charter §4.102(6).) 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).)
RETIREMENT BOARD

**CHARTER §12.100**

**Purpose:** In accordance with Article XVI, Section 17, of the California Constitution and Section 12.100 of the Charter, the Retirement Board has plenary authority and fiduciary responsibility for investment of monies and administration of the City's Retirement System. The Board is the sole authority and judge, consistent with the Charter and Administrative Code, as to the conditions under which members of the Retirement System may receive benefits under the Retirement System (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 members and retirees of the Retirement System from among their number; and three public members appointed by the Mayor under Charter section 3.100. (Charter §12.100.) 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. (Charter §12.100). There may not be, at any one time, more than one retired person on the Board. (Charter §12.100).

**Term:** The term of the members, other than the Board of Supervisors member, shall be five years, one term expiring on February 20th of each year. (Charter §12.100). The Board of Supervisors member serves without a specified term, but may be replaced at any time if the President of the Board of Supervisors makes a new appointment. Charter section 4.101.5 “Hold-Over Service by Commissioners” is not applicable. Midterm vacancies are filled by the Mayor for the remainder of the unexpired term, except that in the case of elected members, a vacancy is 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. (Charter §12.100.)

**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:** None. (But, the Mayor and the Board of Supervisors could set compensation as part of the City budget under Charter section A8.400.)

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(35)).

**Appointment and Removal of Department Head:** The Retirement Board appoints and may remove an Executive Director and an actuary (the position title at the Retirement System is “Actuarial Services Coordinator”). (Charter §12.100.)
RETIREE HEALTH CARE TRUST FUND BOARD

**Purpose:** The Retiree Health Trust Fund Board administers the Retiree Health Care Trust Fund – an irrevocable trust fund established under Charter section A8.432 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 Charter section A8.432. (Charter §12.204.) Currently, other than the City, the San Francisco Community College District is the only other participating employer in the Retiree Health Care Trust Fund.

**Members:** Consists of five members: the Controller; the City Treasurer; the Executive Director of the San Francisco Employees Retirement System, or their respective designees; and two members elected from among active and retired members of the City's Health Service System. (Charter §12.204.) A member may not simultaneously serve 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. (Charter §12.204.)

**Term:** Each elected member/trustee shall serve for a term of five years. (Charter §12.204.) Charter section 4.101.5 “Hold-Over Service by Commissioners” is not applicable. A vacancy in an elective office on the Board is filled by a special election, unless a regular election is to be held within the next six months after such a vacancy has occurred. (Administrative Code §16.551.)

**Compensation:** Not specified. (But, the Mayor and the Board of Supervisors could set compensation under Charter §A8.400.)

**Health Benefits:** Eligible for health benefits. (Charter §12.202)

**Appointment and Removal of Department Head:** The Retiree Health Care Trust Fund currently does not have a department head. Currently, the Controller acts as the Trust Fund administrator.
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 53

SMALL BUSINESS COMMISSION  

CHARTER §4.134

**Purpose:** The Commission formulates and evaluates goals, objectives, plans, and programs and sets policies for the City regarding small businesses, consistent with any overall objectives established by the Mayor and the Board of Supervisors through the adoption of legislation. (Administrative Code §2A.240(a)(1).) Additionally, the Commission collects and analyzes information about the small business economy in San Francisco and conducts investigations under its power of inquiry into any aspect of governmental operations affecting small businesses, including holding hearings and taking testimony, and makes recommendations to the Mayor or the Board of Supervisors. (Administrative Code §2A.240(a)(10).)

**Members:** Consists of seven members: four members are appointed by the Mayor and subject to disapproval by two-thirds vote of the Board of Supervisors, and three members are appointed by the Board of Supervisors. (Charter §4.134.) At least five of the seven Commissioners must own, operate or be officers of a small business located in San Francisco. (Charter §4.134(b).) Only voters can change the number, qualifications or method of appointment of Commission members, or abolish the Commission. (Charter §4.134.)

**Term:** Four years. (Charter §4.134(a).) (The Mayor designated two of the Mayor's initial appointees to serve two-year terms. Thereafter all Commissioners serve for four-year terms.) (Charter §4.134(a).) Charter section 4.101.5 limits holdover tenure of commissioners by mandating that the tenure of all commissioners cease 60 days after their term expires. (Charter §4.101.5.)

**Removal:** Members serve at the pleasure of the appointing authority. (Charter §4.134(a).)

**Compensation:** None. (But, the Mayor and the Board of Supervisors could set compensation under Charter section A8.400.)

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(36).)

**Appointment and Removal of Department Head:** Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the Department Head of the Small Business Commission from a list of three names submitted by the Commission. Only the Commission may remove the Department Head. (Charter §4.102(6).) But the Mayor may recommend removal of the Department Head to the Commission, and it is the Commission’s duty to act on the Mayor’s recommendation by removing or retaining the Department Head within 30 days. (Charter §4.102(6).) Failure to act on the Mayor’s recommendation constitutes official misconduct. (Charter §4.102(6).)
TAXI COMMISSION

[No longer in existence.]

On March 1, 2009, all powers and duties of the Taxi Commission were transferred to the Municipal Transportation Agency under an ordinance enacted by the Board of Supervisors. (Charter §8A.101(b).) As a result, the Municipal Transportation Agency created the Taxi and Accessible Services division within the Agency. The Municipal Transportation Agency's Board of Directors now governs this division and exercises all remaining powers of the Taxi Commission.
WAR MEMORIAL BOARD OF TRUSTEES

**Purpose:** The Board of Trustees is responsible for the construction, administration, management and operation of the War Memorial and Performing Arts Center of the City and County of San Francisco. (Administrative Code §2A.165.1.) The City holds these assets in trust.

**Members:** Consists of 11 trustees appointed by the Mayor under Charter section 3.100(18). (Charter §5.106.) In making appointments, the Mayor shall consider veterans and others who may have a special interest in the purpose for which the War Memorial and Performing Arts Center exist. (Charter §5.106.) Charter section 5.100 requires that vacancies on the Board of Trustees be filled within 90 days.

**Term:** Four years. (Charter §5.106.) Charter section 4.101.5, Hold-Over Service by Commissioners, is not applicable.

**Removal:** May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter section 15.105. (Charter §5.106.)

**Compensation:** None. (But, the Mayor and the Board of Supervisors could set compensation as part of the City budget under Charter section A8.400.)

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(39).)

**Appointment and Removal of Department Head:** The War Memorial Board appoints and may remove the Director. (Charter §5.106.)
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities  

PAGE: 56

YOUTH COMMISSION

CHARTER §§4.122, 4.123

Purpose: The Commission advises the Board of Supervisors and Mayor on issues relating to children and youth. (Charter §4.122.)

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. Members serve at the pleasure of their appointing authorities. The Board of Supervisors has no authority to reject appointees. (Charter §3.100(18) does not apply.)

Term: One year. If a vacancy occurs during the term of office of any voting member, a successor shall be appointed to complete the unexpired term of the office vacated in a manner similar to that which governed the initial appointment. (Charter §4.123(b).)

Removal: May be removed by their respective appointing authorities under Charter §4.123(a). Under Charter section 4.123(c), 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 from the Commission effective on the date of written certification by the Commission.

Compensation: Prohibited. (Charter §4.123(d).)

Health Benefits: Eligible for health benefits. (Administrative Code §16.700(40).)

Appointment and Removal of Department Head: Charter section 4.122 places the Youth Commission under the jurisdiction of the Board of Supervisors. The Youth Commission does not administer or oversee any City department, and accordingly does not appoint a separate department head. (Upon the recommendation of the Youth Commission, the Clerk of the Board of Supervisors appoints a Director and staff members.)
B. CITY BOARDS, COMMISSIONS AND CERTAIN OTHER ENTITIES CREATED BY ORDINANCES AND RESOLUTIONS

1. BOARDS, COMMISSIONS AND CERTAIN OTHER ENTITIES CREATED BY VOTER-APPROVED ORDINANCES

CITIZENS’ GENERAL OBLIGATION BOND OVERSIGHT COMMITTEE

**Purpose:** The Committee conducts hearings and reviews documentation relating to the City's general obligation bond programs and informs the Board of Supervisors and the public concerning the expenditure of the proceeds of such general obligation bonds. (Administrative Code §5.31.) If the Committee determines that general obligation bond proceeds from a particular authorization have been used in a manner inconsistent with the voter authorization of such bond program, the Committee is empowered to prohibit further issuances of general obligation bonds under such authorization, unless the Committee’s determination is appealed to the Board of Supervisors within 30 days and overturned by a super majority vote by the Board. (Administrative Code §5.34.) Under Proposition C, approved by the voters on November 4, 2003, the Committee also serves as a Citizens' Audit Review Board, reviewing service standards, audits and the City's whistleblower program. (Administrative Code §5.31, Charter Appendix F.)

**Members:** Consists of at least nine members. (Administrative Code §5.33.) The Mayor appoints three members, the Board of Supervisors appoints three members, the Controller appoints two members, and the Civil Grand Jury appoints one member. (Administrative Code §5.33.) Of the Mayor’s appointees, one member must be active in a business organization representing the business community located within the City, one member must be active in a labor organization, and one must be active in a community organization. (Administrative Code §5.33.) The Mayor’s appointees are not subject to disapproval by the Board of Supervisors. (Administrative Code §5.33.) Of the Board’s appointees, one member must be active in a business organization representing the business community located within the City, one member must be active in a labor organization, and one must be active in a community organization. (Administrative Code §5.33.) Of the Controller’s appointees, one must have expertise in auditing governmental financial statements or expertise in public finance law, and the other must have expertise in construction management. (Administrative Code §5.33.) The Committee member appointed by the Civil Grand Jury must be a member of the Civil Grand Jury or a designee appointed by the Civil Grand Jury. (Administrative Code §5.33.) No employee or official of the City may be appointed to the Committee. (Administrative Code §5.33.) No vendor, contractor, or consultant of the City that performs work funded by bonds issued by the City may be appointed to the Committee. (Administrative Code §5.33.)
Term: Two years; No member shall serve more than two consecutive terms. (Administrative Code §5.33.)
Removal: Not specified.
Compensation: Prohibited. (Administrative Code §5.33.)
Health Benefits: Not eligible for health benefits.
Appointment and Removal of Department Head: Not applicable.
GOLDEN GATE PARK CONCOURSE AUTHORITY

Purpose: The principal purposes of the Authority are to (1) create a pedestrian oasis in the Music Concourse area of Golden Gate Park, situated between the de Young Museum and the Academy of Sciences (the “Concourse”) and (2) take steps to reduce the impact of automobiles in the Park while still providing long-term safe, reliable and convenient access for visitors to the Park and its cultural institutions. (Administrative Code, Appendix 41 §1.) The Authority has the power to construct an underground parking facility in the Music Concourse subject to certain conditions, such as removal of surface parking spaces. (Administrative Code, Appendix 41 §3.)

Members: Consists of seven directors appointed by the Mayor. (Administrative Code, Appendix 41 §4.) Appointments become effective immediately when made, 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. (Administrative Code, Appendix 41 §4.) Directors must be City residents and 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. (Administrative Code, Appendix 41 §4.) No single interest may be represented by a majority of the members appointed. (Administrative Code, Appendix 41 §4.)

Term: Four years. Members may serve unlimited number of consecutive terms. (Bylaws, Article V §8.) Since the Authority is not created by Charter, Charter section 4.101.5 does not apply, which means that members cannot serve as hold-over members. The Mayor appoints a replacement for any midterm vacancy. (Administrative Code, Appendix 41 §4.)

Removal: May be suspended by the Mayor and removed by the Board of Supervisors for official misconduct under Charter §15.105. (Charter §15.105; Administrative Code, Appendix 41 §4.)

Compensation: Prohibited. (Administrative Code, Appendix 41 §9.)

Health Benefits: Eligible for health benefits. (Administrative Code §16.700(c)(13).)

Appointment and Removal of Department Head: Under Golden Gate Park Concourse Authority Bylaws, Article VII, the Authority’s Board of Directors appoints and may remove the Chief Executive Officer.
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities  

PAGE: 60  

PUBLIC UTILITIES REVENUE BOND OVERSIGHT COMMITTEE  

ADMINISTRATIVE CODE §§5A.30 et seq.  

Purpose: The Public Utilities Revenue Bond Oversight Committee (“Committee”) conducts public hearings and oversees the expenditure of revenue bond proceeds by the Public Utilities Commission (PUC). (Administrative Code §§5A.31(b); (c)(2).) The Committee is responsible for reporting publicly to the Mayor, the PUC and the Board of Supervisors regarding the expenditure of revenue bond proceeds for the repair, replacement, upgrade and expansion of the City's water collection, power generation, water distribution and wastewater treatment facilities. (Administrative Code §5A.31(a).) If the Committee determines, after consultation with the City Attorney, that revenue bond proceeds have been used illegally or in a manner inconsistent with the authorization for such revenue bonds, the Committee is empowered to prohibit further issuances of revenue bonds by the PUC. (Administrative Code §5A.34(a).) Any such decision by the Committee is appealable to the Board of Supervisors. (Administrative Code §5A.34(b).) The Committee also has the authority to hire independent auditors, inspect bond financed facilities and review the PUC’s capital improvement plans. (Administrative Code §5A.31(c)(6).)

Members: Consists of seven members, appointed as follows: two by the Mayor; two by the Board of Supervisors; one by the Controller; and one by the governing body of the Bay Area Water Users Association. (Administrative Code §5A.33(a).) The seventh member is the Budget Analyst for the Board of Supervisors or his/her representative. (Administrative Code §5A.33(a).) Members appointed by the Mayor are not subject to disapproval by the Board of Supervisors. Members appointed by the Mayor and the Board must, individually or collectively, have expertise, skills and experience in economics, the environment, construction and project management. (Administrative Code §5A.33(b).) The member appointed by the Controller must have background and experience in auditing, accounting and project finance. (Administrative Code §5A.33(b).) Except as expressly authorized in the governing legislation, no City officer or employee, except for those identified above, may serve on the Committee. (Administrative Code §5A.33(c).) All members of the Committee are subject to applicable conflict of interest provisions of local and state law. (Administrative Code §5A.33(c).) No vendor, contractor or consultant of the City that performs work funded by bonds issued by the City may serve on the Committee. (Administrative Code §5A.33(c).)

Term: Four years. (Administrative Code §5A.33(d).) Committee members may serve no more than two consecutive terms. (Administrative Code §5A.33(d).)

Compensation: Each Committee member, except City employees appointed to serve as part of their official City duties and the Budget Analyst or employees of the Budget Analyst, is paid $100 per month during each year of the member's term; the Board shall fund such payment from sources other than revenue bonds. (Administrative Code §5A.33(e).)

Health Benefits: Not eligible for health benefits.

Appointment and Removal of Department Head: Not applicable.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and
Commissions and Certain Other Entities, Removal and Other Related Matters,
Appointment and Removal of Department Heads Under those Boards and
Commissions, and Mayoral Voting Seats on Certain Boards and Commissions
and Other Entities

PAGE: 61
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities  
PAGE: 62

STREET ARTISTS AND CRAFTSMEN EXAMINERS ADVISORY COMMITTEE

POLICE CODE ARTICLE 24, §§2400 et seq.

Purpose: The Committee advises the Arts Commission on matters relating to the wares produced by street artists, and performs other functions as directed by the Commission.

Members: Consists of five members appointed by the Mayor. Each member is appointed from three names submitted by the Arts Commission. Four of the members are experienced artists or craftsmen. The fifth member is an art educator. The Mayor’s appointments are not subject to disapproval by the Board of Supervisors.

Term: Two years.

Removal: May be removed by the Mayor.

Compensation: Each member is compensated for the time he or she spends in this capacity as assigned by the Chairperson, at a rate of pay as established from time to time by the Board of Supervisors. Police Code section 2402 sets forth the current rate of the Committee’s compensation.

Health Benefits: Not eligible for health benefits.

