

Charter Reform Summary

Categories of charter reform; commission streamlining

1. **Cleanup:** true charter cleanup
E.g., codifying existing CAT advice or fixing technical errors or outdated language
1. **Headaches:** solving department-specific pain points in how they operate
E.g., allowing War memorial to operate as a 501c3, AAM number of seats
1. **Efficiency:** improvements to processes that allow government to function more efficiently
E.g., allowing approval of settlements by resolution instead of ordinance, BOS refund bonds
1. **Modernization:** updating charter to reflect current conditions
E.g., fixing newspapers requirements, changing bookbinder, changing MTA performance standards
1. **Policy Decisions:** bigger policy direction
E.g., Charter review process
1. **Commissions:** select recommendations from Prop E process
E.g., expanding seat qualifications, establishing authority in code

Cleanup

1	2.101	CAT	Delete obsolete transitional language dealing with terms of the Board of Supervisors members who were in office when the Charter was modified.
2	2.104	CAT	Clarify the vote threshold to say that the Board of Supervisors shall act by a majority, unless a different vote threshold is specified. Clarify the rule against abstention applies to emergency meetings. Codify the current interpretation that a body can require a member to sit out a matter where it would violate a conflict of interest law.
3	2.109	CAT	Update reference to 1932 Refuse Ordinance which has been amended several times.
4	3.103	CAT	Clarify the Mayor has the power to veto emergency ordinances.
5	4.104	CAT	Add a provision clarifying that a body cannot excuse a member unless required by law or at the request of the member.
6	4.136	CAT	Clarify subsection h to add language that DPA's reports should not contain information which reveal the identity of the officers or facts that could lead to their identity unless authorized by state law.
7	4.136	DPA	Replace gendered pronoun references ("his or her designee") with gender-neutral language throughout the section.
8	4.136(c)	DPA	Clean up language regarding who may serve as a DPA employee.
9	8A.102 (a)	MTA	Delete/clean-up historic transfer provisions stating initial appointment dates for MTAB
10	8A.102 (c)	MTA	Update reference to 8A.104 (km)

Cleanup

11	8A.103(f)	MTA	Delete or clean up historic provision
12	8A.104	CAT	Remove two sentences in subsections o and q which were determined to be invalid in recent court decisions.
13	8A.104 (k)	MTA	Clean-up references to other sections
14	8A.104 (o) and (q)	MTA	Delete/clean-up language to comply with PERB decision
15	8A.113	CAT	Update an incorrect cross reference
16	8A.113 (b)	MTA	Replace Section 16.110 with Section 8A.105 (e)
17	12.200	HSS	Define "ex officio" as the BOS appointment, as that is the only appointment where the duration of the term can change and provide a clear term duration for board members, removing reference to terms between 2011 and 2015.
18	12.200	HSS	Replace outdated language reference to the Controller's nomination and the limitation of a 2 year term from 2013 with language regarding the 5-year term, which is in the code as well and is the on going practice.

Cleanup

20	12.202	HSS	All employer groups who participate in the SFHSS health benefits should be listed. Employer Groups: 1. City and County of San Francisco, 2. San Francisco Unified School District, 3. San Francisco Community College District, and 4. San Francisco Superior Court. For consistency reference to Amin Code 16.700 could be added as the list of all members is documented there.
21	12.202	HSS	Update to include not just permanent employees who are eligible, but also called out in this section all other types of eligible employees, such as TPV, TEX after meeting 1040 hours, and TEX with schedules of 20+ hours.
22	12.203	HSS	All employer groups who participate in the SFHSS health benefits should be listed. Employer Groups: 1. City and County of San Francisco, 2. San Francisco Unified School District, 3. San Francisco Community College District, and 4. San Francisco Superior Court. For consistency reference to Amin Code 16.700 could be added as the list of all members is documented there.
23	12.204	CAT	Clarify who votes for the two trustees elected from among active employees and retired members in (b).
24	A7.204	CAT	Delete citizenship requirement in subsection c.
25	A8.420	CAT	Change references from Human Resources Department to Health Service System
26	A8.423	HSS	Remove duplicate statement: "In January of each year, or at such other time consistent with the Plan Year set by the health service board, or at such other time consistent with the Plan Year set by the Health Service Board"
27	A8.425	HSS	Remove: "As used in this section, and for the purpose of this section, the terms "City and County employees" and "employees of the City and County" shall include officers and employees of the Parking Authority of the City and County of San Francisco."

