

Deferred Decisions & Consistency Checks

Part 5



Commission Streamlining Task Force

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January 14, 2026

Today's Discussion

- Over the past few months of public meetings, **the Task Force has deferred certain decisions to a later meeting**
- We have held four such meetings on 11/19, 12/3, 12/12, and 12/18
- Today, we will be covering the remaining deferred decisions!



Overview of the Task Force's Decisions

152 total bodies
(115 active, 37 inactive)

151 decisions made

- Keep: 83
- Eliminate: 65¹
- No recommendation: 3²
- Deferred: 1³

“Decision-Making Bodies”



Body Category	Keep			Eliminate ¹	No Rec. ²	TBD ³	Total
	In Charter	Move to Code	In Code				
Governance	16	9	3	3			31
Appeals & Regulatory	3	5	4	1	1		14
Other	4		3	1	1		9
Advisory	5	20	51	1			77
Staff Working Group	3	8	9	1			21
Current Total	23	22	38	65	3	1	152

Notes:

1. 37 were inactive bodies no longer meeting; 28 were active
2. No recommendations for Joint Zoo Committee (only exists in an MOU between RPD and the Zoo), Sentencing Commission (sunsetting mid-2026), and Commission Streamlining Task Force (sunsetting Jan. 2027)
3. Ethics Commission (to be addressed during today's meeting)

Agenda

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Remaining Deferred Decisions

1. Ethics Commission
2. DBI Appeals Boards
3. Relocation Appeals Board
4. Public Utilities Citizen's Advisory Committee
5. Mission Bay Transportation Improvement Fund Advisory Committee
6. Staggering Sunset Dates

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Police Commission

- Role in Police Employee Discipline for DPA Cases



1. Ethics Commission

- Action Item:** Vote on Ethics Commission (all components except ballot measure authority)

	Current State	Recommendations
Number of Members	5	Criteria Outcome
Appointing authority	Mayor, BOS, CAT, DAT, ASR (1 seat each)	Template Alignment
Appointment confirmations	None	Exceptions
Member removal	For cause or via recall election	
Term length	6 years	
Term limits	No person may serve more than one six-year term, until six years after the expiration of the term	
Qualifications	3 seat-specific requirements ¹	Other
Establishing authority	Charter	
Sunset date	None	
Hiring and firing authority	Yes	
Budget approval authority	Yes	
Employee discipline authority	Holds hearings when elective and certain appointed officers are suspended for official misconduct	

1. Mayoral appointee: background in public information and public meetings. City Attorney appointee: background in law as it relates to government ethics. Assessor appointee: background in campaign finance. District Attorney and Board of Supervisors appointees shall be broadly representative of the general public.

1. Ethics Commission Ballot Measure Authority

- **Action Item:** Determine whether and how the Ethics Commission should be able to place measures on the ballot.
- **Background:**
 - Generally, only the Mayor and the Board of Supervisors can submit ballot measures, though departments commonly work with them to do
 - Ethics Commission may place a measure on the ballot with 4/5 vote
 - Has used this authority 5 times in 30+ year history
 - [1999 Proposition K – Campaign Expenditure Limit](#)
 - [2000 Proposition O – Public Campaign Finance](#)
 - [2015 Proposition C – Expenditure Lobbyists](#)
 - [2016 Proposition T – Restricting Gifts and Campaign Contributions from Lobbyists](#)
 - [2024 Proposition D – Changes to Local Ethics Laws](#)



1. Ethics Commission Ballot Measure Authority

- **Considerations:**

Arguments For Ballot Access

- **Used sparingly**
- May act as an “**escape valve**” when regular legislative process fails
 - E.g., Public campaign finance (2000 Prop O)
- **Encourages BOS to take up regular legislative proposals** from Ethics

Arguments Against Ballot Access

- **Unique authority** among the City’s appointed boards and commissions
- **Uncommon in other jurisdictions**
- **Less engagement** and public awareness than Board process
- **Implementation concerns** with recent measures