Appointment and Removal of Department Head: Not applicable.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 63

SWEATFREE PROCUREMENT ADVISORY GROUP

**Purpose:** The Advisory Group’s primary purposes are to evaluate the implementation, administration, and enforcement of the Sweatfree Contracting Ordinance (Administrative Code Chapter 12U), and to evaluate the industries engaged in the manufacture and sale of goods to determine whether City contracts for any goods, including apparel and garments, should be targeted for enforcement. Also, the Advisory Group determines how the City may maximize its purchase of goods produced in San Francisco and examines how the City may provide preferences and/or incentives to garment industry manufacturers in San Francisco that are in compliance with the Ordinance, and explores the expansion of preferences and/or incentives to other industries. The Advisory Group also has a consultative role with respect to regulations implementing the comparative compliance section 12U.9.5 of the Ordinance.

**Members:** Consists of eleven members: five appointed by the Mayor, five by the Board of Supervisors, and one by the Controller. At least one mayoral appointee and one Board appointee must have significant experience representing employees in labor matters. At least one mayoral appointee and one Board appointee must have significant experience acquiring goods or services for a public entity. At least one mayoral appointee and one Board appointee must have significant experience as an advocate for human rights or the poor. The Controller’s appointee must have significant experience in finance, financial auditing, or accounting.

**Term:** Two years.

**Removal:** Members serve at the pleasure of the appointing authority.

**Compensation:** None.

**Health Benefits:** None.

**Appointment and Removal of Department Head:** Not applicable.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 64

TREASURY OVERSIGHT COMMITTEE

ADMINISTRATIVE CODE §10.801 et seq.

Purpose: The Treasury Oversight Committee for the City and County of San Francisco advises the Treasurer regarding its investment policy. (Administrative Code §10.80-1). The duties of the Committee are as follows (Administrative Code §10.80-2):

(a) Review and monitor the investment policy, described in Government Code section 27133 and annually prepared by the County Treasurer; and
(b) Cause an annual audit to be conducted to determine the Treasurer's compliance with Government Code Article 6, including sections 27130 through 27137, and with the requirements of the San Francisco Administrative Code. The audit may examine the structure of the investment portfolio and risk.

The Committee is not permitted to direct individual decisions, select individual investment advisors, brokers, or dealers, or to impinge on the day-to-day operations of the Treasurer. The Committee was established to involve depositors of funds into the City and County Treasury in reviewing the policies for investment of surplus funds that guide the management of their funds and to enhance the security and investment return on those funds by providing a more stable and predictable balance for investment and establishing criteria for the withdrawal of funds. (Administrative Code §10.80-1).

Members: The Committee consists of five members. (Administrative Code §10.80-1). The members of the Committee are nominated by the Treasurer and confirmed by and serve at the pleasure of the Board of Supervisors. (Administrative Code §10.80-1). (a) Composition of Committee. The Committee consists of members drawn from the following (Administrative Code §10.80-3):

(1) The County Treasurer;
(2) The County Controller;
(3) A representative appointed by the Board of Supervisors;
(4) The County Superintendent of Schools or his/her designee;
(5) The Chancellor of the Community College District or his/her designee;
(6) Members of the public:
  (A) A majority of which shall have expertise in, or an academic background in, public finance, and
  (B) The combination of whom shall be economically diverse and bipartisan in political registration.

Conditions for Membership (Administrative Code §10.80-3):
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities  

PAGE: 65

(1) A member of the Committee may not be employed by an entity that had contributed to a reelection campaign of the Treasurer or a member of the Board of Supervisors in the previous three years.
(2) A Committee member may not directly or indirectly raise money for the County Treasurer or a member of the Board of Supervisors while a member of the Committee.
(3) A Committee member may not secure employment with bond underwriters, bond counsel, security brokerages or dealers, or with financial services firms for three years after leaving the Committee.

Term: Four years. (Administrative Code §10.80-4). Since the Committee is not created by Charter, Charter section 4.101.5 does not apply, which means that committee members cannot serve as hold-over members.
Removal: Members serve at the pleasure of the Board of Supervisors. (Administrative Code §10.80-1).
Compensation: Not specified.
Health Benefits: Not eligible for health benefits. (Administrative Code §16.700(c)).
Appointment and Removal of Department Head: Not applicable.
2. BOARDS, COMMISSIONS AND CERTAIN OTHER ENTITIES CREATED BY ORDINANCES AND RESOLUTIONS APPROVED BY THE BOARD OF SUPERVISORS

BALLOT SIMPLIFICATION COMMITTEE

MUNICIPAL ELECTIONS CODE (MEC) §600, et seq.

Purpose: The Committee prepares a digest of each measure that will be voted on only in the City and County of San Francisco, and assists the Director of Elections in preparing materials for publication in the City's Voter Information Pamphlet. (MEC §610.) The Pamphlet is mailed to all registered voters in advance of each election. (Charter §13.107.)

Members: Consists of five voting members and one non-voting member. (MEC §600.) The Mayor appoints two voting members: one educational reading specialist recommended by the Superintendent of Schools of the San Francisco Unified School District, and one person from names provided by the Northern California Newspaper Guild. (MEC §600.) The Mayor's appointees are not subject to disapproval by the Board of Supervisors. (MEC §600.) The Board of Supervisors appoints three voting members. (MEC §600.) Two are nominated by the National Academy of Television Arts and Sciences, Northern California Chapter, or the Northern California Broadcasters Association. (MEC §600.) The third member is nominated by the League of Women Voters of San Francisco. (MEC §600.) The City Attorney or his or her designated representative serves ex officio and has a voice but no vote. (MEC §600.) Each voting member must be a San Francisco registered voter, possessing an understanding of ballot issues, writing skills, and training sufficient to provide understandable written communications to the general public. (MEC §600.)

Term: Two years, unless removed earlier by the appointing authority. (MEC §600.) A successor is appointed to fill the unexpired term of office in the like manner as those originally appointed. (MEC §600.)

Removal: May be removed by the appointing authority. (MEC §600.)

Compensation: Prohibited. (MEC §600.)

Health Benefits: Not eligible for health benefits.

Appointment and Removal of Department Head: Not applicable.
BAYVIEW HUNTERS POINT CITIZENS ADVISORY COMMITTEE

ADMINISTRATIVE CODE §§5.70 et seq.

Purpose: The Committee’s primary purpose is to provide policy advice to the Board of Supervisors and City boards, commissions and departments on planning and land use matters in Zone 2 of the Bayview Hunterspoint Redevelopment Project Area (the “Project Area”) and on the appropriateness of projects, and land use and zoning designations for projects in Zone 2 or Survey Area C of the Project Area. (Administrative Code §5.71(a).)

Members: The Committee consists of twelve members. The Supervisor of District 10, the Mayor, and the City Administrator each appoints four members. Three of the members appointed by each appointing authority have the authority to vote on actions by the Committee (“voting members”) and one of the members does not have the authority to vote on actions (“nonvoting member”). An employee of the City may be appointed as a nonvoting member, but may not be appointed as a voting member. Each member of the Committee must have a capacity for volunteerism and be able to commit at least ten hour per week to the work of the Committee. In addition, each member must have one or more of the following qualifications: (1) experience working with multiple City boards, commissions, departments, or their representatives; (2) a workman-like understanding or high level of interest in land use policies and requirements, zoning issues for Zone 2, and a high level of interest in reviewing projects in that area; or (3) familiarity with architecture, engineering, construction, historic preservation, public art, transportation and city planning, community benefits, low-income housing development or land use in San Francisco or other urban areas. Nonvoting members also must have professional expertise or training in disciplines such as architecture, land use, or urban planning that would be helpful to the Committee in the performance of its duties. Each member must be one of the following: (1) a resident of the Project Area; (2) a person who owns a business with a fixed office in the City or real property in the City; (3) a representative of a neighborhood group in the Project Area; or (4) a resident of San Francisco with experience working on architecture, planning, or land use issues in San Francisco. (Administrative Code §5.71(b).)

Term: Two years. (Administrative Code §5.71(b)(1)(D).)

Removal: Each member serves at the pleasure of the member’s appointing authority. (Administrative Code §5.71(b)(1)(C).)

Compensation: Members serve without compensation. (Administrative Code §5.71(b)(1)(C).)

Health Benefits: Members are not eligible for health benefits. (Administrative Code §5.71(b)(1)(C).)

Appointment and Removal of Department Head: Not applicable. But the Administrative Code provides that, subject to budgetary and fiscal provisions of the Charter, the City Administrator’s Office shall provide staff to assist the Committee to organize and conduct its public meetings and perform related responsibilities. (Administrative Code §5.71(b)(6).)
CITIZENS ADVISORY COMMITTEE FOR STREET UTILITY CONSTRUCTION

Purpose: The Committee secures citizens' input concerning general problems relating to use of, or the digging-up of, streets and sidewalks by utility companies or city departments, and recommends to the Street Utilities Coordinating Committee ways and means to alleviate these problems. (Administrative Code §5.66.)

Members: Consists of 21 members appointed by the Mayor. (Administrative Code §5.64.) One representative is appointed from each of the following: Department of Public Works; San Francisco Department of Telecommunications and Information Services; Police Department; Water Department; Municipal Railway; Pacific Gas and Electric Company, Gas Division; Pacific Gas and Electric Company, Electric Division; Pacific Telephone Company; Western Union; Television Signal Corporation; San Francisco Planning and Urban Renewal Association; Greater San Francisco Council of District Merchants Association; Associated General Contractors of California; organized labor; and Downtown Association. (Administrative Code §5.64.) Six members are appointed from neighborhood organizations representing the various neighborhoods within the City. (Administrative Code §5.64.) The Mayor's appointees are not subject to disapproval by the Board of Supervisors. The Committee elects a Chair from the membership. (Administrative Code §5.64.) Any member may delegate an alternate within his or her respective organization to represent him or her at any meeting of the Committee in the member's absence. (Administrative Code §5.64.) If a vacancy occurs, the Mayor appoints a replacement. (Administrative Code §5.64.)

Term: Not specified.
Removal: Not specified.
Compensation: Not specified.
Health Benefits: Not eligible for health benefits.
Appointment and Removal of Department Head: Not applicable.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

CITY HALL PRESERVATION ADVISORY COMMISSION

ADMINISTRATIVE CODE §5.240

Purpose: This Commission is an advisory body responsible for ensuring that the building’s historical character and beauty are preserved in a manner befitting its architectural significance, and that the facilities are maintained according to the highest standard and not allowed to fall into disrepair. (Administrative Code §5.240.)

Members: Consists of five members appointed by the Mayor and confirmed by a majority vote of the Board of Supervisors. (Administrative Code §5.241(a).) At least one member of the Commission must have documented expertise in the area of building maintenance and repair. (Administrative Code §5.241(b).) At least one member must have documented expertise in the area of historic building preservation. (Administrative Code §5.241(b).) At least one member must have documented expertise in the history of City Hall. (Administrative Code §5.241(b).)

Term: Four years. (Administrative Code §5.241(a).) The Mayor must designate three of his initial appointments to serve for two-year terms, and two to serve for four-year terms. (Administrative Code §5.241(a).) Thereafter, all members shall serve for four-year terms. (Administrative Code §5.241(a).) The terms are to commence on the date of the first meeting of the Commission, which may not occur until all five members have been appointed. (Administrative Code §5.241(a).) Since the Commission is not created by Charter, Charter section 4.101.5 does not apply, which means that commissioners cannot serve as hold-over commissioners.

Removal: Serve at the pleasure of the Mayor. (Administrative Code §5.241(a).)

Compensation: Prohibited. (Administrative Code §5.241(d).)

Health Benefits: Not eligible for health benefits. (Administrative Code §16.700(c).)

Appointment and Removal of Department Head: Not applicable. But the Administrative Code provides that the Commission shall, at its initial meeting and annually thereafter, elect one of its members to chair the Commission. (Administrative Code §5.241(c).) Also, the Director of Administrative Services, or his/her designee, must attend meetings of the Commission and provide staff support. (Administrative Code §5.241(c).)
COMMISSION OF ANIMAL CONTROL & WELFARE

Purpose: The Commission holds hearings and submits recommendations regarding animal control and welfare to the Board of Supervisors and the City Administrator; studies and recommends requirements for the maintenance of animals in public, private, and commercial care; and works with the Tax Collector, the Director of the Animal Care and Control Department, and authorized licensing entities to develop and maintain dog licensing procedures and make recommendations on fees. (Health Code §41.2.)

Members: The Commission consists of eleven members. (Health Code §41.1.) The Commission consists of the Director of the Animal Care and Control Department or his or her designated representative, seven members appointed by the Board of Supervisors, and one City Department representative member appointed by each of the following: the Director of the Department of Public Health or his or her designated representative, the Chief of Police or his or her designated representative, and the General Manager of the Recreation and Park Department or his or her designated representative. (Health Code §41.1.) The members appointed by the Board of Supervisors consists of six members representing the general public having interest and experience in animal matters and one licensed veterinarian practicing in San Francisco. (Health Code §41.1.) Each member of the Commission must be a resident of the City and County of San Francisco, except for the licensed veterinarian, who must practice in San Francisco, but who need not be a resident of San Francisco. (Health Code §41.1.)

Voting members of the Commission are the seven members appointed by the Board of Supervisors. (Health Code §41.1.) The remaining commissioners report to the Commission regarding their Department’s activities and participate in general discussion as non-voting members. (Health Code §41.1.) No two individuals on the Commission may be representatives, employees or officers of the same association, organization or City Department. (Health Code §41.1.)

Term: Two years, except that all of the vacancies occurring during a term shall be filled for the unexpired term. A member shall hold office until his/her successor has been appointed. (Health Code §41.1.)

Removal: Any member who misses three regularly scheduled meetings of the Commission during each two-year term without the express approval of the Commission given at a regularly scheduled meeting will be deemed to have resigned from the Commission. (Health Code §41.1.)

Compensation: None. (Health Code §41.1.)

Health Benefits: Not eligible for health benefits.

Appointment and Removal of Department Head: Not applicable.

Note Regarding Commission Chairperson: The Commission shall elect a chairperson from among its appointed members. (Health Code §41.1.) The term of office as chairperson of the
Commission shall be for the calendar year or for the portion thereof remaining after each such chairperson is elected. (Health Code §41.1.)

**Note Regarding the Animal Care and Control Department** (Health Code §§41(j), (k); 41.4): The Animal Care and Control Department is under the jurisdiction of the City Administrator. The Department consists of a Director and such employees and assistants as may be necessary to carry out the work and functions of the Department. The City Administrator appoints an Animal Control Officer who serves at the pleasure of the City Administrator as the Director of the Animal Care and Control Department.

The Animal Care and Control Department functions include operating the City’s animal shelter, providing medical care for animals in its care and basic health screening for all animals, overseeing volunteer programs, providing information on animal control laws, and maintaining records of all animal control activities. The Department enforces the provisions of Health Code Article I (§§1-66); charges and collects the fees, fines and deposits as required by Health Code Article I (§§1-66); and carries out the duties and functions of the Animal Control Officer as defined in Health Code Article I (§§1-66) and Article 18 (§985), and San Francisco Business and Tax Regulations Code §§220-221.3.
TO:        Mayor Lee, and Clerk of the Board Calvillo
DATE:     August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and
     Commissions and Certain Other Entities, Removal and Other Related Matters,
     Appointment and Removal of Department Heads Under those Boards and
     Commissions, and Mayoral Voting Seats on Certain Boards and Commissions
     and Other Entities

PAGE:  72

DISASTER COUNCIL

Purpose: The Council develops an emergency plan for the City. (Administrative Code §7.4.) The Council also recommends to the Board of Supervisors any mutual-aid plans, and such ordinances, resolutions, rules and regulations as are necessary to implement the emergency plan. (Administrative Code §7.4.)

