



**Meeting Date:** November 3, 2023

**To:** Public Works Commission

**From:** Bob Fuller, Commission Secretary

**Subject:** Public Works Commission Rules of Order Amendments

---

**Secretary's Recommendation:** Adopt the proposed amendments to the Public Works Commission Rules of Order.

**Background:** The Public Works Commission adopted its Rules of Order on December 2, 2023. Since that time, the practices of the Commission have changed as Commission officers and staff continue to implement the mandates of Proposition B (2020) and Proposition B (2022). The amendments listed below and shown in the attached Rules of Order draft reflect changes to align the Rules with the Commission's practices, in adherence with all state and local regulations of the Commission. Notice was given to the public of this potential amendment to the Rules of Order on October 24, 2023.

**Summary of Proposed Commission Action:**

- Article II, Section 1 amends the Election and Terms of Officers to provide greater flexibility in scheduling the election of officers.
- Article III, Section 3 amends the Regular Commission Meetings to provide greater flexibility in scheduling the calendar adoption.
- Article III, Section 6 amends the Order of Business to reflect current agenda ordering and language.
- Article III, Section 8 amends Public Comment at Commission Meetings to delete a phrase that is repetitive of the Order of Business and does not reflect current agenda ordering.

**Attachments:**

1. Public Works Commission Rules of Order Amendment Resolution
2. Draft amendments to the Public Works Commission Rules of Order

**PUBLIC WORKS COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO**

**RESOLUTION NO. \_\_\_\_\_**

WHEREAS, The San Francisco Public Works Commission was created by the passage of Proposition B on the November 2020 ballot, making it a public body subject to the regulations of the San Francisco Charter; and,

WHEREAS, Section 4.104. of the San Francisco Charter authorizes commissions to adopt rules and regulations consistent with the Charter and ordinances of the City and County; and,

WHEREAS, The San Francisco Public Works Commission formed on July 2, 2022 and was fully empowered to fulfill its mandate on September 1, 2022; and,

WHEREAS, The San Francisco Public Works Commission adopted its Rules of Order on December 2, 2022; and,

WHEREAS, The San Francisco Public Works Commission continues to institutionalize its policies and procedures to best provide oversight to San Francisco Public Works; and,

WHEREAS, Notice was given to the public of intent to hold a public hearing on the adoption of the San Francisco Public Works Commission Rules of Order on October 24, 2023; now, therefore, be it

RESOLVED, That the San Francisco Public Works Commission adopts the amendments to the San Francisco Public Works Commission Rules of Order as shown in the version on file with the Commission Affairs Manager and incorporated by reference herein; and, be it

FURTHER RESOLVED, That a copy of the adopted Rules of Order, as amended, will be posted on-line and will be made available to the public.

*I hereby certify that the foregoing resolution was adopted by the Public Works Commission at its meeting of \_\_\_\_\_.*

---

Commission Affairs Manager,  
Public Works Commission

RULES OF ORDER  
SAN FRANCISCO PUBLIC WORKS COMMISSION

Adopted on December 2, 2022

Resolution No. 2022-0027

Amended on \_\_\_\_\_

Resolution No. \_\_\_\_\_

Amendment notes:

Unchanged Rules of Order text are in plain Calibri font.

Additions to Rules are in underline italics.

Deletions to Rules are in ~~strikethrough italics~~.

**Article I. Name and Authority**

**Section 1. Name.**

The name of this commission shall be the Public Works Commission (“Commission”).

**Section 2. Purpose and Authority.**

The Commission shall set policy directives and provide oversight for the Department of Public Works (“Department”) in accordance with Charter Section 4.141, which was added pursuant to the approval of the Proposition B Charter Amendment of 2020, and which was amended by the approval of the Proposition B Charter Amendment of 2022.

**Section 3. Membership and Quorum.**

The Commission shall consist of five members appointed according to Charter Section 4.141(b).

A quorum for the transaction of official business shall consist of a majority of Commission members designated by the law; three members of the Commission constitutes a quorum. (Charter Section 4.104(b).)

**Section 4. Commissioner Conduct.**

Each member of the Commission shall act in the manner prescribed by the Charter and applicable laws. To promote a high standard of conduct, each Commissioner shall receive training on the following topics:

- San Francisco Charter;
- California Political Reform Act, California Fair Political Practices Commission Regulations, Statement of Economic Interests disclosure requirements, and San Francisco Campaign and Governmental Conduct Code;

- California Ralph M. Brown Act, California Public Records Act, and San Francisco Sunshine Ordinance; and
- Commission Policies, as amended from time to time.

**Section 5. Conflicts of Interest and Recusals.**

When a member of the Commission has a conflict of interest under either the California Political Reform Act, Government Code Section 1090, Government Code Section 84308, or Campaign and Governmental Conduct Code Section 3.207, the Commissioner must abstain from the decision-making process on that item. At any public meeting where the Commission discusses an item for which Commissioner has a conflict of interest, immediately prior to consideration of the item that Commissioner must: (1) publicly identify each type of financial interest held by the Commissioner that requires recusal; and (2) leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter is on the Commission’s consent calendar. (Campaign & Governmental Code § 3.209(a).)

