

[Charter Amendment - Requirements for Commission Membership]

Describing and setting forth a proposal to the voters at an election to be held on November 3, 2020, to amend the Charter of the City and County of San Francisco to require that members of boards, commissions, and advisory bodies be residents of the City and of legal voting age, replacing the requirement that members of boards, commissions, and advisory bodies be United States citizens and registered voters.

Section 1. The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 3, 2020, a proposal to amend the Charter of the City and County by revising Section 4.101, to read as follows:

NOTE: **Unchanged Charter text and uncodified text** are in plain font. **Additions** are *single-underline italics Times New Roman font*. **Deletions** are ~~*strike-through italics Times New Roman font*~~. **Asterisks (* * * *)** indicate the omission of unchanged Charter subsections.

SEC. 4.101. BOARDS AND COMMISSIONS – COMPOSITION

(a) Unless otherwise provided in this Charter, the composition of each appointive board, commission, or advisory body of any kind established by this Charter or legislative act of the United States of America, the State of California, or the Board of Supervisors shall:

~~+~~ *Be* be broadly representative of the communities of interest, neighborhoods, and the diversity of the City and County in ethnicity, race, age, sex, gender

~~identity, and sexual orientation, and types of disabilities, of the City and County and have representation of both sexes; and~~

~~(b) 2. Consist of electors All members of such bodies as described in subsection (a) shall be residents of the City and County and the minimum age required to vote in municipal elections in the City and County, at all times during the term of their respective offices, unless otherwise specifically provided in this Charter, ~~or in the case of~~ Either or both of the requirements set forth in the first sentence of this subsection (b) shall not apply to boards, commissions, or advisory bodies established by legislative act ~~if the~~ legislation specifically exempts the position is (a) designated by ordinance for a person under legal voting age, or (b) unless specifically exempt from ~~either or both requirements~~ the provisions, or waived by if the appointing officer or entity ~~upon a finding that an elector~~ makes a finding that a person meeting both requirements ~~with specific experience, skills or qualifications, and~~ willing to serve, could not be located ~~within the City and County.~~~~

~~(c) It shall be the official City policy that the composition of each appointive board, commission, or advisory body of any kind established by this Charter or legislative act of the United States of America, the State of California, or the Board of Supervisors shall reflect the interests and contributions of both men and women people of all races, ethnicities, ages, sexes, gender identities, sexual orientations, and types of disabilities. The voters therefore urge in the strongest terms all City officers and agencies involved in nominating, appointing, or confirming members of those appointive boards, commissions, or advisory bodies to consider and as appropriate support the nomination, appointment, or confirmation of female, minority, and~~

~~disabled candidates~~ women, people of color, seniors, people with disabilities, and people that reflect a range of sexual orientations and gender identities to fill seats on those bodies.

(d) The Commission on the Status of Women shall conduct an analysis of appointments to appointive boards, commissions, and advisory bodies established in the Charter or by legislative act, in the second and fourth year of each mayoral ~~administration~~term to track the diversity of appointments to such bodies. This analysis, to be based only on voluntary disclosures, shall include ~~gender~~, ethnicity, sex, gender identity, sexual orientation, disability status, and any other relevant demographic qualities.

(~~be~~) Vacancies on appointive boards, commissions, or other units of government shall be filled for the balance of the unexpired term in the manner prescribed by this Charter or ordinance for initial appointments.

(~~ef~~) Terms of office shall continue as they existed on the effective date of this Charter.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By:
JON GIVNER
Deputy City Attorney

n:\legana\as2019\1900439\01444411.docx