Members: The Mayor is Chair of the Council, and appoints a Vice-Chair who acts on the Mayor's behalf as directed by the Mayor or when the Mayor is absent. (Administrative Code §7.3.) The remaining members of the Council include: City officers in charge of emergency services under the current emergency plan (such as the Chief of Police, the Fire Chief, and the Director of Public Health); three members of the Board of Supervisors appointed by the President of the Board; the Controller; and such other representatives of civic, business, labor, veterans, professional, or other organizations having an official emergency responsibility as may be appointed by the Mayor. (Administrative Code §7.3.) (The full membership of the Disaster Council is listed on the Department of Emergency Management’s website.) The Mayor's appointees are not subject to disapproval by the Board of Supervisors. The Director of Emergency Services [now the Director of Emergency Management] is also a member of the Disaster Council, and serves as its Executive Secretary. (Administrative Code §7.3.)

Term: Not specified.
Removal: Not specified.
Compensation: Not specified.
Appointment and Removal of Department Head: Not applicable.
FAMILY VIOLENCE COUNCIL  

**Purpose:** The Council advises and submits recommendations to the Board of Supervisors regarding the problem of family violence. (Administrative Code §5.190.) It increases awareness and understanding of family violence, recommends programs and policies that promote communication and coordination of City and community-based organizations’ services relating to child abuse, domestic violence, and elder/dependant abuse, and recommends to the Board of Supervisors and Mayor programs, policies and coordination of City services that may reduce the incidence of family violence in San Francisco. (Administrative Code §5.190.) The Council collects and compiles public information regarding: arrest and restraining order enforcement policies; screening and prosecution of cases; issuance of protective orders; identification of family violence in other legal proceedings; and monitoring of offenders after judgment. (Administrative Code §5.190-1(7).) The Council also collects and analyzes public information relating to programs for victims of family violence and services for offenders on probation. (Administrative Code §5.190-1(8).) It analyzes current and projected revenue and funding sources and recommends prospective revenue sources for response to family and domestic violence, and responds to inquiries from the Board of Supervisors. (Administrative Code §5.190-1(9).)

**Members:** Consists of between 18 and 21 members. (Administrative Code §5.190-4.) The following individuals, or their designee, serve *ex officio:* Presiding Judge of the Superior Court, Mayor, President of the Board of Supervisors, District Attorney, Chief of Police, Sheriff, President of the Commission on the Status of Women, Chief of Adult Probation, Chief of Department of Emergency Management, Executive Director of the Domestic Violence Consortium, Executive Director of the Human Services Agency, Executive Director of the Consortium for Elder Abuse Prevention, Executive Director of the San Francisco Child Abuse Council, Director of the Department of Public Health, Director of the Department of Aging and Adult Services, Director of the Department of Children, Youth and Their Families, Chair of the Consortium of Batterers Intervention Programs, and Director of Child Support Services. (Administrative Code §5.190-4.) The Steering Committee has the authority to appoint up to three at-large members. (Administrative Code §5.190-4(a).)

**Term:** At-large members: one year. *Ex officio* members: no term. (Administrative Code §5.190-4(a).)

**Removal:** If an at-large member misses three regularly scheduled meetings in any 12 month period without express approval of the Council, the Steering Committee may appoint a new at-large member. (Administrative Code §5.190-5(a).) If an ex-officio member misses three regularly scheduled meetings in any 12-month period without the express approval of the Council, the Steering Committee may ask the *ex officio* member to designate another individual to occupy that seat. (Administrative Code §5.190-5(a).)

**Compensation:** Prohibited. (Administrative Code §5.190-5(b).)
Health Benefits: Not eligible for health benefits.
Appointment and Removal of Department Head: Not applicable.
FILM COMMISSION

ADMINISTRATIVE CODE §§57.2, 57.3

**Purpose:** The Commission develops, recognizes, and promotes film activities in the City. (Administrative Code §57.3.) The Executive Director coordinates the efforts of City departments where filming uses City property and employees. (Administrative Code §57.4.) Also, the Executive Director is the sole City representative authorized to negotiate use contracts with entities filming in San Francisco. (Administrative Code §57.5.)

**Members:** Consists of 11 members appointed by the Mayor. (Administrative Code §57.2.) At least six members must be residents of the City and County. (Administrative Code §57.2(b).) The Commission is to be composed of "outstanding members of the community." (Administrative Code §57.2(b).) 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. (Administrative Code §57.2(b).) Members must be broadly representative of ethnic, racial, gender, age, and sexual orientation groups, and otherwise reflect the diversity of the City. (Administrative Code §57.2(b).) The President of the Arts Commission of the City is invited to serve as a non-voting, *ex officio* member of the Film Commission. (Administrative Code §57.2.)

**Term:** Four years. (Administrative Code §57.2(c).) Vacancies occurring during a term shall be filled for the unexpired term. (Administrative Code §57.2(c).)

**Removal:** May be removed by the Mayor.

**Compensation:** Prohibited. But, upon a majority vote of the Commission, Commissioners may be reimbursed for expenses incurred resulting from their authorized activities on behalf of the Commission. (Administrative Code §57.2(d).)

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(19).)

**Appointment and Removal of Department Head:** Under Charter sections 3.100(19) and 4.102(5), the Mayor appoints the Department Head from a list of three or more qualified candidates submitted by the Commission. 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).)
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities  

PAGE: 76

GRAFFITI ADVISORY BOARD  
ADMINISTRATIVE CODE Chapter 5, Article XVIII, §5.170 et seq.

Purpose: The Graffiti Advisory Board advises the Mayor and the Board of Supervisors on methods to improve the enforcement, prevention, and remediation of graffiti on both public and private property in San Francisco. (Administrative Code §5.170.) The Board shall prepare and submit to the Board of Supervisors and the Mayor a report every six months on graffiti as it affects neighborhoods and the downtown area of San Francisco. (Administrative Code §5.172(a).)

Members: Consists of 25 voting members. (Administrative Code §5.170(b).) The Mayor may serve ex officio or appoints one member. (Administrative Code §5.170(b)(1).) Each individual member of the Board of Supervisors appoints one representative. (Administrative Code §5.170(b).) The Board of Supervisors as a whole appoints six additional members to represent each of the following: one member for youth groups who provide graffiti diversion services for juveniles; one member for nonprofit organizations who provide services related to City beautification and neighborhood cleanup programs; two members for San Francisco businesses, one of which must be a property owner; one member for San Francisco private or art schools; and the contracting agency for Municipal Railway shelters. (Administrative Code §5.170(b).) For the remaining seven members, the following officials and organizations appoint one member each: the General Manager of the Municipal Railway, the Director of the Department of Public Works, the Executive Director of the Department of Parking and Traffic, the General Manager of the Recreation and Park Department, the District Attorney, the Chief of Police, and the Board of Education of the San Francisco Unified School District. (Administrative Code §5.170(b).) All members of the Advisory Board must be electors and residents of the City. (Administrative Code §5.170(c).)

Term: The eleven persons appointed by individual members of the Board of Supervisors serve at the pleasure of the appointing supervisor and serve a term of two years. (Administrative Code §5.170(b).) These appointments shall be effective when written notice of the appointment is received by the Clerk of the Board of Supervisors. The six members appointed by the Board of Supervisors serve terms of two years. Terms of the other members are not specified. (Administrative Code §5.170(b).) Since the Commission is not created by Charter, Charter section 4.101.5 does not apply, which means that commissioners cannot serve as hold-over commissioners. If a vacancy occurs, a successor is appointed to fill the vacancy consistent with the process and requirements to appoint the previous appointee. (Administrative Code §5.171(a).)

Removal: The Secretary shall record absences, and shall report all instances of non-notified absences as well as any instance of three consecutive absences of a member from regular meetings in a fiscal year to the member’s appointing authority for possible removal. (Graffiti Advisory Board Bylaws II(G).) If a member is absent four times in a calendar year, the Chair
shall write a letter to the member’s appointing authority, informing them of the member’s four absences and requesting the removal of that member and appointment of a replacement member. (Graffiti Advisory Board Bylaws II(G).)

**Compensation:** Prohibited. (Administrative Code §5.174.)

**Health Benefits:** Not eligible for health benefits. (Administrative Code §16.700(c).)

**Appointment and Removal of Department Head:** Not applicable. However, the members of the Advisory Board shall designate the Chair of the Advisory Board. (Administrative Code §5.171(c).)
TO:  Mayor Lee, and Clerk of the Board Calvillo
DATE:  August 18, 2014
RE:  Summary of Legal Requirements for Appointment of Members to Boards and
Commissions and Certain Other Entities, Removal and Other Related Matters,
Appointment and Removal of Department Heads Under those Boards and
Commissions, and Mayoral Voting Seats on Certain Boards and Commissions
and Other Entities

PAGE:  78

HOMELESS SENIOR TASK FORCE

RESOLUTION NOS. 682-02, 504-03, 41-04

[This Task Force was not renewed after June 30, 2004, and so is no longer in existence.]
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 79

IMMIGRANT RIGHTS COMMISSION

ADMINISTRATIVE CODE §5.201

Purpose: The Commission makes recommendations to the Board of Supervisors and the Mayor to further involve immigrants in local governmental processes, advises on state and federal legislation related to immigrants, cooperates with City departments, makes recommendations to the Board of Supervisors and the Mayor with respect to the administration of laws affecting immigrants, and submits an annual report to the Board of Supervisors and the Mayor on services and programs for immigrants residing in San Francisco. (Administrative Code §5.201(d).)

Members: Consists of fifteen voting members. (Administrative Code §5.201(b).) Eleven members are appointed by the Board of Supervisors and four by the Mayor. The Mayor's appointees are not subject to disapproval by the Board of Supervisors. (Administrative Code §5.201(b).) At least eight of the fifteen members must be immigrants. (Administrative Code §5.201(b).) 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 of the populations of San Francisco. (Administrative Code §5.201(b).)

Term: Two years. (Administrative Code §5.201(c).) If a vacancy occurs during the term of office of any member, a successor shall be appointed to complete the unexpired term of office vacated in a manner similar to that for the initial member. (Administrative Code §5.201(c).)

Removal: May be removed by the appointing authority. (Administrative Code §5.201(c).)

Compensation: Not specified.

Health Benefits: Not eligible for health benefits.

Appointment and Removal of Department Head: Not applicable.
IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

Purpose: The In-Home Supportive Services Public Authority is a separate legal entity from the City, established by the Board of Supervisors under the authority of Welfare & Institutions Code section 12301.6. It is charged with creating and maintaining a registry of home care service providers that recipients of In-Home Supportive Services benefits can employ to provide their home care services, and performing related functions. (Admin. Code § 70.1.)

Members: Consists of 13 members appointed by the Board of Supervisors. No fewer than 50% of members must be current or past users of personal assistance services paid for through public or private funds or who are themselves recipients of IHSS. (Admin. Code § 70.2(a).) Membership must also be consistent with section 70.2(b)(1-11): (1) Two consumers over the age of 55 years, each authorized to represent organizations that advocate for aging people with disabilities; (2) Two consumers between the ages of 18 and 60 years, each authorized to represent organizations that advocate for younger people with disabilities; (3) One consumer at-large over the age of 55 years; (4) One consumer at-large between the ages of 18 and 60 years; (5) One worker who provides personal assistance services to a consumer; (6) One Commissioner from the Human Services Commission, recommended to the Board by that Commission; (7) One Commissioner from the Commission on the Aging, recommended to the Board by that Commission; (8) One Commissioner from the Public Health Commission, recommended to the Board by that Commission; (9) One member of the Mayor's Disability Council, recommended to the Board by that Council; (10) One member representing the bargaining unit of the union that represents IHSS independent providers; and (11) One consumer at-large who is 18 years of age or older.

Term: Three years, but no more than nine consecutive years of service.

Removal: Removal is governed by the Authority’s bylaws. (Admin. Code § 70.2(h).) Under Section 2.6 of the 2009 Bylaws, a member can be removed by a 2/3 vote of the Public Authority board members in office, excluding the vote of the member in question, if he or she: (1) has missed three consecutive meetings; (2) no longer satisfies the requirements for “qualified applicants” set forth in the Ordinance; or (3) is convicted of a crime.

Compensation: As established in the Annual Salary Ordinance. (Admin. Code § 70.2(i).)

Health Benefits: Not eligible for health benefits. (Administrative Code §16.700(c).)

Appointment and Removal of Department Head: Not applicable.
LANDMARKS PRESERVATION ADVISORY BOARD  

[Former] PLANNING CODE §1003

[No longer in existence.]

The Landmarks Preservation Advisory Board is no longer in existence. Proposition J of the November 2008 election created the Historic Preservation Commission, which replaced the former Landmarks Preservation Advisory Board.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

LOCAL HOMELESS COORDINATING BOARD RESOLUTION NO. 208-05
(prior RESOLUTIONS 926-99, 827-97)

Purpose: The Board functions as an advisory body to the Board of Supervisors and City departments to ensure that departmental policies and budget allocations are consistent with the Continuum of Care Plan and the Ten Year Plan to End Chronic Homelessness. It submits a semi-annual report to the Board of Supervisors.

Members: Consists of nine members. The Mayor and Board of Supervisors each appoint one member from the disabled community and three members from among the following constituencies: representatives of homeless, formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors and the foundation community. Specific seats are not designated for specific constituencies. The Controller appoints one member subject to confirmation by the Board of Supervisors, choosing from among the same constituencies as the Mayor and Board of Supervisors. Staff from the Human Services Agency, the Department of Public Health, the Mayor’s Office of Housing, the Mayor’s Office of Community Development, and the Mayor’s Office of Disability provide information to and act as a resource to the Local Board.

Term: Four years.
Removal: Members serve at the pleasure of their appointing officer.
Compensation: Not specified.
Health Benefits: Not eligible for health benefits.
Appointment and Removal of Department Head: Not applicable.
PARK, RECREATION, AND OPEN SPACE ADVISORY COMMITTEE

Purpose: The Committee reviews and comments on the Recreation and Park Department’s Strategic, Capital and Operational Plans and plan updates, and serves as a liaison between the Recreation and Park Commission and the community. (Park Code § 13.01.)

Members: Consists of 23 members. (Park Code § 13.01(a).) The Mayor appoints one member. (Park Code § 13.01(a).) The Mayor’s appointment is not subject to Board of Supervisors disapproval. Members of the Board of Supervisors appoint 22 members approved by the full Board, with one member appointed by each supervisor from his or her district and one member appointed from a list, maintained by the Recreation and Park Commission, of individuals nominated by organizations having as a primary focus park, environmental, recreational, cultural, sports, youth, or senior citizen issues. (Park Code § 13.01(a).) Four of the members appointed by members of the Board must be individuals nominated by an environmental organization. (Park Code § 13.01(a).) The list of organizations qualified to make nominations is set forth in Board of Supervisors Resolution No. 168-01.

Term: Two years. (Park Code § 13.01(b).) No member shall serve more than four consecutive terms. (Park Code § 13.01(b).) Because this is a Citizens’ Advisory Committee that is not created by the Charter, no hold-over service by commissioners is permitted under Charter section 4.101.5.

Removal: Members serve at the pleasure of the appointing authority. (Park Code § 13.01(b).)

Compensation: Not specified.

Health Benefits: Not eligible for health benefits. (Administrative Code §16.700.)

Appointment and Removal of Department Head: Not applicable.
REENTRY COUNCIL ADMINISTRATIVE CODE §§5.1-1-5.1-6

Purpose: The Reentry Council coordinates local efforts to support adults exiting San Francisco County Jail, San Francisco juvenile justice system out-of-home placements, the California Department of Corrections and Rehabilitation facilities, and the United States Federal Bureau of Prison facilities. (Administrative Code §5.1-2.) The Council provides the Mayor, the Board of Supervisors, the public, and any other appropriate agency with accurate and comprehensive information about programs that serve this population, barriers faced by this population, best practices to meet the needs of this population, and funding sources for programs and practices that address the needs of this population. (Administrative Code §5.1-2.) The Council coordinates information sharing, planning, and engagement among all interested private and public stakeholders to the extent permissible under Federal and State law. (Administrative Code §5.1-2.) The Council shares information and works in collaboration with the San Francisco Community Corrections Partnership, as established by the California Community Corrections Performance Incentives Act of 2009 (Senate Bill 678; Cal. Penal Code §§1228-33.8.), and with the San Francisco Juvenile Justice Coordinating Council, as required by the Juvenile Crime Enforcement and Accountability Challenge Grant Program (California Welfare and Institutions Code §§749.2-749.27). The Council appoints one member to the Workforce Investment Community Advisory Committee (Administrative Code §30.7). (Administrative Code §5.1-4(i).)