Commissioners who file a Statement of Economic Interests electronically with the Ethics Commission also must file a notice with the Ethics Commission each time the commissioner recuses from a matter because of a conflict of interest under the Political Reform Act, Government Code Section 1090, Government Code Section 84308, or Campaign and Governmental Conduct Code Section 3.207. (Campaign & Governmental Code § 3.209(b).) The Commissioner must file the recusal notification within 15 days after the meeting at which the recusal occurred, even if the recused Commissioner was not present at the meeting that would have involved the conflict of interest.

**Article II. Commission Officers and Commission Secretary**

**Section 1. Election and Terms of Officers.**

*The Commission members shall elect from among their number their officers, a Chair and Vice Chair, for the next calendar year by the last day of the current calendar year, or at a subsequent meeting in the new calendar year, the date of which shall be fixed by the Commission. Each officer will serve a one-year term. At the first regular meeting of the Commission on or after the first day of December each year, or at a subsequent meeting, the date of which shall be fixed by the Commission, the members of the Commission shall elect from among their number a Chair and a Vice Chair of the Commission, each to serve for a one-year term.*

If the position of Chair becomes vacant before expiration of the term, the following shall occur: (1) the Commissioner serving as Vice Chair at the time of the vacancy shall automatically assume the position of Chair until the first to occur of the expiration of the Commissioner’s term as Commissioner or the expiration of the remainder of the prior Chair’s term and (2) at

the next regular meeting of the Commission, the members of the Commission shall elect a new Vice Chair who shall serve as Vice Chair until the first to occur of the expiration of the new Vice Chair's term as a Commissioner or the expiration of the remainder of the prior Vice Chair's term.

If the position of Vice Chair becomes vacant before expiration of the term, at the next regular meeting of the Commission after the vacancy occurs, the members of the Commission shall elect a new Vice Chair who shall serve as Vice Chair until the first to occur of the expiration of the new Vice Chair's term as a Commissioner or the expiration of the remainder of the prior Vice Chair's term.

## **Section 2. Powers and Duties of the Commission Officers.**

The Chair shall preside at all Commission meetings; shall preserve order and decorum; shall decide all questions of order, subject to appeal to the Commission by any member; shall appoint any committee of the Commission; shall direct the work of the Commission Secretary; and shall perform all other duties necessary or incidental to the office. The Chair shall appoint or replace, subject to the approval of the Commission, members of the Commission as its representative to various organizations or agencies. The Chair shall have the right to participate in the proceedings of the Commission, including the right to make and second any resolutions or other motions, and may speak to points of order in preference to the other members. In the absence of the Chair, the Vice Chair shall preside, and in the absence of both the Chair and the Vice Chair, the senior member of the Commission in length of service on the Commission shall preside.

## **Section 3. Role of Commission Secretary.**

The Commission Secretary, who may also be referred to as the "Commission Affairs Manager," shall manage the business affairs and operations of the Commission and any Committees. Under the direction of the Chair, the Commission Secretary shall work closely with the Public Works Director to set meeting agendas, communicate the work of the Commission to the public, facilitate communications between the Commission and the Department, respond to requests for information, and respond to the public.

## **Article III. Commission Procedure and Meetings.**

### **Section 1. Adoption of Rules of Order, and Amendments; Suspension.**

The adoption or amendment of, the Rules of Order, shall be by motion and shall require an affirmative recorded vote of a majority of the members of the Commission following a duly noticed public hearing as required under Charter Section 4.104(a)(1).

When adopted and in effect, such Rules of Order shall govern Commission meeting procedures unless suspended as provided in these Rules of Order.

The Commission, by affirmative vote of the majority of the members of the Commission, may suspend any of the Rules of Order except for any provision that is required by Charter, Ordinance, Resolution, or other applicable law.

Any suspension of the Rules of Order shall be entered upon the minutes of the Commission.

## **Section 2. Vote Required.**

The affirmative vote of a majority of the number of members designated by law shall be required for the approval of any matter, except that the Commission may act by the affirmative vote of a majority of the members present for matters of procedure.

Each member present at a regular or special meeting shall vote "yes" or "no" when a question is put to a vote, unless excused from voting by a motion adopted by a majority of the members present. (Charter Section 4.104(b).)

## **Section 3. Regular Commission Meetings.**

The Commission shall hold regular meetings at the chambers of the Public Works Commission in San Francisco City Hall. ~~At the first regular meeting of the Commission on or after the first day of December of each year, the members of the Commission shall adopt the calendar of regular meetings including meeting times. The Commission will adopt a calendar of regular meeting dates for July 2023 through December 2023 in December 2022. The Commission shall adopt its calendar of regular meetings for the next calendar year by the last day of the current calendar year, or at a subsequent meeting in the new calendar year. Afterwards the~~ The regular calendar will be adopted for a full twelve-month calendar year. The calendar of regular meetings will be posted on the Commission's website and amended promptly if changed by the Commission.

Scheduling regular meetings should prioritize public access and participation balanced with the availability of Commissioners, staff, and meeting rooms.