Cleanup

28	A8.428	HSS	All employer groups who participate in the SFHSS health benefits should be listed. Employer Groups: 1. City and County of San Francisco, 2. San Francisco Unified School District, 3. San Francisco Community College District, and 4. San Francisco Superior Court.
29	A8.428	HSS	Remove: "the Parking Authority of the City and County of San Francisco"
30	A8.428	HSS	All employer groups who participate in the SFHSS health benefits should be listed. Employer Groups: 1. City and County of San Francisco, 2. San Francisco Unified School District, 3. San Francisco Community College District, and 4. San Francisco Superior Court. For consistency reference to Amin Code 16.700 could be added as the list of all members is documented there.
31	A8.429	HSS	Update to include him or her: "controller shall have and exercise the accounting and auditing powers over the health service system fund which are vested in him by this Charter"
32	Various	CAT	Update references in the Charter (which is the 1996 Charter, adopted at the November 1995 election, and effective July 1, 1996) to citations from the 1932 Charter, which the 1996 Charter replaced
33	Various	CAT	Fix gendered language in sections that are otherwise being amended

Headaches

34	4.127	POL	Change deadline for Police Commission policy of methodologies from July 1 to April 1 of the reporting year.
35	5.104	AAM	Allow the majority of the Asian Art Commission to vote and set the number of commissioners, similar to FAMSF
36	5.106	WAR	Explicitly authorize the War Memorial to work with a non-profit or other legal entity to operate and raise funds for the department, similar to what is currently in the Charter for FAMSF and AAM
37	8A.104 (r)	MTA	Revise noticing/disclosure requirements before ratifying a tentative agreement with labor from 15 to 14 calendar days
38	8B.123	PUC	Remove requirement for an annually updated Long-Term Strategic Plan
39	16.130(f)	ADM	Reduce reporting requirements from every three years to every five years by the Office of the City Administrator
40	F1.104	CON	Update the last sentence to say "shall consider" instead of "shall give preference to". Delete "no two successive years" clause.
41	F1.106	CON	Change "shall have the duty" to "shall have the authority" and update list to include nonprofit monitoring
42	Sec 4.107	HRC	Clarify which duties listed in 4.107 are duties conducted by the Commission versus duties conducted by the Department

Headaches

43	Section 16.107(h)	RPD	Revise deadlines for the Capital Plan (currently Jan 15) and Operational Plan (currently Feb 1) so both can be reviewed by the Commission at the same time.
44	Section 16.107(h)(3)	RPD	Remove the sentence: 'The Capital Expenditure Plan shall further address irrigation, water conservation, and urban forestry.'
45	Section 16.107(h)(3) and (4)	RPD	Clarify reporting requirements so progress reporting occurs at the midpoint of the five year Strategic Plan rather than during each annual or biennial budget cycle.

Efficiency

46	6.102	CAT	Amend subsection 5 to allow approvals of legal settlements by resolution rather than ordinance.
47	9.109	CON	Allow the Board of Supervisors to refund debt, provided it either results in net debt service savings, removes obsolete provisions, or the Controller certifies that it is otherwise financially advantageous.

Modernization

48	4.105	ADM	Delete language about Planning Department consulting with CAO; not a core CAO function
49	8.103	LLB	Replace the word "Bookbinder" with "Technical Services Manager"
50	8.103	LLB	Replace "books and periodicals" with "legal research materials"
51	8A.100	MTA	Delete preamble
52	8A.101 (b)	MTA	Delete/clean-up historic provision allowing the BOS to abolish the Taxi Commission and transfer its duties to the MTA and replace with language stating that MTA has jurisdiction over the former Taxi Commission.
53	8A.103(c)(1)	MTA	Remove on-time performance reporting requirement
54	8A.105 (c)(3)	MTA	Clean-up to simplify and make consistent with parcel tax language and MTAs ability to report
55	8A.105 (f)	MTA	Clean-up to simplify and make consistent with parcel tax language and MTAs ability to report
56	8B.120	PUC	Replace description of SFPUC functions and operation
57	8B.120	PUC	Update PUC purchasing authority to be in harmony with city administrator authority
58	8B.122	PUC	Update goals and objectives of the department.
59	8B.124	PUC	Replace existing section with updated authority to allow a range of financing tools and authorities. Remove requirement for certifications.