Members: Consists of 23 members, seven of whom are former inmates in the San Francisco County Jail, a California Department of Corrections and Rehabilitation adult facility, and/or a United States Bureau of Prison facility. (Administrative Code §5.1-3(a).) The Mayor, or his designee, serves as a member, and also appoints three of the seven formerly incarcerated members. (Administrative Code §5.1-3(a).) Of these three members, at least one must be between the ages of 18 to 24 at the time of appointment, and at least one must have expertise in providing services to individuals exiting the criminal justice system. (Administrative Code §5.1-3(a).) The Board of Supervisors designates one of its members and appoints the other four of the seven formerly incarcerated members. (Administrative Code §5.1-3(a).) Of these four members, at least one must have expertise in providing services to individuals exiting the criminal justice system, at least one must have been released from custody within two years of his or her appointment, at least one must have served multiple terms of incarceration, and at least one must self-identify as a survivor of violence or crime. (Administrative Code §5.1-3(a).) The following City departments or agencies shall appoint one member each to the Council: the Public Defender's Office, the District Attorney's Office, the Sheriff's Department, the Police Department; the Adult Probation Department, the Juvenile Probation Department, the Department of Economic and Workforce Development; the Human Services Agency, the Department of Children Youth and Families, and the Department of Public Health. (Administrative Code §5.1-3(a).) The four members appointed by the Adult Probation Department, District Attorney's Office,
the Public Defender's Office, and the Sheriff's Department, respectively, as well as the Mayor or the Mayor's representative, shall co-chair the Council. (Administrative Code §5.1-3(a).) In addition, Council co-chairs shall invite the San Francisco Superior Court, the Department of Child Support Services, the California Department of Corrections and Rehabilitation Division of Adult Parole Operations, and the United States Probation and Pretrial Services System to appoint one member each to the Council. (Administrative Code §5.1-3(a).) If any of these four agencies does not appoint a representative, the Council co-chairs shall appoint an additional member. (Administrative Code §5.1-3(a).) All members of the Council shall be exempt from the Charter requirement that they be electors of the City and County of San Francisco. (Administrative Code §5.1-3(a).)

**Term:** Members serve two-year terms. Members may serve multiple terms. (Administrative Code §5.1-3(a).)

**Removal:** Members may be removed by the appointing authority. (Administrative Code §5.1-3(a).) In addition, if any Council member misses two regularly scheduled Council meetings in a twelve-month period without prior notice to the Council, the Council must certify that fact in writing to the appointing authority, and the member is deemed to have resigned from the Council on the date of such certification. (Administrative Code §5.1-5.) The Council must request the appointing authority to appoint a new member. (Administrative Code §5.1-5.) The appointing authority must appoint a successor to the resigned member not later than 60 days after the date of the certification of resignation. (Administrative Code §5.1-5.)

**Compensation:** None.

**Health Benefits:** Not eligible for health benefits.

**Appointment and Removal of Department Head:** Not applicable.
RESIDENTIAL RENT STABILIZATION AND ARBITRATION BOARD (RENT BOARD)

**Purpose:** The Rent Board implements and administers the City's residential rent control ordinance by promulgating policies, rules, and regulations as needed, and conducting hearings. (Administrative Code Chapter 37.) It also administers the City's residential hotel visitor policy ordinance under Administrative Code Chapter 41D, and determines the interest rate on residential security deposits under Administrative Code Chapter 49.

**Members:** Consists of five members appointed by the Mayor, subject to Charter section 3.100(18). Members 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 of San Francisco. Additionally, each member has an alternate possessing the same qualifications as the member. The Mayor also appoints the alternates. (Administrative Code §37.4(b).)

**Term:** Four years. Since the Rent Board is not created by Charter, Charter section 4.101.5 does not apply, which means that members cannot serve as hold-over members.

**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 six or more hours in a single twenty-four hour period, $70 if the meeting lasts less than six hours in a single 24-hour period. (Rules and Regulations §2.15) The total per diem shall not exceed $750 per month. (Administrative Code §37.4(h).)

**Health Benefits:** Eligible for health benefits. (Administrative Code §16.700(c)(34).)

**Appointment and Removal of Department Head:** Under Charter sections 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. 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).)
SAN FRANCISCO MUSEUM AND HISTORICAL SOCIETY ADVISORY COMMITTEE

[No longer in existence.] This Committee expired by operation of law on June 1, 2006. (See Ordinance No. 96-05, at Administrative Code §2A.166(l).)
SENTENCING COMMISSION ADMINISTRATIVE CODE §§5.250 et seq.

Purpose: The Sentencing Commission encourages the development of criminal sentencing strategies that reduce recidivism, prioritize public safety and victim protection, emphasize fairness, employ evidence-based best practices, and efficiently utilize San Francisco's criminal justice resources. (Administrative Code §5.250.)

Members: Consists of 12 members, or 13 members if the Superior Court agrees to provide one member. The head or chair of each of the following agencies and bodies shall serve on or will assign one staff member to serve on the Commission as a voting member: District Attorney; Public Defender; Adult Probation; Juvenile Probation; Sheriff; Police; the Department of Public Health; the Reentry Council, and the Superior Court, assuming it agrees to participate on the Commission. In addition, the following additional voting members will be appointed: a member of a nonprofit organization that works with victims, chosen by the Family Violence Council; a member of a nonprofit organization that works with ex-offenders, chosen by the Reentry Council; a sentencing expert chosen by the Board of Supervisors; and an academic researcher with expertise in data analysis appointed by the Mayor. (Administrative Code §5.250-1.) The District Attorney or his or her designee shall chair the Commission. (Administrative Code §5.250-1(c).)

Term: Ex officio members and their designees’ terms are limited by their tenure in their respective offices. The appointed members’ terms are not specified.

Removal: Members serve at the pleasure of the appointing authority.

Compensation: Not specified.

Health Benefits: Not eligible for health benefits.

Appointment and Removal of Department Head: Not applicable.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 89

SOUTHEAST COMMUNITY FACILITY ADMINISTRATIVE CODE §§54.1-54.4 COMMISSION

Purpose: The Commission reviews and provides guidance for the operation of the Southeast Community Facility, including business activities of the greenhouse, educational and job skills centers, child care and senior activities center. (Administrative Code §54.3.) The Commission fosters the following public purposes and municipal affairs of the City in providing such guidance: the full and gainful employment of residents of chronically economically depressed areas of the City; the progressive development of marketable job skills for untrained and under-trained City residents; the creation and expansion of opportunities for residents to participate in day and evening education programs; the creation and expansion of opportunities for providing day care services at a low and reasonable cost to parents; the expansion of opportunities for special community services for senior citizens; and the overall improvement of the general economic prosperity, health, safety and welfare of residents of chronically economically depressed areas of the City. (Administrative Code §54.1)

Members: Consists of seven members appointed by the Mayor. (Administrative Code §54.2(a).) 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 section 54.2(b). (Administrative Code §54.2(a).) The Mayor's appointees are not subject to disapproval by the Board of Supervisors.

Term: Four years. (Administrative Code §54.2(c).) A vacancy occurring during a term is filled by appointment made by the Mayor for the unexpired term. (Administrative Code §54.2(c).) Each vacancy must be filled within 30 days. (Administrative Code §54.2(c).)

Removal: May be removed by the Mayor. (Administrative Code §54.2(a).) 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. (Administrative Code § 54.2(g).)

Compensation: Each member is paid $50 per Commission meeting or committee meeting attended. Total compensation shall not exceed $100 per month. (Administrative Code §54.2(f).)

Health Benefits: Not eligible for health benefits.

Appointment and Removal of Department Head: The Commission appoints an Executive Director, who serves at the pleasure of the Commission. (Administrative Code § 54.2(h).)
STATE LEGISLATION COMMITTEE

ADMINISTRATIVE CODE §§5.5-5.11

Purpose: The Committee studies all proposed legislation affecting in any way the interests or welfare of the City, that is pending before the State Legislature or that may be considered for presentation to the Legislature, and formulates recommendations for endorsement, opposition or neutrality with respect to such proposals, as matters of policy of the City. (Administrative Code §§5.5, 5.6.)

Members: Consists of the Mayor, 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. (Administrative Code §5.7.) Each member may designate a representative to attend the meeting in his or her absence. (Administrative Code §5.7.) The Mayor, or his or her authorized representative, acts as Chair. (Administrative Code §5.7.)

Term: Members serve ex officio without any specified term, so the tenure of members of the Committee and their designees is limited by their tenure in terms of their respective elected offices; designees serve at the pleasure of their appointing authority. (Administrative Code §5.7.)

Removal: Not applicable.

Compensation: Not specified.

Health Benefits: Not applicable. (Eligibility for health benefits determined by underlying City office.)

Appointment and Removal of Department Head: Not applicable.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 91

SUNSHINE ORDINANCE TASK FORCE

Purpose: The Task Force advises the Board of Supervisors and provides information to other City Departments on appropriate ways to implement the City's Sunshine Ordinance. (Administrative Code § 67.30(c).) The Task Force reports to the Board of Supervisors at least once annually on any practical or policy problems encountered in the administration of the ordinance, and may from time to time issue reports evaluating compliance with the ordinance and related California laws. (Administrative Code § 67.30(c).) The Task Force reviews the current Sunshine Ordinance and may propose amendments to the Board of Supervisors. (Administrative Code § 67.30(c).) It may assist the City Attorney with Sunshine training. (Administrative Code § 67.33.) The Task Force also acts as an administrative hearing body to hear complaints made by members of the public against departments or public bodies for violations of the Sunshine Ordinance, the Public Records Act, or the Brown Act. The Task Force issues Orders of Determination and conducts hearings to ensure that the Orders are complied with by the departments or public bodies. Where the Orders are not complied with, it may refer cases to other City or state agencies for enforcement action.

Members: Consists of 11 voting members appointed by the Board of Supervisors. (Administrative Code § 67.30(a).) Two members shall be appointed from individuals whose names have been submitted by the local chapter of the Society of Professional Journalists, one of whom shall be an attorney and one of whom shall be a local journalist. (Administrative Code § 67.30(a).) One member shall be appointed from the press or electronic media. (Administrative Code § 67.30(a).) One member shall be appointed from individuals whose names have been submitted by the local chapter of the League of Women Voters. (Administrative Code § 67.30(a).) Four members shall be members of the public who have demonstrated interest in or have experience in the issues of citizen access and participation in local government. (Administrative Code § 67.30(a).) Two members shall be members of the public experienced in consumer advocacy. (Administrative Code § 67.30(a).) One member shall be a journalist from a racial/ethnic minority-owned news organization and shall be appointed from individuals whose names have been submitted by New California Media. (Administrative Code § 67.30(a).) At all times the task force shall include at least one member who shall be a member of the public who is physically handicapped and who has demonstrated interest in citizen access and participation in local government. (Administrative Code § 67.30(a).) The Mayor and his or her designee and the Clerk of the Board of Supervisors or his or her designee, serve as non-voting members of the Task Force. (Administrative Code § 67.30(a).)

Term: Two years. (Administrative Code § 67.30(b).) If a vacancy occurs, a successor is appointed for the unexpired term of the office vacated in a manner similar to that described for the initial members. (Administrative Code § 67.30(b).)
Removal: Members appointed by the Board of Supervisors are removed by the Board of Supervisors. (Administrative Code § 67.30(b).)
Compensation: Prohibited. (Administrative Code §67.30(b).)
Health Benefits: Eligible for health benefits. (Administrative Code §16.700(37).)
Appointment and Removal of Department Head: Not applicable. The Clerk of the Board must provide a full-time staff person to perform administrative duties for the Task Force. (Administrative Code §67.31.)
URBAN FORESTRY COUNCIL

Purpose: The Council guides the stewardship of San Francisco's trees by promoting a healthy and sustainable urban forest that benefits all San Franciscans while ensuring public health and safety. (Environment Code §1200(b).) The Council advises the Mayor, Board of Supervisors, and City departments and commissions on urban forestry concerns. (Environment Code §1203(a)(1).)

Members: Consists of 11 voting members and two advisory members. (Environment Code §1202.) The Board of Supervisors appoints seven voting members: one member from an educational organization involved with tree management; two members certified by a professional tree management organization; two members of non-profit organizations involved in urban forestry or other environmentally-related issues; and two members from the community. (Environment Code §1202(a)(1).) The Mayor appoints two voting members: one member from the tree care industry; and one member at large. (Environment Code §1202(a)(2).) The Mayor's appointment is not subject to disapproval by the Board of Supervisors. (Environment Code §1202.) The Department of Public Works and Planning Department each may appoint one voting member. (Environment Code §1202(a)(3)(A), (B).) The Recreation and Park Department and Public Utilities Commission each appoint one advisory non-voting member. (Environment Code §1202(b).) San Francisco Redevelopment Agency, now the Successor Agency, and Golden Gate National Recreation Area are invited to participate. (Environment Code §1202(b)(2).)

Term: Two years. (Environment Code §1202(c).) Since the Council is not created by Charter, Charter section 4.101.5 does not apply, which means that members cannot serve as hold-over members.

Removal: Members serve at the pleasure of their respective appointing authorities.

Compensation: Prohibited. (Environment Code §1202(h).)

Health Benefits: Not eligible for health benefits.

Appointment and Removal of Department Head: Not applicable.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

VETERANS' AFFAIRS COMMISSION

Purpose: The Commission advises the Mayor and the Board of Supervisors on all matters affecting veterans of the Armed Forces of the United States of America, on the problems, interests and needs of veterans who are residents of the City and County of San Francisco and on the coordination of economic development, health care, and social services programs as they relate to veterans who are residents of the City and County of San Francisco. (Administrative Code §5.101.)

Members: Consists of 17 members. (Administrative Code §5.102.) The Board of Supervisors appoints 12 members, and the Mayor appoints 5 members. (Administrative Code §5.102.) The Mayor's appointees are not subject to disapproval by the Board of Supervisors. The appointees must include: (a) at least three women veterans; and (b) at least two members who served in the Armed Forces of the United States of America and who have a physical disability arising from that service, in accordance with the definitions applied in such cases by the Veteran's Administration. (Administrative Code §5.102(a), (b).) All members shall reside in the City and County of San Francisco. (Administrative Code §5.102(c).) The Board of Supervisors may waive this requirement only by ordinance. (Administrative Code §5.102.)

Term: Four years. (Administrative Code §5.103.) Since the Commission is not created by Charter, Charter section 4.101.5 does not apply, which means that commissioners cannot serve as hold-over commissioners. If a vacancy occurs during the term of office of any member, a successor must be appointed for the expired term of the office vacated in a manner similar to that described for the vacating member. (Administrative Code §5.103(b).)

Removal: Members may be removed by their appointing authority only for cause. The appointing authority should consult with the City Attorney regarding procedures before any removal.

Compensation: Prohibited. (Administrative Code §5.103(d).)

Health Benefits: Not eligible for health benefits. (Administrative Code §16.700(c).)

Appointment and Removal of Department Head: Not applicable.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

WORKFORCE DEVELOPMENT ADVISORY COMMITTEE

ADMINISTRATIVE CODE §83.8

Purpose: The Workforce Development Advisory Committee advises the City's First Source Hiring Administration ("FSHA") on workforce development, employment needs, program policy, design, implementation, oversight and monitoring. (Administrative Code §83.8.)

Members: The Mayor appoints the members, who include representatives of community-based organizations, labor, the business community, and City departments. (Administrative Code §83.8.) The Mayor's appointees are not subject to disapproval by the Board of Supervisors.

Term: One year, and may be reappointed. (Administrative Code §83.8.)

Removal: May be removed by the Mayor.

