FILE NO. 020676

[Amending the Board's process for considering appointments to the Planning Commission and the Board of Appeals.]

Motion amending Rule 2.31 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to amend the process for the Board's consideration of appointments to the Planning Commission and the Board of Appeals, consistent with Charter Sections 4.105 and 4.106.

Note:

Additions are <u>single-underline italics Times New Roman;</u> deletions are strikethrough italics Times New Roman. Board amendment additions are <u>double underlined</u>. Board amendment deletions are strikethrough normal.

WHEREAS, The voters of the City and County of San Francisco approved Proposition D at the March 5, 2002, municipal election, and proposition D amended the process for appointing members to the City's Planning Commission and Board of Appeals; and

WHEREAS, In response to the approval of Proposition D, the Board of Supervisors needs to amend Rule 2.31, which governs how the Board of Supervisors considers appointments to the Planning Commission, the Board of Appeals and the Public Utilities Commission; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby amends Rule 2.31 of the Board's Rules of Order, to read as follows:

2.31. Consideration of Mayoral Appointments to the *Planning Commission, the Board of Appeals, and the* Public Utilities Commission, *and Mayoral and Presidential Nominations to the Planning Commission and the Board of Appeals*. Upon receipt of each and every Notice of Appointment from the Mayor appointing a member to the *Planning Commission, the Board of Appeals, or the*-Public Utilities Commission, the Clerk of the Board shall immediately prepare and introduce three motions for each such appointment. The Clerk shall refer the motions to

Clerk of the Board BOARD OF SUPERVISORS the Rules Committee for hearing as soon as possible. If the Rules Committee is unable to schedule and consider the motions within a time period that will allow for full Board consideration before the expiration of the thirty day period provided for in Charter Section 3.100, then the Clerk shall place the motions on the calendar (Adoption Without Committee Reference) of the last Board meeting at which the Board may consider the proposed motions before the thirty days expires. One motion shall support the appointment. A second motion shall reject the appointment. The third motion shall take no position on the appointment. The motion rejecting the appointment shall state in its text that the motion requires a two-thirds vote (eight votes) for approval under Section 3.100 of the City Charter. Each Committee and Board calendar upon which motions prepared under this Rule appear shall also state that Section 3.100 of the City Charter provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as appointed.

Upon receipt of each and every Notice of Nomination from the Mayor or the President of the Board of Supervisors nominating a member to the Planning Commission or the Board of Appeals, the Clerk of the Board shall immediately prepare and introduce a motion approving and a motion rejecting each such appointment. The Clerk shall refer the motions to the Rules Committee for hearing as soon as possible. If the Rules Committee is unable to schedule and consider the motions within a time period that will allow for full Board consideration before the expiration of the sixty day period provided for in Charter Section 4.105 or 4.106, then the Clerk shall place the motions on the calendar (Adoption Without Committee Reference) of the last Board meeting at which the Board may consider the proposed motions before the sixty days expires. Each Committee and Board calendar upon which motions prepared under this Rule appear shall also state that Section 4.105 or 4.106 of the City Charter

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1	provides that a nomination made under one of these sections is subject to approval by the Board of
2	Supervisors, and shall be the subject of a public hearing and vote within 60 days from the date the
3	nomination is transmitted to the Clerk of the Board. The calendar shall also state that if the Board fails
4	to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk, then the
5	nominee shall be deemed approved.
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City and County of San Francisco

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

Tails

Motion

File Number: 020676

Date Passed: May 28, 2002

Motion amending Rule 2.31 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to amend the process for the Board's consideration of appointments to the Planning Commission and the Board of Appeals, consistent with Charter Sections 4.105 and 4.106.

May 28, 2002 Board of Supervisors - APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020676

I hereby certify that the foregoing Motion was APPROVED on May 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

adeleine Ficavoli

Gloria L. Young Clerk of the Board