The matters to be included on an agenda for a Commission meeting shall be determined by collaboration between the Commission Chair and the Public Works Director, or by a motion of a Commissioner adopted by affirmative vote of a majority of the Commissioners present.

## **Section 4. Special Commission Meetings.**

Special meetings of the Commission may be called at any time by the Chair or by a majority of the members of the Commission. Notice of the time and place of every Special Meeting of the

Commission shall be given to members of the Commission at least 72 hours before the time of such meetings, and shall be given by posting and otherwise, as required by California Government Code Section 54956 and San Francisco Administrative Code Section 67.6(f).

Written notice may be dispensed with for any member who, at or prior to the time the meeting convenes, files with the Chair or the Commission Secretary a written waiver of notice, which may be given by electronic written notice. Such written notice may also be dispensed with as to any member who is actually present at the meeting when it convenes.

Each special meeting shall be held at the regular meeting place except that the Commission may designate an alternate meeting place consistent with Government Code Section 54956 and Administrative Code Section 67.6(f).

### **Section 5. Attendance at Meetings.**

Unless excused, all members of the Commission shall be in their respective seats at the appointed time for each Committee meeting.

### **Section 6. Order of Business and Agenda.**

The order of business at any regular meeting may be as follows:

~~A.~~ Call to Order, Roll Call, and Agenda Changes

~~A. B.~~ Announcements by Chair, Commissioners and Secretary

~~B.~~ Director's Report and Communications

C. General Public Comment

~~D.~~ Commission Secretary's Report

~~E.~~ Director's Report

~~D. E.~~ Consent Calendar of Routine Matters, including Adoption of Minutes

~~E. F.~~ Regular Items for Consideration

~~F. G.~~ New Business Initiated by Commissioners

~~G. H.~~ Closed Session

~~H. I.~~ Announcement Following Closed Session

~~J.~~ Adjournment

### **Section 7. Call to Order and Roll Call.**

The Chair shall call each meeting to order at the appointed time. Immediately after the call to order, the Commission Secretary shall call the roll of the members of the Commission and shall record those present and those absent, and record in the minutes the names of those members present at the first roll call as well as the names and time of appearance of those members who arrive after the first roll call.

### **Section 8. Public Comment at Commission Meetings.**

Public comment shall be allowed on each numbered item on a meeting agenda. Public comment shall normally be allowed after an item is introduced and presented and may be before or after discussion by the Commission. Public comment shall normally be three minutes per person on each item, but may be limited to less than three minutes by the Chair as circumstances warrant. ~~At the beginning of each regular Commission meeting,~~ General public comment shall be allowed for up to 15 minutes. The Chair may continue general public comment to the end of a regular Commission meeting if members of the public wishing to speak during general public comment at the beginning of the meeting have not had a chance to do so after 15 minutes of general public comment, provided that each member of the public shall be allowed to speak once during general public comment and each speaker shall have the same amount of speaking time.

### **Section 9. Requests for Information.**

Commissioners who wish to make a request for information at a meeting shall seek recognition from the Chair. Once the request is made and acknowledged by the Chair, the request becomes a request of the Commission, and all Commissioners will receive a response. The Chair, with the concurrence of the Commission, shall determine whether the request is proper.

### **Section 10. Consent Calendar Procedures.**

Items may be placed on a Consent Calendar section of the Meeting Agenda. Consent Calendar items are considered routine and may be acted upon by a single vote with no separate discussion of these items. Any Commissioner, any member of the public, or the Director may request that the item be taken off the Consent Calendar and placed on the Regular Calendar for that Commission Hearing or a later hearing.

### **Section 11. Adjournment of Meetings.**

The Chair may adjourn a meeting when the discussion of all business on the agenda has concluded. The Commission may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time.

### **Section 12. Minutes and Recordings of Commission Meetings.**

The Commission Secretary shall audio record each regular and special meeting. The recording shall not be erased or destroyed. (Administrative Code Section 67.14(b).) The Commission Secretary must document the minutes of each meeting. A draft of the minutes must be available for inspection and copying no later than ten business days after the meeting. The officially adopted minutes must be available for inspection and copying no later than ten



business days after the meeting at which the minutes are adopted. (Administrative Code Section 67.16.) The minutes will summarize public comment.

#### **Article IV. Policies**

##### **Section 1. Parental Leave Policy**

Administrative Code Chapter 67B authorizes members of the Public Works Commission to take parental leave in certain circumstances. The terms of the parental leave policy are set forth in Administrative Code Section 67B.1. That section is incorporated by reference into these Rules of Order. The commission secretary shall provide a copy of Section 67B.1 to each member of the Public Works Commission when the member assumes office. Any member who intends to take parental leave under this policy must inform the commission secretary and the chair of the Public Works Commission in writing. To the extent feasible, the member's written notice shall state the beginning and end dates of the leave and whether the member intends to participate in Public Works Commission meetings remotely during the leave. The notice is not binding on the member and does not limit the member's rights under the parental leave policy, but rather is intended to aid the chairperson and the commission secretary in planning the work and the meetings of the Public Works Commission while the member is on parental leave.

#### **Article V. Amendments.**

***[Drafting Note: This Article shall memorialize future amendments.]***