Compensation: Not specified.

Health Benefits: Not eligible for health benefits. (Administrative Code §16.700.)

Appointment and Removal of Department Head: Not applicable.
CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CITY ATTORNEY

-OPINION NO. 2014-01-

TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 96

C. BOARDS CREATED UNDER FEDERAL OR STATE STATUTES

ASSESSMENT APPEALS BOARD

California State Constitution Article XIII, §16
Cal. Rev. & Tax. Code Division 1,
Part 3, Chapter 1, Article 1.5
(§§1620 et seq.)
ADMINISTRATIVE CODE
§§2B.1-22; 16.700(c)

Purpose: The Assessment Appeals Board (AAB) is a quasi-judicial body that determines the full value of property or other matters of property tax assessment by equalizing the valuation of the taxable property within the City and County consistent with Article XIII of the California State Constitution, including resolution of disputes between the Assessor's Office and property owners.

Members: AAB No. 1, AAB No. 2 and AAB No. 3 each have five regular members and three alternate members appointed by the Board of Supervisors. (Administrative Code §§2B.3(a), 2B.3(b); Cal. Rev. & Tax. Code §§1622.1, 1623.1.) A nominee must have a minimum of five years professional experience in this state as one of the following: certified public accountant or public accountant, licensed real estate broker, attorney, property appraiser accredited by a nationally recognized professional organization, property appraiser certified by the Office of Real Estate Appraisers, or property appraiser certified by the State Board of Equalization. (Administrative Code §§2B.3(b), 2B.3(c), 2B.3(d); Cal. Rev. & Tax. Code §1624.05(a).) A nominee must not have been employed by an Assessor’s Office within the last three years from the time he or she seeks appointment. (Cal. Rev. & Tax. Code §1624.1.)

Term: Three years. (Administrative Code §2B.3(e); Cal. Rev. & Tax. Code §1623.) A member whose term has expired may continue to serve for up to 60 days after the expiration of such term with respect to matters on which the Assessment Appeals Board had commenced hearing prior to the expiration of the member's term. (Cal. Rev. & Tax. Code §1623(e).)

Removal: Any member of an assessment appeals board may be removed for cause by the Board of Supervisors. (Cal. Rev. & Tax. Code §1625.)

Compensation: $100 for each one-half day of service, for each regular and alternate member on any board. (Administrative Code §2B.5.)

Health Benefits: Not eligible for health benefits. (Administrative Code §16.700(c).)
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities  

PAGE: 97

SAN FRANCISCO CHILDREN AND FAMILIES FIRST COMMISSION  
(FIRST 5 SAN FRANCISCO)  

CAL. HEALTH & SAFETY CODE §§130100 -130155  
S.F. ADMIN. CODE Chapter 86

**Purpose:** The Board of Supervisors established First 5 San Francisco under the California Children and Families First Act of 1998 (Proposition 10). In 2004, San Francisco voters passed Proposition H, the Public Education Enrichment Fund to enhance K-12 schooling and provide all four-year-old residents with a high-quality preschool education. The purpose of the Commission and its department is to promote, support, and improve the early development of the children from the prenatal stage to five years of age and to carry out the provisions of Proposition 10.

**Members:** The commission consists of nine members appointed by the Board of Supervisors as follows:

- One member shall be the Director of Public Health or his or her designee.
- One member shall be the General Manager of the Department of Human Services or his or her designee.
- One member shall be a member of the Board of Supervisors.
- One member shall be the Director of the Mayor's Office of Children, Youth and Their Families or his or her designee.
- Five additional members are appointed from among the following categories: persons responsible for management of the following County functions: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the County strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another 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 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 to facilitate planning and coordination of services.

**Term:** The term of each non-city official commission member shall be for four years. Commission members are subject to Charter section 4.101.5, which allows commission members to serve as hold-over commission members for up to 60 days after their term expires, unless they are re-appointed. If 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.

**Removal:** Appointed members, the non-City officials serve at the pleasure of the Board of Supervisors. However, neither the Administrative Code nor the Rules of Order (Bylaws) specify procedures for removal.
Compensation: Members of the county commission shall not be compensated for their services, except that they shall be paid reasonable per diem and reimbursement of reasonable expenses for attending meetings and discharging other official responsibilities as authorized by the First 5 Commission.

Health Benefits: Not separately eligible for health benefits from the City and County of San Francisco by virtue of appointment to the Commission.

Appointment and Removal of Agency Head: The Commission shall appoint, and may remove at its pleasure, an Executive Director. The Executive Director is authorized to hire additional staff subject to budget constraints and the approval of the Commission.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 99

HEALTH AUTHORITY WELFARE & INSTITUTIONS CODE §14087.36; ADMINISTRATIVE CODE §69

Purpose: The Health Authority is not a City department or commission; it is a legally separate public entity. The Health Authority is the local initiative component of the Medi-Cal state plan under regulations adopted by the State Department of Health Services. (Administrative Code §69.2.) The Health Authority is responsible for: creating an efficient, integrated health care delivery system to provide, as contracted by the California State Department of Health Services with the Authority, access to comprehensive health care services for Medi-Cal beneficiaries and such other persons as the Health Authority deems appropriate; to provide quality care that is compassionate, respectful and culturally and linguistically appropriate; and to ensure preservation of the safety net. (Administrative Code §69.2.)

Members: Consists of 18 voting members and one non-voting member. (Administrative Code §69.4.) The Board of Supervisors appoints 14 members. (Administrative Code §69.4.) The Mayor appoints one member, who serves at the pleasure of the Mayor. (Administrative Code §69.4.) The following three each serve ex officio (or they may each appoint a designee to serve at their respective pleasures): the Director of Public Health, the Director of Mental Health, and the Chancellor of the University of California at San Francisco. (Administrative Code §69.4.) The Health Commission appoints one non-voting member who serves at its pleasure. (Administrative Code §69.4.) The Mayoral appointee is not subject to disapproval by the Board of Supervisors. Each member must be either a resident of the County or employed within the geographic boundaries of the County throughout his or her term. (See California Welfare & Institutions Code §14087.36 [renomination requirements for Board of Supervisor appointments].)

Term: No term for the mayoral appointee or other members not appointed by the Board of Supervisors. (California Welfare and Institutions Code §14087.36) A three-year term for Board of Supervisors’ appointees. Where the member is a member of the Board or any other person designated by the Board, that individual shall serve at the pleasure of the Board.

Removal: The Mayoral appointee serves at the pleasure of the Mayor. (Administrative Code §69.4.) Board of Supervisors appointees may be removed under California Welfare & Institutions Code section 14087.36.

Compensation: Prohibited. But members may be reimbursed for authorized expenses under procedures established by the governing body. (Administrative Code §69.3(e).)

Health Benefits: Not eligible for health benefits. (Administrative Code §16.700(c).)

Appointment and Removal of Agency Head: Under California Welfare & Institutions Code section 14087.36, the Health Authority appoints and may remove the Chair of the Authority.
HOUSING AUTHORITY COMMISSION    HEALTH & SAFETY CODE §§34200 et seq.

Purpose: The Housing Authority Commission oversees the Housing Authority of the City and County of San Francisco. The Authority is a legally separate public entity created under the California Housing Authority Law to provide decent, safe, and sanitary housing for persons of very low income. (California Health & Safety Code §§34200 et seq.) The power of each authority to transact its business is vested in the commissioners. (California Health and Safety Code §34275.)

Members: Consists of seven members appointed by the Mayor. These appointments are not subject to disapproval by the Board of Supervisors. Two members must be Housing Authority tenants, one of whom must be over 62 years of age. All members must be residents of San Francisco. (California Health & Safety Code §34270.1.)

Term: Two years for tenant members, four years for other members. (California Health & Safety Code §34272.) A midterm vacancy is filled by Mayoral appointment. (California Health & Safety Code §34270.1.)

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

Compensation: $50 per meeting not to exceed four meetings per month. (California Health & Safety Code §34274.)

Health Benefits: Not eligible for health benefits from the City and County of San Francisco by virtue of appointment to the Housing Authority Commission.

Appointment and Removal of Agency Head: The Housing Authority Commission appoints the Executive Director and may adopt personnel rules applying to all employees, including procedures for removal efficiency, neglect of duties, or misconduct. (California Health & Safety Code §34278.)
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 101

INDUSTRIAL DEVELOPMENT AUTHORITY BOARD

Purpose: The Industrial Development Authority provides an alternative financing vehicle to acquire, construct or rehabilitate facilities to promote employment and economic growth. (California Government Code §91502.) The Industrial Development Authority of the City and County of San Francisco is a public corporation that functions under the provisions of the California Industrial Development Financing Act, Title 10 (California Government Code §§91500 et seq.). (Administrative Code §42.1.)

Members: Consists of five members. (Administrative Code §42.1.) The Mayor provides one name for each vacancy on the Industrial Development Board to the Board of Supervisors, which "alone" appoints the members. (Administrative Code §§42.3, 42.4; also see, California Government Code §91522.)

Term: Three years. (Administrative Code §42.5; California Government Code §91522(d).) Members may be reappointed for an unlimited number of terms. (Administrative Code §42.5.) Midterm vacancies are filled through the same nomination and appointment process. (California Government Code §91522(g); Administrative Code §42.4.)

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

Compensation: None. But Directors may be reimbursed for their actual and necessary expenses incurred in the performance of their duties, or at the discretion of the governing body, may receive a reasonable per diem payment and mileage charge as reimbursement for living and traveling expenses incurred in the performance of duties away from the principal office. Also, at the discretion of the governing body, they may also receive a reasonable mileage charge as reimbursement for traveling expenses to and from the principal office of the authority or the place of meeting, if other than at the principal office. (California Government Code §91522(e).)

Health Benefits: Not eligible for health benefits from the City and County of San Francisco by virtue of appointment to the Industrial Development Authority Board.

Appointment and Removal of Agency Head: Not applicable.
LOCAL AGENCY FORMATION COMMISSION

GOVERNMENT CODE §56000

Purpose: Local Agency Formation Commissions (LAFCos) exist in every county in California. (California Government Code §56325.) State law makes them generally responsible for reviewing and approving proposed jurisdictional boundary changes, including annexations and detachments of territory to and/or from cities and special districts, incorporations of new cities, formations of new special districts, and consolidations, mergers and dissolutions of existing districts. (California Government Code §56301.) In addition, LAFCos must review and approve contractual service agreements, determine spheres of influence for each city and district, and may initiate proposals involving district consolidation, dissolution, establishment of subsidiary districts, mergers, and reorganizations. (California Government Code §56375-56388.) The San Francisco LAFCo (hereinafter “SF LAFCo” or “The Commission) coordinates logical and timely changes in local governmental boundaries (California Government Code §56001); conducts special studies to review ways to reorganize, simplify and streamline governmental structures (California Government Code §56031); and prepares spheres of influence for the City and County of San Francisco (California Government Code §56425). The Commission promotes provision of efficient and economical services while encouraging protection of open space lands (California Government Code §§56001, 56300). Further efforts include encouraging orderly formation and development of local agencies based upon local conditions and circumstances (California Government Code §56301). Since the City and County of San Francisco is a unified city and county with no unincorporated territory, the function of the San Francisco LAFCo is much more limited.

Members: The Commission shall be composed of five members (California Government Code §56325). Two members shall be appointed by the Board of Supervisors from their own membership. (California Government Code §56325(a).) Two additional members shall be appointed as City Officers, also by the Board of Supervisors (California Government Code §56325(b), 50279.2). A Public Member-at-Large is appointed by the other four commissioners. (California Government Code §56325(d)). No members will be appointed to represent independent special districts, as San Francisco does not contain independent special districts. (California Government Code §56325(e), 56036). Alternate commissioners are selected as follows: the Board of Supervisors appoints two alternate commissioners to represent the City and County of San Francisco, and the remaining commissioners may appoint an alternate for the public member. (California Government Code §56325.) Alternate members may vote in place of any regular member who is absent or who disqualifies from participating in an action. (California Government Code §56325.)

Term: Four years. (California Government Code §56334.)

Removal: Any member may be removed at any time and without cause by the member’s appointing authority. (California Government Code §56334.)
on the SF LAFCo is derived ex officio, that is from an office the commissioner holds, that tenure expires if the commissioner ceases to hold the originating office. (California Government Code §56334.)

**Compensation:** Commission members and alternates receive a stipend of $100 per meeting and are reimbursed for reasonable and necessary expenses incurred in performing the duties of their office. (California Government Code §56334).

**Health Benefits:** Not eligible for health benefits from the City and County of San Francisco under Administrative Code 16.700.
OVERSIGHT BOARD OF THE SUCCESSOR AGENCY

CALIFORNIA HEALTH & SAFETY CODE §34179

Background: Assembly Bill No. 1X 26 (Chapter 5, Statutes of 2011-12, First Extraordinary Session) (AB 26), amending the Community Redevelopment Law (“CRL”), California Health and Safety Code section 33000 et. seq., dissolved redevelopment agencies as of February 1, 2012 when California Supreme Court decision California Redevelopment Association v. Matosantos, No. S194861 upheld AB 26’s dissolution of redevelopment agencies. AB 26 vested successor agencies with all authority, rights, powers, duties, and obligations vested with the former redevelopment agencies under the CRL. The successor agency to the San Francisco Redevelopment Agency is the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (the “Successor Agency”), also known as the Office of Community Investment and Infrastructure. Assembly Bill No. 1484 (Chapter 26, Statute of 2011-12, Regular Session), also amending the CRL, established the Successor Agency as a separate legal public body. It declared that a successor agency succeeded to the organizational status of its former redevelopment agency, but without authority to participate in development activity, except to complete work related to approved enforceable obligations (contractual or statutory obligations) of its predecessor redevelopment agency. Successor agencies must wind down the affairs of their former redevelopment agencies, and, in doing so, with few exceptions are unable to enter into new enforceable obligations. By winding down the affairs of redevelopment agencies, the State intends that fewer and fewer property tax revenues will be earmarked for redevelopment activity and, instead, will be redirected to taxing entities, such as school districts, within the territorial boundary of a successor agency. The Successor Agency must terminate its existence within one year of retiring or paying off the debts of the former redevelopment agency. (California Health & Safety Code §34187(b).)

Purpose: The CRL requires that each successor agency have an oversight board. (California Health & Safety Code §34179.) The purpose of the Oversight Board is to direct and approve certain fiscal, contractual, property or project-based decisions of the Successor Agency, including, without limitation, approval of the Recognized Obligation Payment Schedule (“ROPS”) and disposition of agency assets. (California Health & Safety Code §§34180, 34181.) The ROPS is a biannual (January-June and July-December) schedule showing payments required to satisfy enforceable obligations. The Successor Agency may not make payments in excess of amounts approved on the ROPS for an enforceable obligation. Each approval of an action by the Oversight Board under the Dissolution Law (AB 26 and AB 1484 as amended) must be by resolution and is subject to approval by the State Department of Finance. (California Health & Safety Code §34179(e)-(h).) In performing its duties, the Oversight Board owes fiduciary responsibilities to the holders of enforceable obligations and the taxing entities. The Oversight
Board will cease to exist when all indebtedness of the former redevelopment agency has been paid. (California Health & Safety Code §34179(m).)

**Members:** Consists of seven members. Four members are appointed by the Mayor and subject to confirmation by the Board of Supervisors, one of whom must represent the largest number of former San Francisco Redevelopment Agency employees employed by the Successor Agency. The Bay Area Rapid Transit District, as the largest special district in the territorial jurisdiction of the Successor Agency by property tax share, the County Superintendent of Education, and the Chancellor of the California Community Colleges each appoint one member. (California Health and Safety Code §34179(a)(9).) Individuals may be members of the Oversight Board (and members of up to four additional oversight boards) and simultaneously hold an office with the City, the school district, a special district, or the community college district. (California Health & Safety Code §34179(i).)

**Term:** The CRL does not specify a term for members. However, Board of Supervisors Motion No. 12-9 states that, except for initial appointments, the term of each member shall be four years.