Modernization

59	8B.125	PUC	Update parameters for utility rate-setting.
60	8B.126	PUC	Change title of section to Appointment of the General Manager and update language.
61	8B.127	PUC	Place water, power and sewer on equal footing as to wholesale customer or markets, and other public entities.
62	9.114	CON	Move section to code (mission driven budget)
63	9.115	CON	Move to code (departmental budget commitments)
64	9.116	CON	Move to code (departmental savings and revenue gains)
65	9.119 (b)	CON	Move last sentence to Admin Code (about each department's strategic goals)
66	16.114	ADM	Modernize by replacing references to "books and papers" with "documents and data"
67	Admin Code Article IX	ADM	Allow the BOS to amend by 2/3 vote Article IX of the Administrative Code, addressing Official Newspapers, provided that the Board keeps in place a process for providing support to local news organizations. The language does not take into consideration changes due to online circulation, and there are now unintended consequences (like the Chronicle being ineligible to be awarded a contract) Solution: keep a public process to select an official newspaper, but modernize it and reduce administrative burden (e.g. frequency, acknowledge online readership)

Modernization

68	F1.101	CON	Clean-up to detail functions at a higher level. section (b) - e.g., replace Replace nine specific service areas with more general language stating, "CSA will evaluate San Franciscos major service areas."
69	F1.102	RPD	Revise section to strengthen coordination among Recreation and Park Department, Department of Public Works, and community organizations in developing measurable maintenance standards.
70	F1.102(a)(3)	RPD	Add language allowing recommendations to include improved coordination among City departments and community partners.
71	F1.102(b)	RPD	Require agencies to publish maintenance schedules online and allow coordination with community organizations for implementation where appropriate.
72	F1.103	CON	Eliminate
73	F1.105	CON	Update clause c) to be more general, remove language about designation of "confidential employees"
74	F1.108	CON	Move to code (consider moving Charter section 16.120 too, which establishes the requirement for departments to submit customer service plans)

Policy Decisions

75	New section/amended Prop E section	Create a process to regularly review commissions
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Commission Streamlining

76	4.121(b)	Abatement Appeals Board	DBI	Move from charter to administrative code
77	4.121(b)	Access Appeals Commission	DBI	Move from charter to administrative code
78	4.121(b)	Board of Examiners	DBI	Eliminate <i>Inactive</i>
79	Administrative Code SEC. 5.30	Citizens' General Obligation Bond Oversight Committee	CON	Change name to 'Council' <i>Aligning with Prop E ordinance naming standard</i>
80	Administrative Code SEC. 5.30	Citizens' General Obligation Bond Oversight Committee	CON	Move from charter to administrative code
81	4.121(b)	Code Advisory Committee	DBI	Move from charter to the administrative code
82	4.121(b)	Code Advisory Committee	DBI	Change name to 'Council' <i>Aligning with Prop E ordinance naming standard</i>

Commission Streamlining

83	Administrative Code § 20.50	Delinquency Prevention Commission		Eliminate <i>Inactive</i>
84	Charter § 16.128-11(e); Administrative Code § 5.34-1	Dignity Fund Service Providers Working Group	HSA	Eliminate, replace with agreed upon language obligating the department to work with service providers.
85	13.11	Elections Task Force		Rename to Redistricting Board to avoid confusion with Elections Commission
86	A8.409-1, A8.409-6	Employee Relations Board	DHR	Eliminate <i>Inactive</i>
87	5.105	Fine Arts Museums Board of Trustees	FAM	Reduce from up to 62 trustees to up to 20 trustees
88	5.105	Fine Arts Museums Board of Trustees	FAM	Adjust quorum language
89	SEC. 2A.242	Historic Preservation Commission		Remove Legacy Business application review <i>Reduce duplicative review; keep it with the Small Business Commission</i>

