



Meeting Date: November 14, 2022

To: Public Works Commission
Lauren Post
Lynne Newhouse Segal
Paul Woolford
Fady Zoubi

Through: Carla Short, Interim Public Works Director

From: Bob Fuller, Commission Affairs Manager

Subject: Adopt the Public Works Commission Rules of Order

Director's Recommendation: Adopt the Public Works Commission Rules of Order

Summary of Proposed Commission Action:

- To be in compliance with the Charter of the City and County of San Francisco, Section 4.104., the Public Works Commission shall adopt rules and regulations consistent with the Charter and ordinances of the City and County.
- Adoption of the Commission's Rules of Order requires ten days' notice to the public, prior to adoption by the affirmative vote of a majority of members of the Commission.
- Said notices was given on November 4, 2022.

Attachments:

1. Public Works Commission Resolution
2. 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 requires 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, Notice was given to the public of intent to hold a public hearing on the adoption of the San Francisco Public Works Commission on November 4, 2022; and,

RESOLVED, That the San Francisco Public Works Commission adopts the San Francisco Public Works Commission Rules of Order; and, be it

FURTHER RESOLVED, That a copy of the adopted Rules of Order 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 November 14, 2022.

Commission Affairs Manager, Public Works Commission

Prop B Commission Rules of Order – draft 11/4/2022

Rules of Order

SAN FRANCISCO PUBLIC WORKS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

COMMISSIONERS

Lauren Post
Lynne Newhouse Segal
Paul Woolford
Fady Zoubi

Carla Short, Interim Public Works Director

Adopted: August __, 2022
Resolution No. 22-00__

RULES OF ORDER
SAN FRANCISCO PUBLIC WORKS COMMISSION

Article I. Name and Authority

Section 1. Name.

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

Section 2. 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.

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 a matter as prescribed by the Charter and applicable laws. To promote a high standard of conduct, following the administration of the oath of office each Commissioner shall receive training following administration of the oath of office on the following topics:

- San Francisco Charter;
- San Francisco Campaign and Government Conduct Code, California Fair Political Practices Act, and Statement of Economic Interest Obligations;
- California Brown Act and the 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 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. 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 & Government Code § 3.209(a).)

Commissioners who file Form 700s 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 & Government 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. Officers and Commission Secretary

Section 1. Appointment and Duties of Officers.

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, or until their successors are elected.

If the role of the Chair becomes vacant before expiration of the term, the following shall occur: (1) the Vice Chair shall automatically assume the office of Chair and serve out the remainder of the prior Chair's term and (2) 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 out the remainder of the prior Vice Chair's term.

If the role of the 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 out the remainder of the prior Vice Chair's term.

Section 2. Powers and Duties of the Commission Officers.

The Chair shall preside at all meetings of the Commission; 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," manages the business affairs and operations of the Commission and any Committees. Under the direction of the Chair, the Commission Secretary works closely with the Department Director to set meeting agendas, communicate the work of the Commission to the public, facilitate communications between the Commission and 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 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 Meetings of the Commission.

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. The Commission will adopt a calendar of regular meeting dates for July 2023 through December 2023 in December 2022. Afterwards the regular calendar will be adopted for a full twelve-month calendar year.

Scheduling regular meetings should prioritize public access and participation balanced with the availability of commissioners, staff, and meeting rooms. The calendar of regular meetings will be posted on the Commission's website and amended promptly if changed by the Commission.

The Commission shall hold a regular meeting at the chambers of the Public Works Commission in City Hall at 10:00 a.m., every 1st and 3rd Friday, unless otherwise noted. (Government Code Section 54954(a); Administrative Code Section 67.6(a).)

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 motion of a Commissioner adopted by affirmative vote of a majority of all the members.

Section 4. Special Meetings of the Commission.

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 San Francisco Administrative Code Section 67.6(f) and California Government Code Section 54956.

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 Secretary of the Commission 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 hour appointed for each meeting of the Commission.

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
- B. Announcements by Chair
- C. General Public Comment
- D. Communications/Director's Report
- E. Consent Calendar of Routine Matters, including Adoption of Minutes
- F. Regular Items for Consideration
- G. New Business Initiated by Commissioners
- H. Closed Session
- 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 hour. Immediately after the call to order, the Secretary of the Commission 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. 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 concurrence from the Commission, will determine whether the request is proper.

Section 9. 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 10. Minutes and Recordings of Proceedings.

The Secretary of the Commission 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 and 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. Amendments.

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

Article V. 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.