**Removal:** Each member serves at the pleasure of the authority that appointed the member. (California Health & Safety Code §34179(g).)

**Compensation:** Members must serve without compensation or reimbursement. (California Health & Safety Code §34179(c).)

**Health Benefits:** Not eligible for health benefits. (see California Health & Safety Code §34179(c).)

**Appointment and Removal of Agency Head:** Not applicable.
PARKING AUTHORITY  STREETS & HIGHWAYS CODE §§32650 et seq.;  
ADMINISTRATIVE CODE §§17.1 et seq.

**Purpose:** The Parking Authority may acquire land, improvements and other property as necessary and appropriate for use as public off-street parking lots and garages, and may enter into management agreements with respect to its property. (California Streets & Highway Code §32802). The Parking Authority is a governmental entity established under State law, separate from the City and County of San Francisco. (California Streets & Highway Code §650).

**Members:** Members of the Municipal Transportation Agency's Board of Directors serve ex officio as members of the Parking Authority Commission. (California Streets & Highway Code §32657(c); Charter §8A.112(a).) The Chair of the MTA Board of Directors determines which of its members will also serve on the Parking Authority Commission. (Charter §8A.112(a).) Currently, all seven members of the MTA Board of Directors are assigned to serve on the Parking Authority Commission, but only five members of the MTA Board must be named to the Commission. (California Streets & Highway Code §32656.)

**Term:** Four years (concurrent with term as SFMTA Board member). (California Streets & Highway Code §32657(c).)

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

**Compensation:** $100 per month.

**Health Benefits:** Members of the Municipal Transportation Agency’s Board of Directors serve ex officio as members of the Parking Authority (Charter §8A.112), and are eligible for health benefits as MTA Board members under Administrative Code section 16.700(28). The Parking Authority is separately authorized to opt for participation per Administrative Code section 16.700(f).

**Appointment and Removal of Agency Head:** The Municipal Transportation Agency's Board of Directors, acting in their capacity as the Parking Authority Commission, may appoint a Chairperson of the Parking Authority, who would serve at the pleasure of the Commission. (California Streets & Highway Code §32658.) However, as authorized under State law, to avoid duplication of work and expenses, the Parking Authority has contracted with the SFMTA to provide administrative services to manage the Parking Authority's six garages. (California Streets & Highway Code §32812.)

**Cessation of Parking and Traffic Commission:** Proposition E adopted November 2, 1999, amended the Charter to merge the Department of Parking and Traffic into the Municipal Transportation Agency. (Charter §8A.101.) On July 1, 2002 the Municipal Transportation Agency Board of Directors assumed the former Parking and Traffic Commission's responsibilities, including serving ex officio as the Parking Authority Commission. (California Streets & Highway Code §32657(c); Charter §8A.112.)

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REDEVELOPMENT AGENCY
COMMISSION

HEALTH & SAFETY CODE §§33100 et seq.;
ADMINISTRATIVE CODE §§24.1-24.6

*This commission has been dissolved under State law (AB 26 and AB 1484). Please see pages 104 and 109 for the Oversight Board of the Successor Agency and the Successor Agency Commission.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities
PAGE: 108

RELOCATION APPEALS BOARD

HEALTH & SAFETY CODE §33417.5;
ADMINISTRATIVE CODE §§24.7, 24B.1

Purpose: The Board hears all complaints against the Redevelopment Agency, now the Successor Agency or any other City agency responsible for providing relocation services due to acts by that agency resulting in the relocation of people from their homes or businesses from a specific address. (Administrative Code §24.7 and § 24.B.1.) The Board, after a public hearing, transmits its findings and recommendations to the agency. (Administrative Code §24.7 and § 24.B.7.) The displacing agency or agency responsible for providing relocation services must comply with the recommendations to the maximum extent permitted by law or government regulation. (California Health & Safety Code §33417.5; Administrative Code §24B.7(d).)

Members: Consists of five members appointed by the Mayor and approved by the Board of Supervisors. (Administrative Code §§24.7, 24B.1(a).)

Term: Three years. (Administrative Code §§24.7, 24B.1(b).) Thereafter, members shall be appointed as aforesaid for a term of office of three years, except that all of the vacancies occurring during a term shall be filled for the unexpired term. A member shall hold office until a successor has been appointed. (Administrative Code §24B.1(b).) If a vacancy occurs, a successor is appointed for the unexpired term of the office in the same manner as for initial members. (Administrative Code §§24.7, 24B.1(b).)

Removal: Members may be removed by the Mayor only for cause.

Compensation: Prohibited. But, members must be reimbursed for necessary expenses incurred in performance of duties, not to exceed $15 per meeting and $45 per month. (Administrative Code §§24.7, 24B.1(f).)

Health Benefits: Not eligible for health benefits.

Appointment and Removal of Department Head: Not applicable. The Mayor is responsible for assigning a member of his office or any office under his jurisdiction to the position of Executive Secretary to the Board. (Administrative Code §24B.1(d).) All other staff of the Board are under the immediate direction and supervision of the Executive Secretary. (Administrative Code §24B.1(d).)
BACKGROUND: See discussion of Oversight Board.

PURPOSE: By operation of law, the Successor Agency of the City and County of San Francisco is subject to the governance of the City acting through its legislative capacity. The Board of Supervisors, acting as the governing body of the Successor Agency, adopted Ordinance No. 215-12, creating the Successor Agency Commission. The Successor Agency Commission is also known as the Commission on Community Investment and Infrastructure. The Successor Agency Commission has the authority to act in place of the former San Francisco Redevelopment Agency to implement, modify, enforce and complete surviving redevelopment projects, approve contracts and actions related to assets transferred to or retained by the Successor Agency, and to take any action on behalf of the Successor Agency that the Redevelopment Dissolution Law (AB 26 and AB 1484, as amended) requires or authorizes and any other action the Commission deems appropriate that is consistent with the Redevelopment Dissolution Law. Surviving redevelopment projects include, without limitation, three major integrated, multi-phase revitalization projects: (1) the Mission Bay North and South Projects; (2) the Hunters Point Shipyard/Candlestick Project; and (3) the Transbay Transit Center Project (collectively, the “Major Approved Development Projects”).

MEMBERS: Consists of five members. Each member is appointed by the Mayor and subject to confirmation by the Board of Supervisors. One member must be a resident of the supervisorial district with the largest amount of cumulative area of the Major Approved Development Projects. One member must be a resident of the supervisorial district with the second largest amount of cumulative area of the Major Approved Development Projects. The remaining three members are not required to reside in any particular supervisorial district. Each member must be a resident of the City and County of San Francisco.

TERM: Except for initial appointments, four years.

REMOVAL: Each member serves at the pleasure of the Mayor.

COMPENSATION: Members must serve without compensation or reimbursement.

HEALTH BENEFITS: Not eligible for health benefits.

APPOINTMENT AND REMOVAL OF AGENCY HEAD: The Commission appoints an Executive Director of the Successor Agency, who serves at the pleasure of the Commission.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 110

TREASURE ISLAND DEVELOPMENT AUTHORITY BOARD OF DIRECTORS

Purpose: The Treasure Island Development Authority (TIDA) is a non-profit corporation that was created by the City and County of San Francisco (City) and governed by a Board of Directors. It is controlled by the City and with many actions expressly subject to the review and approval of the Board of Supervisors. TIDA promotes planning, redevelopment, reconstruction, rehabilitation, reuse and conversion of the former Naval Station Treasure Island, including Treasure Island and Yerba Buena Island, and all related tide and submerged lands and rights of access, for the public interest, convenience, welfare and common benefit of the inhabitants of the City. (TIDA Bylaws Article III, §1.) TIDA administers the Tidelands Trust as to those portions of Treasure Island and Yerba Buena Island that are subject to the Tidelands Trust. In 1998, the Board of Supervisors designated TIDA as a redevelopment agency under California Community Redevelopment Law. The Board of Supervisors rescinded the designation of TIDA as a redevelopment agency in response to the State's dissolution of redevelopment agencies. Under Assembly Bill No. X1 26 (Chapter 5, Statutes of 2011-12, First Extraordinary Session) ("AB 26") and the California Supreme Court's decision in California Redevelopment Association v. Matosantos, No. S194861, all redevelopment agencies in the State of California were dissolved by operation of law on February 1, 2012. On January 24, 2012, the Board of Supervisors rescinded designation of TIDA as the redevelopment agency for Treasure Island under California Community Redevelopment Law in Resolution No. 11-12, but such rescission did not affect TIDA’s status as the Local Reuse Authority for Treasure Island or the Tidelands Trust trustee for the portions of Treasure Island subject to the Tidelands Trust, or any of the other powers or authority of TIDA. Therefore TIDA is not subject to the California Community Redevelopment Law but is instead subject to provisions of the Charter and the Administrative Code applicable to City departments.

Members: Consists of one non-voting ex officio director and at least five voting directors but no more than seven voting directors. (TIDA Bylaws Article V, §4.) The non-voting director is the member of the Board of Supervisors who represents Treasure Island and Yerba Buena Island. (TIDA Bylaws Article V, §4.) The seven voting directors are appointed by the Mayor. (TIDA Bylaws Article V, §4.) 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 and
Yerba Buena Island. (TIDA Bylaws Article V, §6.) Appointments of directors who are officers of the City and County of San Francisco 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. (TIDA Bylaws Article V, §7.) Appointments of directors who are not City officers are effective only upon approval by a majority of the Board of Supervisors. (TIDA Bylaws Article V, §7.) (Note: The Clerk of the Board of Supervisors has requested that the Mayor designate in each Notice of Appointment whether the appointee is an officer of the City.)

Term: Four years, except for the ex officio Board of Supervisors’ director. There are no limits on the number of consecutive terms a director may hold office. (TIDA Bylaws Article V, §8.) Any vacancies other than the ex officio director are filled by appointment by the Mayor. (TIDA Bylaws Article V, §8.) Directors are not subject to the hold over provisions in Charter section 4.101.5.

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

Compensation: None, except for health benefits. (TIDA Bylaws Article V, §15.)

Health Benefits: Eligible for health benefits. Administrative Code §16.700 (f) and Treasure Island Development Authority Board Resolutions 11-78-03/14 and 12-08-04/19.

Appointment and Removal of Agency Head: Under a Memorandum of Understanding between the City and TIDA, the City currently provides TIDA's staff, including the Director of Island Operations and the Director of Project Development. Absent such Memorandum of Understanding, the TIDA Board would appoint its Director.
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities  
PAGE: 112

Purpose: The Citizens Advisory Board (CAB) was created by the Treasure Island Development Authority (TIDA), at the urging of the Board of Supervisors, to provide recommendations to TIDA concerning the final review and implementation of the draft base reuse plan dated July 1996, policies and objectives for interim reuses, and other matters of importance to the future of Treasure Island and all citizens of San Francisco. In providing advice and recommendations, the CAB must strive to reflect the values and interests of the various communities in the City. (CAB Bylaws Article I.)

Members: Consists of up to twenty-five members: twelve appointed by the Mayor, nine appointed by the Board of Supervisors, and four residents of former Naval Station Treasure Island (NSTI) who were initially selected by a vote of the existing residents of NSTI. Two of the four NSTI resident seats are designated for low and moderate income residents. (CAB Bylaws Article II.) The Mayor’s appointments are not subject to disapproval by the Board of Supervisors. Membership of the CAB should reflect the following areas of general interest and expertise: land use and urban planning and architecture; transportation planning and alternative and mass transit, historic conservation and preservation, including expertise and/or interest in cultural resources; engineering and construction, including expertise and/or interest in geotechnical and architectural engineering, public infrastructure and large-scale project management; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare to work and other “job broker” programs directed at economically disadvantaged San Franciscans; affordable and low-income housing; marine related activities, including expertise and/or interest in boating, board sailing and fishing; natural resources preservation and conservation, including expertise and/or interest in wetlands, open space, and green building and sustainable development; environmental and toxic remediation and control, including representation of the Treasure Island Restoration Advisory Board; tidelands trust and public access; open meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; representative of Treasure Island
Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island.

**Term:** Until the resignation or death of the member, or termination for cause. An NSTI resident member's term also terminates upon the member moving off NSTI, and/or in the case of a low or moderate income resident member, upon the member no longer meeting the State's income limits for low and moderate income households. (CAB Bylaws Article II.) If a vacancy occurs for a Board of Supervisors appointed seat, the Board of Supervisors appoints the replacement. If a vacancy occurs for a Mayor appointed seat, the Mayor appoints the replacement. To fill any vacancies in the NSTI resident member seats that arise after the initial election, two seats (one low and moderate income qualified and one non-income qualified) are designated Mayor appointed seats, and two seats (one low and moderate income qualified and one non-income qualified) are designated Board of Supervisors appointed seats. Such NSTI resident member seats remain subject to the eligibility requirements relating to residency and, if applicable, low and moderate income limits. (CAB Bylaws Article II.)

**Removal:** Any member who is absent for any four regularly scheduled meetings during any calendar year will automatically be terminated. A terminated member may submit a written appeal based upon valid reasons for his/her absences. At the next regularly scheduled CAB meeting the terminated member may make a presentation before the CAB. The CAB shall cast a written ballot to determine whether a majority is in favor of or opposed to reinstatement of the terminated member. A majority of affirmative votes will reinstate the member to the CAB. (CAB Bylaws Article IV, Section 5.)

**Compensation:** None.

**Health Benefits:** Not eligible for health benefits.

**Appointment and Removal of Department Head:** Not applicable.
Purpose: San Francisco’s Local Workforce Investment Board (LWIB), also known as Workforce Investment San Francisco (WISF), in partnership with the Mayor, oversees the expenditure of federal funds granted through the state to the local workforce area, the City and County of San Francisco. The Workforce Investment Act of 1998 (29 U.S.C. §§2801 et seq.) (the "WIA") requires creation of a LWIB as a funding condition. The WIA's goal is to increase employment, retention, earnings and occupational skill attainment of participants in WIA-funded training programs, and thereby improve the quality of the workforce, reduce welfare dependency, and enhance American productivity and competitiveness. The WISF, in partnership with the Mayor, must develop and submit to the Governor a comprehensive five-year local plan. Also, the WISF, with the agreement of the Mayor, must select: (1) “one-stop operators;” (2) eligible providers of youth activities by awarding grants or contracts through a competitive process, based upon the recommendations of the youth council; and (3) eligible providers of job training services by awarding grants or contracts through a competitive process. The WISF, subject to the approval of the Mayor, must develop a budget to carry out its duties.

Members: The Mayor appoints the members of the WISF. The WIA does not specify a minimum or maximum membership of an LWIB. But an LWIB must be composed of the following classes of voting members: (1) representatives of business in the local area, (2) representatives of local education entities, (3) representatives of labor organizations nominated by local labor federations, (4) representatives of community-based organizations, (5) representatives of public and private sector economic development agencies, and (6) representatives of the each of the one-stop partners (service providers participating in a “one-stop” delivery system) as required by the WIA. The Mayor may also appoint other individuals he or she deems appropriate.

Term: The regular term of each member is two years, expiring on January 31 of every other year, or until the Mayor appoints a successor, whichever comes later. The initial term for not more than 50% of the members, randomly selected, is one year so that only 50% of the members are replaced or re-appointed at one time.