Commission Streamlining

90	4.111	Human Services Commission	HAS	Move from charter to the administrative code
91	8.103	Law Library Board of Trustees	LLB	Eliminate <i>There is a legal state requirement for the body to exist, so this is not threatening its existence</i>
92	ARTICLE XLI	Our City Our Home Oversight Committee		Allow the board to amend the body with a simple majority vote <i>Makes no changes to body at this moment, but gives the board the ability to amend via ordinance in the future</i>
93	8A.111	MTA CAC		Move from charter to transportation code
94	16.107	Parks, Recreation, and Open Space Advisory Committee (PROSAC)	RPD	Adjust quorum language
95	16.107	Parks, Recreation, and Open Space Advisory Committee (PROSAC)	RPD	Change name to 'Council' <i>Aligning with Prop E ordinance naming standard</i>

Commission Streamlining

96	Article XV	Public Utilities Citizens' Advisory Commission	PUC	Change name to 'Council' <i>Aligning with Prop E ordinance naming standard</i>
97	Article XV	Public Utilities Citizens' Advisory Commission	PUC	Move from charter to administrative code
98	8B.124	Public Utilities Rate Fairness Board	PUC	Change name to 'Council' <i>Aligning with Prop E ordinance naming standard</i>
99	8B.124	Public Utilities Rate Fairness Board	PUC	Move from charter to administrative code
100	4.141	Public Works Commission	DPW	Eliminate
101	SEC. 3.1-397	Refuse Rate Board	DPW	Move from charter to administrative code
102	4.139	Sanitation and Streets Commission	DPW	Eliminate

Commission Streamlining

103	A8.346	Special Strike Committee	CSC	Eliminate
104		Street Artists and Craftsman Examiners Advisory Committee		Eliminate; include language authorizing the Board of Supervisors to modify by ordinance the section of the code that references and creates the program
105	SEC 16.128-11	Structural Advisory Committee	DBI	Eliminate
106	XXXIII	Sugary Drinks Distributor Tax Advisory Committee		Sunset the body when the tax sunsets
107	XXXIII	Sugary Drinks Distributor Tax Advisory Committee		Clarify administrative support: support provided by DPH not ADM/CON
108	XXXIII	Sugary Drinks Distributor Tax Advisory Committee		Change name to 'Council' <i>Aligning with Prop E ordinance naming standard</i>

Commission Streamlining

109	4.102	Annual Statement of Purpose	N/A	Remove requirement for annual statement of purpose (all commissions)
110	4.102	Commission Secretary	N/A	Remove obligation to appoint a secretary (all commissions)
111	4.103	Annual Report	N/A	Eliminate section (all commissions)
112	SEC 12.204	Retiree Health Care Trust Fund Board		Clarify how elected members may be removed if they engage in serious misconduct <i>There is currently no process</i>
113	4.120	Disability and Aging Services Commission (DASC)		Move to code <i>There is a legal requirement for the body to exist, so this is not threatening its existence</i>

Commission Streamlining

114	ARTICLE XXXIV	Dignity Fund Oversight and Advisory Committee (DF OAC)		Combining Dignity Fund Oversight and Advisory Committee (DF OAC) with Disability and Aging Services Advisory Council (DAS Advisory Council), merged as the Disability and Aging Services Advisory and Oversight Council
115	4.133	Homelessness Oversight Commission	HSH	Expand qualifications to be desirable at the body level; except for the qualification for one seat to be someone who has personally experienced homelessness
116	4.133	Homeless Oversight Commission	HSH	Make all Mayoral appointments subject to 8 vote rejection by BOS
117	4.112	Public Utilities Commission	PUC	Expand qualifications to be desirable at the body level; except include at all times at least one person is a member of organized labor
118	12.100	Retirement Board		Clarify how elected members may be removed if they engage in serious misconduct <i>There is no current process</i>
119	67.30	Sunshine Ordinance Task Force		Expand qualifications to be desirable at the body level; except for LOWV and SPJ to keep their seat nominations and generalize the other seats to be desirable at the body level for the Board of Supervisors