

MEMORANDUM

TO: Chair Ed Harrington and Members, Commission Streamlining Task Force
c/o Rachel Alonso, Project Director, Office of the City Administrator

FROM: David Pilpel

DATE: May 28, 2025

RE: Latest Thoughts on Commission Streamlining

I write today following your May 21, 2025 meeting, in which I participated via Webex. I felt a definite struggle emerging among competing views that may not actually differ that much. What might help is a shared outlook or vision, with some intended goals. I suggest starting with the following:

1. Acknowledge San Francisco as a public agency, with city, county, and enterprise / special district functions, in some ways acting somewhat like a business but always providing services to the public.
2. Reflect that taxpayers pay and expect reasonable service delivery in return. Voters, not exactly the same as taxpayers, elect a Mayor and eleven members of the Board of Supervisors, also expecting reasonable service delivery, and meaningful ways to be heard on City operations and policy. Others (contractors and vendors, employees and unions, nonprofits) have relationships based in law or practice.
3. The Board of Supervisors, the legislative branch, approves the budget, some appointments and contracts, passes laws, and holds hearings on City operations. The Mayor runs the executive branch, implements the laws and oversees City operations through the various agencies and departments.
4. Given the breadth and complexity of the City, and the active players (individuals and organizations) involved, it is both unrealistic and unreasonable to expect that the Mayor, the Board of Supervisors, or their respective staff and assistants, would decide each specific aspect of City operations and policy.
5. Thus, powers and duties are assigned to boards and commissions, as well as department heads, under the Charter, within prescribed limits. Other officials (City Administrator, City Attorney, Controller, Human Resources Director) are appointed periodically or elected to oversee or support in specific areas.
6. Customs and practices of the City for many years should not be ignored, including expectations for appeal rights and public hearings. When entities meet, where departments are located, and who reports to who can be changed from time to time. This process can, and arguably should, result in some minor to moderate changes, but truly radical shifts in powers and duties are neither expected nor necessary.
7. Governance bodies (boards and commissions) approve or recommend budgets and contracts, have fundamental decision-making authority, and oversee and set policy for agencies and departments. Contract thresholds should be meaningful, more consistent, and set and adjusted periodically, both for construction and non-construction services. The subject area (transportation and infrastructure versus health and human services, for example) may affect the level of contract scrutiny, along with oversight and policy. Public engagement should be meaningful, may involve one or more advisory bodies, and should have some influence on decision-making. It is fair to have the Mayor appoint most members of governance bodies. At least some of those appointments may be subject to confirmation or veto by the Board of Supervisors. Most department heads may be appointed and removed by the Mayor, with a

defined role for the governance body in candidate screening and performance evaluations. Commission secretaries may be selected and evaluated by the department head and not the governance body.

8. Regulatory bodies approve, deny, or put conditions on appeals or requests for certain approvals, funds, or permits, often with very little or no involvement in governance, and may be very narrow in scope. Advisory bodies only advise and make recommendations, should get formal responses back, and may be permanent or temporary. Staff working groups and others have more unique and specialized functions, usually with no delegated or direct decision-making authority and less public scrutiny. The Sunshine Ordinance recognizes much of this distinction between policy bodies and passive meeting bodies, which could be amended further in the future, subject to voter approval at this time.

9. State and federal law dictates some oversight and structural requirements, which usually apply to similar public agencies. More discretion exists for entities that are optional or unique to San Francisco.

10. City staff and some contractors deliver services to San Francisco residents (fire, parks, and police, for example) and others (airport, port, and water), and provide recommendations and technical support, but should not be viewed as policymakers generally, a role given to the Mayor, Board of Supervisors, and governance bodies assigned to make such policies. Staff expertise should not be ignored, however.

11. Advisory bodies, whether permanent or temporary, provide important advice and recommendations to departments and policymakers. It is reasonable that their written advice, recommendations, and reports be responded to in writing and that their (largely voluntary) work be acknowledged.

12. Governance bodies and regulatory bodies should have the resources to make decisions fairly and reasonably, including compensation and benefits, staff, technology, and transportation. Advisory bodies may be provided some City support, but not necessarily the same as governance bodies and regulatory bodies. Meaningful training on compliance, effectiveness, and good government should be provided.

13. While more consistency of approach and expectations is a worthwhile goal, one size does not fit all and any general application or rule should have enough room for some exceptions and flexibility. Managing building permits is different from operating a hospital, but approving construction contracts or tracking asset depreciation should be more similar across City agencies and departments.

Whether or not this writeup fairly captures some shared expectations, I think that some document with a unified vision would help inform the discussions and whether specific choices support the overall scheme or not. If an idea adds value, great. For an exceptional proposal, can we live with it or does it really violate some core principle? I hope this is useful to the Task Force, and thank you for your time.

Sincerely,

/s/

David Pilpel

Disclaimer: Any opinions I share are my own and do not reflect the views of other Sunshine Ordinance Task Force (SOTF) members or the SOTF as a whole, nor do they indicate any preference regarding complaints, petitions, or policy matters at the SOTF, which I consider on a case-by-case basis.