Removal: By a two-thirds vote, the WISF may recommend the removal of any member. Once the WISF votes to initiate removal of a member, the WISF must notify the member of the proposed action, the reasons for the action, and the date, time and place of the hearing 15 days before the effective date of the proposed termination of membership. The member proposed for removal has an opportunity to respond at a hearing before the WISF. Following the hearing, the WISF votes on whether the member should be removed. The decision of the WISF is final.
Compensation: None specified in the legislation.
Health Benefits: None.
Appointment and Removal of Agency Head: There is no agency head, but the WISF may hire staff.
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities  

PAGE: 116

D. BOARDS THAT INCLUDE OTHER COUNTIES

ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) GOVERNMENT CODE §§6500 et seq.; ABAG BYLAWS EXECUTIVE BOARD

Purpose: The Executive Board makes operating decisions, appoints committee members, authorizes expenditures, and recommends policy to the ABAG General Assembly regarding matters under the Assembly's jurisdiction.  
Members: Consists of 38 voting members, appointed by boards of supervisors, and various city councils and mayors. The City and County of San Francisco appoints five members: two for the City, two for the County, and one alternating appointment. The Mayor serves ex officio and appoints one other elective officer or member of the Mayor’s Staff of the City and County. The Board of Supervisors appoints the two County of San Francisco representatives. The Mayor and the Board of Supervisors alternately appoint the fifth San Francisco member as follows: in even-numbered years not evenly divisible by four the Board of Supervisors appoints one of its members to a two-year term; in even-numbered years evenly divisible by four the Mayor appoints a member to a two-year term. Each of the appointing authorities may also appoint alternates for the regular members. (ABAG Bylaws, Article VII.A.1.(e).) The Mayor’s appointments are not subject to disapproval by the Board of Supervisors.  
Term: Two years. (ABAG Bylaws, Article VII.A.3.) The term will end earlier if the member or alternate no longer holds the elective or appointive office required for appointment to the ABAG Board. (ABAG Bylaws, Article IX.G.) Midterm vacancies are filled in the same manner and with the same qualifications as the original appointment. (ABAG Bylaws, Article IX.H.)  
Removal: Delegates serve at the pleasure of their respective appointing authorities.  
Compensation: $150 per diem per voting member, with a maximum of 48 meetings per year. (ABAG Bylaws Article, VII.A.7.)  
Health Benefits: Not separately eligible for health benefits from the City and County of San Francisco by virtue of appointment to the ABAG Executive Board.  
Appointment and Removal of Agency Head: Appoints and has the authority to remove an Executive Director. (ABAG Bylaws, Article VII.A.6.) Either action requires the affirmative vote of a majority of the voting members of the Executive Board. (ABAG Bylaws, Article VIII.C.4.)
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities  

ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) GENERAL ASSEMBLY  

Purpose: ABAG is the official comprehensive planning agency for the San Francisco Bay Area region, which includes the counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma, and the cities within those counties. ABAG’s mission is to strengthen cooperation and coordination among local governments by addressing social, environmental, and economic issues. The General Assembly determines policy, adopts the annual budget and work program, and reviews policy actions and recommendations of ABAG’s Executive Board. The General Assembly meets twice a year, usually in April and October.  

Members: Each member city and member county has one vote in the General Assembly. San Francisco is counted as both a city and county for purposes of membership (i.e., two votes, with the Mayor representing the City and the Board of Supervisors representing the County). Delegates from each member city and member county and their alternates must be elected officials in their respective jurisdictions, except that for the City of San Francisco the Mayor may appoint as his or her alternate any officer of the City. For the County of San Francisco, the Board of Supervisors appoints a delegate and an alternate. (ABAG Bylaws, Article VI.A.)  

Term: Not specified, except that the term will end whenever the member or alternate no longer holds the elective or appointive office required for appointment to the ABAG General Assembly. (ABAG Bylaws, Article IX.H.) Midterm vacancies are filled in the same manner and with the same qualifications as the original appointment. (ABAG Bylaws, Article IX.G.)  

Removal: Not specified.  
Compensation: Not specified.  
Health Benefits: Not separately eligible for health benefits from the City and County of San Francisco by virtue of appointment to the ABAG General Assembly.  
Appointment and Removal of Agency Head: Not applicable.
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities  

PAGE: 118

BAY AREA AIR QUALITY MANAGEMENT DISTRICT BOARD

HEALTH & SAFETY CODE §40221.5, et seq.

Purpose: Manages the Bay Area Air Quality Management District. The District prepares and maintains air quality plans, collects air quality data and issues forecasts. The District also issues and tracks air quality permits for equipment producing pollutants, and promotes programs to reduce pollution.

Members: Members are appointed to the Board of Directors from each county included, in whole or in part, within the District, based on the population. San Francisco appoints three members. The Mayor appoints one member, either the Mayor or a member of the Board of Supervisors. The Mayor’s appointment is not subject to disapproval by the Board of Supervisors. The Board of Supervisors appoints two members: either two of its members, or one of its members and the Mayor. The member appointed by the Mayor may designate a deputy to act on his or her behalf.

Term: Mayor’s appointee, two years; Board of Supervisors appointees, four years. (California Health & Safety Code §40222.) Midterm vacancies are filled by appointment in the same manner as the vacating member was appointed. (California Health & Safety Code §40223.)

Removal: May be removed at any time by the appointing authority. If four-fifths of the Board of Supervisors requests removal of the Mayor’s appointee, the Mayor shall consider such removal within 20 days. (California Health & Safety Code §40223.)

Compensation: None. But, members may receive reimbursement for actual and necessary expenses for attending meetings, not to exceed $100 per day, or while on official business of the District, not to exceed $6,000 in any one year, as set by ordinance of the Board of Directors. (California Health & Safety Code §40227.)

Health Benefits: Not separately eligible for health benefits from the City and County of San Francisco by virtue of appointment to the Bay Area Quality Management District Board of Directors.

Appointment and Removal of Agency Head: The Board appoints an Air Pollution Control Officer who serves at the pleasure of the board. (California Health & Safety Code §40229.)
GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT BOARD OF DIRECTORS

**Purpose:** The District is a legally separate governmental entity. (California Streets & Highways Code §§27160-27179.) Its mission is to provide safe and reliable operation, maintenance and enhancement of the Golden Gate Bridge and to provide transportation services, as resources allow, for customers within the U.S. Highway 101 Golden Gate Corridor. (California Streets & Highways Code §27530.)

**Members:** Consists of 19 members representing the six counties that make up the district. (California Streets & Highways Code §27510(d).) Nine members represent the City and County of San Francisco. (California Streets & Highways Code §27510(d).) The Mayor appoints one member. (California Streets & Highways Code §27510(d).) The Board of Supervisors appoints eight: four members of the Board of Supervisors and four members of the public. (California Streets & Highways Code §27510(d).) The Mayor’s appointee is not subject to disapproval by the Board of Supervisors. (California Streets & Highways Code §27510(d).) A certified copy of the Mayor’s appointment declaration must be forwarded to the Secretary of State. (California Streets & Highways Code §27510(d).) Certified copies of the Board of Supervisors appointment resolutions must be forwarded to the Department of Transportation. (California Streets & Highways Code §272123.)

**Term:** Appointments are subject to review and re-affirmance by the appointing authority in January of each odd-numbered year. (California Streets & Highways Code §27124.) The Board of Supervisors must review and affirm any retention of its appointee(s) by resolution, and the Mayor of San Francisco must review and affirm retention of his or her appointee by issuance of a declaration. (California Streets & Highways Code §27124.)

**Removal:** May be removed by the appointing authority. (California Streets & Highways Code §27124.)

**Compensation:** Currently each member is paid $50 per meeting, but no member is paid in excess of $5,000 per year except that the President is not to receive in excess of $7,500 per year. (California Streets & Highways Code §27149.) Each member receives travel expenses. (California Streets & Highways Code §27149.)

**Health Benefits:** Not separately eligible for health benefits from the City and County of San Francisco by virtue of appointment to the Golden Gate Bridge, Highway, and Transportation District Board of Directors.

**Appointment and Removal of Agency Head:** The Board appoints a President. (California Streets and Highways Code §27142.)
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 120

METROPOLITAN TRANSPORTATION COMMISSION

GOVERNMENT CODE §§66500 et seq.

Purpose: The Commission is a local area planning agency created by state law, that provides comprehensive transportation planning for the region comprised of the City and County of San Francisco and the counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma. (California Government Code §66502.) The Commission is not a part of the executive branch of the state government. (California Government Code §66502.)

Members:
Consists of 21 members. (California Government Code §66503.)

(a) Two members each from the City and County of San Francisco and the Counties of Contra Costa and San Mateo, and three members each from the Counties of Alameda and Santa Clara. With respect to the members from the City and County of San Francisco, the Mayor shall appoint one member and the Board of Supervisors shall appoint one member. With respect to the members from Alameda, Contra Costa, San Mateo, and Santa Clara Counties, the city selection committee organized in each county under Article 11 (commencing with Section 50270) of Chapter 1 of Part 1 of Division 1 of Title 5, shall appoint one member and the board of supervisors shall appoint one member. The Mayor of the City of Oakland shall be self-appointed or shall appoint a member of the Oakland City Council to serve as the third member from the County of Alameda. The Mayor of the City of San Jose shall be self-appointed or shall appoint a member of the San Jose City Council to serve as the third member from the County of Santa Clara. (California Government Code §66503(a).)

(b) One member each from Marin, Napa, Solano, and Sonoma Counties. The city selection committee of these counties shall furnish to the board of supervisors the names of three nominees and the board of supervisors shall appoint one of the nominees to represent the county. (California Government Code §66503(b).)

(c) One representative each appointed by the Association of Bay Area Governments and the San Francisco Bay Conservation and Development Commission. The representative appointed by the San Francisco Bay Conservation and Development Commission shall be a member of the commission and a resident of the City and County of San Francisco, and shall be approved by the Mayor of San Francisco. (California Government Code §66503(c).)

(d) One representative, who shall be a nonvoting member, appointed by the Secretary of the Business, Transportation and Housing Agency. (California Government Code §66503(d).)

(e) One representative each appointed by the United States Department of Transportation and Department of Housing and Urban Development. However, these representatives shall serve only if the agencies they represent are amenable to these appointments. These representatives shall be nonvoting members. (California Government Code §66503(e).)
(f) Public officers, whether elected or appointed, may be appointed and serve as members of the commission during their terms of public office. (California Government Code §66503(f).)

(g) No more than three members appointed under subdivisions (a), (b), and (c) shall be residents of the same county. (California Government Code §66503.) (California Government Code §66503(g).)

Commissioners are selected for their special familiarity with the problems and issues in the field of transportation. (California Government Code §66503.) The Mayor’s appointment is not subject to disapproval by the Board of Supervisors.

**Term:** Four years, may be reappointed. (California Government Code §66504.)

**Removal:** Members may be removed only for cause. (Charter §15.105(a).) A commissioner appointed as a public officer vacates his or her commission seat upon ceasing to hold such public office unless the appointing authority consents to completion of the term of office. (California Government Code §66504.)

**Compensation:** None; but members receive reimbursement for actual and necessary expenses; or in lieu of reimbursement for attendance at meetings may receive $100 per diem plus travel expenses for no more than five meetings per month. (California Government Code §66504.1.)

**Health Benefits:** Not separately eligible for health benefits from the City and County of San Francisco by virtue of appointment to the Metropolitan Transportation Commission.

**Appointment and Removal of Agency Head:** The Commission appoints an Executive Director. (California Government Code §66505.)
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities  

PAGE: 122

**PENINSULA CORRIDOR JOINT POWERS BOARD**  
**GOVERNMENT CODE §§6500 et seq.; JOINT POWERS AGREEMENT, OCTOBER 1996**

**Purpose:** The Peninsula Corridor Joint Powers Board (PCJPB) owns and administers commuter rail service (Caltrain) from San Francisco to Gilroy. Three member agencies make up the Board: the Santa Clara Valley Transportation Authority; the San Mateo County Transit District (SamTrans); and the City and County of San Francisco. PCJPB operations are governed by a Board of Directors. (Joint Powers Agreement, October 1996, §4.)

**Members:** Consists of nine directors, with three directors appointed by each member agency. For the City and County of San Francisco: the Municipal Transportation Agency, the Board of Supervisors, and the Mayor, each appoint one member. The Mayor’s appointment is not subject to disapproval by the Board of Supervisors.

**Term:** None unless specified by the appointing authority at the time of appointment. Recent appointment resolutions by the San Francisco Board of Supervisors state a two-year term.

**Removal:** Members may be removed by the appointing authority.

**Compensation:** $100 per meeting, up to $400 per month.

**Health Benefits:** Not separately eligible for health benefits from the City and County of San Francisco by virtue of appointment to the Peninsula Corridor Joint Powers Board.

**Appointment and Removal of Agency Head:** Not applicable. Under the 1996 Joint Powers Agreement, the General Manager of the Managing Agency is automatically the Executive Director of the PCJPB.
TO: Mayor Lee, and Clerk of the Board Calvillo  
DATE: August 18, 2014  
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities  

PAGE: 123

TRANSBAY JOINT POWERS AUTHORITY BOARD OF DIRECTORS  

GOVERNMENT CODE §§6500 et seq.; TRANSBAY JOINT POWERS AGREEMENT; TRANSBAY JPA BYLAWS  

Purpose: The Transbay Joint Powers Authority (TJPA) will develop, construct and operate the new Transbay Terminal, which will provide regional intermodal transit connections through its expanded bus and rail service, including the downtown extension of Caltrain. (Joint Powers Agreement, §3.) There are three members of the TJPA: the City and County of San Francisco, the Caltrain Joint Powers Board (JPB), and Alameda County (AC) Transit. (Joint Powers Agreement, Introduction.) The TJPA governs its operations through a Board of Directors. (Joint Powers Agreement, §§1, 2.)

Members: Consists of a five-person Board of Directors. (Joint Powers Agreement §8(a); TJPA Bylaws §7.) The City and County of San Francisco appoints three Directors: one each is appointed by the Mayor (which is not subject to Board of Supervisors approval), the City’s Municipal Transportation Agency (which is subject to affirmative Board of Supervisors approval), and the Board of Supervisors. (Joint Powers Agreement §8(a).) The Board of Supervisors appointee must be a member of the Board of Supervisors. (San Francisco Board of Supervisors Resolution No. 104-01.) Caltrain JPB and AC Transit appoint the other two members. (Joint Powers Agreement §8(a); TJPA Bylaws §7.2.) Appointing authorities may also appoint alternates for the Directors whom they appoint. (Joint Powers Agreement §8(a); TJPA Bylaws §7.2.)

Term: None specified in the Joint Powers Agreement. Under the TJPA Bylaws, a vacancy exists following: the death of a director, the removal, dismissal or resignation of a director from the position s/he held with the Member at the time s/he became a director, a resolution of the Board of a vacancy of an office of a director who has been declared of unsound mind by an order of the court or convicted of a felony after having been appointed, or written notice to the Secretary from the appointing member stating that the designation of the director or alternate director has been revoked. (TJPA Bylaws §7.3(a).) No director or his or her alternate may resign if the Authority would then be without at least two directors or their alternates in charge of its affairs. (TJPA Bylaws §7.3(b).)

Removal: Directors may be removed by their appointing authority. (TJPA Bylaws §7.3(a)(iv).)

Compensation: None. (But, Directors may be reimbursed for expenses.) (Joint Powers Agreement §8(b); TJPA Bylaws §7.8.)

Health Benefits: Not separately eligible for health benefits from the City and County of San Francisco by virtue of appointment to the Transbay Joint Powers Authority Board.

Appointment and Removal of Agency Head: The Board appoints the Executive Director.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 124

APPROVED:

_______________________________
DENNIS J. HERRERA
City Attorney
TO: Mayor Lee, and Clerk of the Board Calvillo

DATE: August 18, 2014

RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

INDEX

A
ABATEMENT APPEALS BOARD.................................17
AGING ........................................See COMMISSION ON AGING
AIRPORT COMMISSION......................................13
APPOINTMENT AND REMOVAL OF DEPARTMENT HEADS SERVING UNDER BOARDS OR COMMISSIONS ........................................10
ARTS COMMISSION ..........................................14
ASIAN ART COMMISSION ..................................15
ASSESSMENT APPEALS BOARD ..................................96
ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) EXECUTIVE BOARD ..................116
ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) GENERAL ASSEMBLY ..................117

B
BALLOT SIMPLIFICATION COMMITTEE ..................66
BAY AREA AIR QUALITY MANAGEMENT DISTRICT BOARD ........................................118
BAYVIEW HUNTERS POINT CITIZENS ADVISORY COMMITTEE ........................................67
BOARD OF APPEALS ...........................................16
BOARDS AND COMMISSIONS ...........................................3
BOARDS CREATED UNDER FEDERAL OR STATE STATUTES ........................................96
BOARDS OF MULTI-COUNTY AGENCIES ..................11
BOARDS THAT INCLUDE OTHER COUNTIES ..............116
BOARDS, COMMISSIONS AND CERTAIN OTHER ENTITIES CREATED BY ORDINANCES AND RESOLUTIONS APPROVED BY THE BOARD OF SUPERVISORS ........................................66
BOARDS, COMMISSIONS AND CERTAIN OTHER ENTITIES CREATED BY VOTER-APPROVED ORDINANCES ...........................................57
BUILDING INSPECTION COMMISSION ..................17

C
CHARTER-CREATED BOARDS, COMMISSIONS, AND OTHER ENTITIES ......................................13
CHILDREN’S FUND CITIZENS’ ADVISORY COMMITTEE ...........................................18
CITIZENS ADVISORY COMMITTEE FOR STREET UTILITY CONSTRUCTION ..................68
CITIZENS’ AUDIT REVIEW BOARD ............................57

CITIZENS’ GENERAL OBLIGATION BOND
OVERSIGHT COMMITTEE ........................................ 57
CITY BOARDS, COMMISSIONS AND CERTAIN OTHER ENTITIES CREATED BY ORDINANCES AND RESOLUTIONS ........................................ 57
CITY HALL PRESERVATION ADVISORY COMMITTEE ........................................ 69
CIVIL SERVICE COMMISSION ........................................ 19
COMMISSION OF ANIMAL CONTROL & WELFARE ........................................ 70
COMMISSION ON AGING ........................................ 20
COMMISSION ON THE ENVIRONMENT ..................... 21
COMMISSION ON THE STATUS OF WOMEN .............. 22
COMPENSATING COMMISSIONERS ........................ 5
CONCOURSE AUTHORITY  See GOLDEN GATE PARK CONCOURSE AUTHORITY
CONFLICTS OF INTEREST ........................................ 9
CREATION OF BOARDS AND COMMISSIONS ............ 3
CREATION OF BOARDS AND COMMISSIONS, APPOINTMENT AND REMOVAL OF MEMBERS AND RELATED MATTERS, APPOINTMENT AND REMOVAL OF DEPARTMENT HEADS SERVING UNDER THOSE BOARDS AND COMMISSIONS, AND BOARDS OF MULTI-COUNTY AGENCIES 3

D
DISASTER COUNCIL ........................................ 72

E
ELECTIONS COMMISSION .................................... 23
ELECTIONS TASK FORCE ...................................... 25
ENTERTAINMENT COMMISSION ................................... 26
ENUMERATION OF BOARDS, COMMISSIONS, AND OTHER ENTITIES .............................. 13
ENVIRONMENT  See COMMISSION ON THE ENVIRONMENT
ETHICS COMMISSION ........................................ 28

F
FAMILY VIOLENCE COUNCIL ADVISORY COMMITTEE ........................................ 73
FILM COMMISSION ........................................... 75
FINE ARTS MUSEUMS BOARD OF TRUSTEES ...................................... 30
FIRE COMMISSION ........................................... 31
FIRST 5 SAN FRANCISCO ........................................ 97
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

M: MAYORAL RESPONSIBILITIES FOR APPOINTING BOARD AND COMMISSION MEMBERS ............................................. 4
   METROPOLITAN TRANSPORTATION COMMISSION ......................................................... 120
   MUNICIPAL TRANSPORTATION AGENCY BOARD OF DIRECTORS ...................................... 40
   MUNICIPAL TRANSPORTATION AGENCY CITIZENS’ ADVISORY COUNCIL ............................. 43
   MUNICIPAL TRANSPORTATION DISTRICT BOARD OF DIRECTORS ................................. 119

G: GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT BOARD OF DIRECTORS ........................................ 119
   GOLDEN GATE PARK CON COURSE AUTHORITY ........................................... 59
   GRAFFITI ADVISORY BOARD ............................................................................. 76
   HUMAN SERVICES BENEFITS FOR COMMISSIONERS ........................................ 6
   HISTORIC PRESERVATION COMMISSION ....................................................... 34
   HOMELESS SENIOR TASK FORCE ........................................................................ 78
   HOUSING AUTHORITY COMMISSION .................................................................... 100
   HUMAN RIGHTS COMMISSION ............................................................................. 35
   HUMAN SERVICES COMMISSION ........................................................................... 36
   HEALTH AUTHORITY ......................................................................................... 99
   HEALTH COMMISSION ....................................................................................... 32
   HEALTH SERVICE BOARD .................................................................................... 33
   IMMIGRANT RIGHTS COMMISSION ............................................................. 79
   INDUSTRIAL DEVELOPMENT AUTHORITY BOARD ........................................ 101
   IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY ........................................ 80

H: PARK, RECREATION, AND OPEN SPACE ADVISORY COMMITTEE ................................. 83
   PARKING AND TRAFFIC COMMISSION .................................................................. 44
   PARKING AUTHORITY ......................................................................................... 106
   PENINSULA CORRIDOR JOINT POWERS BOARD ............................................. 122
   PLANNING COMMISSION ................................................................................... 45
   POLICE COMMISSION ......................................................................................... 46
   PORT COMMISSION ............................................................................................. 47
   PUBLIC UTILITIES COMMISSION ....................................................................... 48
   PUBLIC UTILITIES RATE FAIRNESS BOARD .................................................. 49
   PUBLIC UTILITIES REVENUE BOND OVERSIGHT COMMITTEE ............................ 60
   RECALL OF COMMISSIONERS ............................................................................ 9
   RECREATION AND PARK COMMISSION ....................................................... 50
   REDEVELOPMENT AGENCY COMMISSION ................................................... 107
   REENTRY COUNCIL ........................................................................................... 84
   RELOCATION APPEALS BOARD ......................................................................... 108
   REMOVING COMMISSIONERS .......................................................................... 7
   RENT BOARD ..................................................................................................... 7
   RETIREMENT BOARD ......................................................................................... 52
   ROLE OF COMMISSIONS AND COMMISSIONERS ............................................. 10

I: RESIDENCY AND OTHER REQUIREMENTS ......................................................... 5
   RESIDENTIAL RENT STABILIZATION AND ARBITRATION BOARD ................. 86
   RECALL OF COMMISSIONERS ............................................................................ 9
   REENTRY COUNCIL ........................................................................................... 84
   RELOCATION APPEALS BOARD ......................................................................... 108
   REMOVING COMMISSIONERS .......................................................................... 7
   RENT BOARD ..................................................................................................... 7
   RETIREMENT BOARD ......................................................................................... 52
   ROLE OF COMMISSIONS AND COMMISSIONERS ............................................. 10

L: SAN FRANCISCO CHILDREN AND FAMILIES FIRST COMMISSION ......................... 97
   SAN FRANCISCO MUSEUM AND HISTORICAL SOCIETY ADVISORY COMMITTEE .... 87
   LANDMARKS PRESERVATION ADVISORY BOARD ............................................ 81
   LAW LIBRARY BOARD OF TRUSTEES .................................................................. 38
   LIBRARY COMMISSION ....................................................................................... 39
   LOCAL AGENCY FORMATION COMMISSION ............................................. 102
   LOCAL HOMELESS COORDINATING BOARD ............................................. 82
   LOCAL WORKFORCE INVESTMENT BOARD ................................................... 114

J: JUVENILE PROBATION COMMISSION .......................................................... 37

K: AGENDA OPINION NO. 2014-01
   BOARD AND COMMISSION MEMBERS ....................................................... 4
   METROPOLITAN TRANSPORTATION COMMISSION ............................................. 120
   MUNICIPAL TRANSPORTATION AGENCY BOARD OF DIRECTORS ..................... 40
   MUNICIPAL TRANSPORTATION AGENCY CITIZENS’ ADVISORY COUNCIL ......... 43
   MUNICIPAL TRANSPORTATION DISTRICT BOARD OF DIRECTORS ................. 119
   GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT BOARD OF DIRECTORS ........................................ 119
   GOLDEN GATE PARK CON COURSE AUTHORITY ........................................... 59
   GRAFFITI ADVISORY BOARD ............................................................................. 76
   HUMAN SERVICES BENEFITS FOR COMMISSIONERS ........................................ 6
   HISTORIC PRESERVATION COMMISSION ....................................................... 34
   HOMELESS SENIOR TASK FORCE .................................................................... 78
   HOUSING AUTHORITY COMMISSION .......................................................... 100
   HUMAN RIGHTS COMMISSION ........................................................................... 35
   HUMAN SERVICES COMMISSION ..................................................................... 36
   HEALTH AUTHORITY .......................................................................................... 99
   HEALTH COMMISSION ...................................................................................... 32
   HEALTH SERVICE BOARD .................................................................................. 33
   IMMIGRANT RIGHTS COMMISSION ............................................................... 79
   INDUSTRIAL DEVELOPMENT AUTHORITY BOARD ........................................ 101
   IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY .................................... 80
   PARK, RECREATION, AND OPEN SPACE ADVISORY COMMITTEE ...................... 83
   PARKING AND TRAFFIC COMMISSION ......................................................... 44
   PARKING AUTHORITY .......................................................................................... 106
   PENINSULA CORRIDOR JOINT POWERS BOARD ............................................... 122
   PLANNING COMMISSION ................................................................................... 45
   POLICE COMMISSION .......................................................................................... 46
   PORT COMMISSION ............................................................................................ 47
   PUBLIC UTILITIES COMMISSION ..................................................................... 48
   PUBLIC UTILITIES RATE FAIRNESS BOARD .................................................... 49
   PUBLIC UTILITIES REVENUE BOND OVERSIGHT COMMITTEE ....................... 60
   RECALL OF COMMISSIONERS ............................................................................. 9
   RECREATION AND PARK COMMISSION ....................................................... 50
   REDEVELOPMENT AGENCY COMMISSION ..................................................... 107
   REENTRY COUNCIL ............................................................................................ 84
   RELOCATION APPEALS BOARD ........................................................................... 108
   REMOVING COMMISSIONERS .......................................................................... 7
   RENT BOARD ...................................................................................................... 7
   RETIREMENT BOARD .......................................................................................... 52
   ROLE OF COMMISSIONS AND COMMISSIONERS ............................................. 10
   SAN FRANCISCO CHILDREN AND FAMILIES FIRST COMMISSION ....................... 97
   SAN FRANCISCO MUSEUM AND HISTORICAL SOCIETY ADVISORY COMMITTEE .... 87
   LANDMARKS PRESERVATION ADVISORY BOARD ........................................... 81
   LAW LIBRARY BOARD OF TRUSTEES .................................................................. 38
   LIBRARY COMMISSION ....................................................................................... 39
   LOCAL AGENCY FORMATION COMMISSION ............................................. 102
   LOCAL HOMELESS COORDINATING BOARD ............................................. 82
   LOCAL WORKFORCE INVESTMENT BOARD ................................................... 114
   MAYORAL RESPONSIBILITIES FOR APPOINTING BOARD AND COMMISSION MEMBERS ........................................ 4
   METROPOLITAN TRANSPORTATION COMMISSION ............................................. 120
   MUNICIPAL TRANSPORTATION AGENCY BOARD OF DIRECTORS ............................. 40
   MUNICIPAL TRANSPORTATION AGENCY CITIZENS’ ADVISORY COUNCIL ......... 43
   MUNICIPAL TRANSPORTATION DISTRICT BOARD OF DIRECTORS ............................. 119
   GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT BOARD OF DIRECTORS ........................................ 119
   GOLDEN GATE PARK CON COURSE AUTHORITY ........................................... 59
   GRAFFITI ADVISORY BOARD ............................................................................. 76
   HUMAN SERVICES BENEFITS FOR COMMISSIONERS ........................................ 6
   HISTORIC PRESERVATION COMMISSION ....................................................... 34
   HOMELESS SENIOR TASK FORCE .................................................................... 78
   HOUSING AUTHORITY COMMISSION .......................................................... 100
   HUMAN RIGHTS COMMISSION ........................................................................... 35
   HUMAN SERVICES COMMISSION ..................................................................... 36
   HEALTH AUTHORITY .......................................................................................... 99
   HEALTH COMMISSION ...................................................................................... 32
   HEALTH SERVICE BOARD .................................................................................. 33
   IMMIGRANT RIGHTS COMMISSION ............................................................... 79
   INDUSTRIAL DEVELOPMENT AUTHORITY BOARD ........................................ 101
   IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY .................................... 80
   PARK, RECREATION, AND OPEN SPACE ADVISORY COMMITTEE ...................... 83
   PARKING AND TRAFFIC COMMISSION ......................................................... 44
   PARKING AUTHORITY .......................................................................................... 106
   PENINSULA CORRIDOR JOINT POWERS BOARD ............................................... 122
   PLANNING COMMISSION ................................................................................... 45
   POLICE COMMISSION .......................................................................................... 46
   PORT COMMISSION ............................................................................................ 47
   PUBLIC UTILITIES COMMISSION ..................................................................... 48
   PUBLIC UTILITIES RATE FAIRNESS BOARD .................................................... 49
   PUBLIC UTILITIES REVENUE BOND OVERSIGHT COMMITTEE ....................... 60
   RECALL OF COMMISSIONERS ............................................................................. 9
   RECREATION AND PARK COMMISSION ....................................................... 50
   REDEVELOPMENT AGENCY COMMISSION ..................................................... 107
   REENTRY COUNCIL ............................................................................................ 84
   RELOCATION APPEALS BOARD ........................................................................... 108
   REMOVING COMMISSIONERS .......................................................................... 7
   RENT BOARD ...................................................................................................... 7
   RETIREMENT BOARD .......................................................................................... 52
   ROLE OF COMMISSIONS AND COMMISSIONERS ............................................. 10
   SAN FRANCISCO CHILDREN AND FAMILIES FIRST COMMISSION ....................... 97
   SAN FRANCISCO MUSEUM AND HISTORICAL SOCIETY ADVISORY COMMITTEE .... 87

Deep reading model: This text is a legal opinion regarding the appointment and removal of members to various boards and commissions in the City and County of San Francisco. It outlines the legal requirements for these appointments and provides a summary of related matters, including the roles of department heads under those boards and commissions, and mayoral voting seats on certain boards and commissions and other entities.
TO: Mayor Lee, and Clerk of the Board Calvillo
DATE: August 18, 2014
RE: Summary of Legal Requirements for Appointment of Members to Boards and Commissions and Certain Other Entities, Removal and Other Related Matters, Appointment and Removal of Department Heads Under those Boards and Commissions, and Mayoral Voting Seats on Certain Boards and Commissions and Other Entities

PAGE: 127

SENTENCING COMMISSION ................................. 88
SMALL BUSINESS COMMISSION ............................ 53
SOUTHEAST COMMUNITY FACILITY COMMISSION ................................. 89
STATE LEGISLATION COMMITTEE .......................... 90
STREET ARTISTS AND CRAFTSMEN EXAMINERS
ADVISORY COMMITTEE .................................. 62, 63
SUCCESSOR AGENCY COMMISSION ..................... 109
SUNSHINE ORDINANCE TASK FORCE ..................... 91

TAXI COMMISSION ........................................... 54
TENURE OF COMMISSIONERS ............................. 6
TRANSBAY JOINT POWERS AUTHORITY BOARD
OF DIRECTORS ............................................. 123
TREASURE ISLAND / YERBA BUENA ISLAND
CITIZENS ADVISORY BOARD ............................. 112
TREASURE ISLAND DEVELOPMENT AUTHORITY
BOARD OF DIRECTORS .................................. 110
TREASURY OVERSIGHT COMMITTEE .................... 64

URBAN FORESTRY COUNCIL .............................. 93
VETERANS' AFFAIRS COMMISSION ....................... 94
WAR MEMORIAL BOARD OF TRUSTEES ............... 55
WORKFORCE DEVELOPMENT ADVISORY
COMMITTEE ............................................. 95
YOUTH COMMISSION ....................................... 56