1. Ethics Commission Ballot Measure Authority

Option	Process steps	Who Places on Ballot?
1. No changes (status quo)	<ul style="list-style-type: none"> • Ethics Commission vote to place a measure directly on the ballot 	<ul style="list-style-type: none"> • Ethics Commission (4/5 vote)
2. Ethics issues a 30-day notice to all affected departments	<ul style="list-style-type: none"> • 30-day notice to all affected departments to comment on proposed legislation • Ethics Commission vote 	<ul style="list-style-type: none"> • Ethics Commission (4/5 vote)
3. Ethics forwards to BOS who has 30 days to hold a hearing and offer amendments	<ul style="list-style-type: none"> • 30-day notice • *Required* BOS hearing within 30 days to discuss the measure and offer amendments • Ethics Commission vote 	<ul style="list-style-type: none"> • Ethics Commission (4/5 vote)
4. BOS may veto with a supermajority (8/11)	<ul style="list-style-type: none"> • 30-day notice • Ethics Commission vote • *Optional* BOS Hearing to reject the measure by supermajority vote (8/11) within 30 days 	<ul style="list-style-type: none"> • Ethics Commission (4/5 vote) • Subject to veto by Board of Supervisors supermajority (8/11 vote)
5. Ethics may forward to BOS, which must hold a hearing within 30 days. Only BOS may place on the ballot	<ul style="list-style-type: none"> • Ethics Commission vote to forward measure to the Board of Supervisors • *Required* BOS hearing within 30 days where the Board may choose to place a measure on the ballot by minority vote (4/11) 	<ul style="list-style-type: none"> • Board of Supervisors (4/11 vote)
6. Remove ballot authority (same as other commissions/ departments)	<ul style="list-style-type: none"> • Ethics Commission or staff may work with the Mayor or Board of Supervisors to place a measure on the ballot 	<ul style="list-style-type: none"> • Mayor • Board of Supervisors (4/11 vote)

2. DBI Appeals Boards

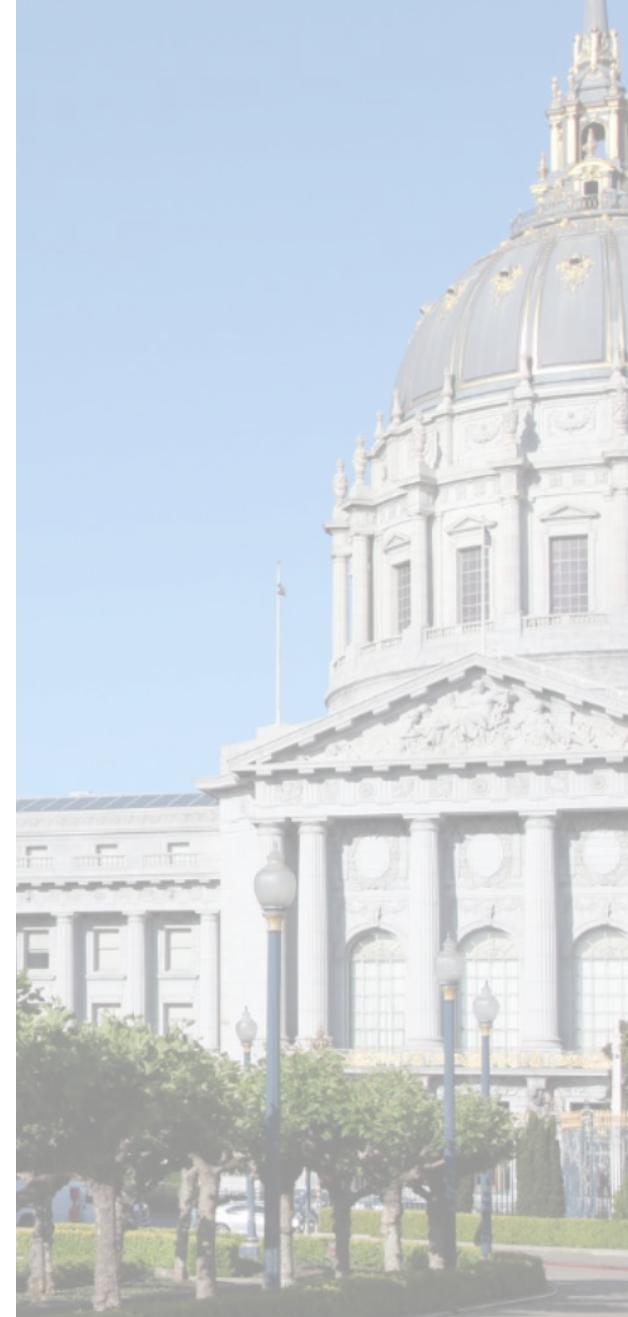
- **Action Item:** Confirm Access Appeals Commission and Board of Examiners decisions in light of 12/3 decision to keep the Abatement Appeals Board
- **Background:**
 - Initially, TF recommended consolidating all DBI appeals with the Board of Appeals
 - Now, DBI appeals are split across two forums: Board of Appeals and Abatement Appeals Board

Name of Body	Hears and decides appeals of...	10/1 Task Force Decision	12/3 Task Force Decision
Abatement Appeals Board	Orders to fix building code violations	Eliminate – transfer functions to Board of Appeals	Keep within DBI as Abatement Appeals Board
Access Appeals Commission	Orders to fix building code violations involving disability access	Keep – restructure as subcommittee of Board of Appeals	Keep – restructure as subcommittee of Board of Appeals
Board of Examiners (inactive)	Orders to fix building code violations involving construction methods, materials, or safety	Eliminate – transfer functions to Board of Appeals	Eliminate – transfer functions to Board of Appeals



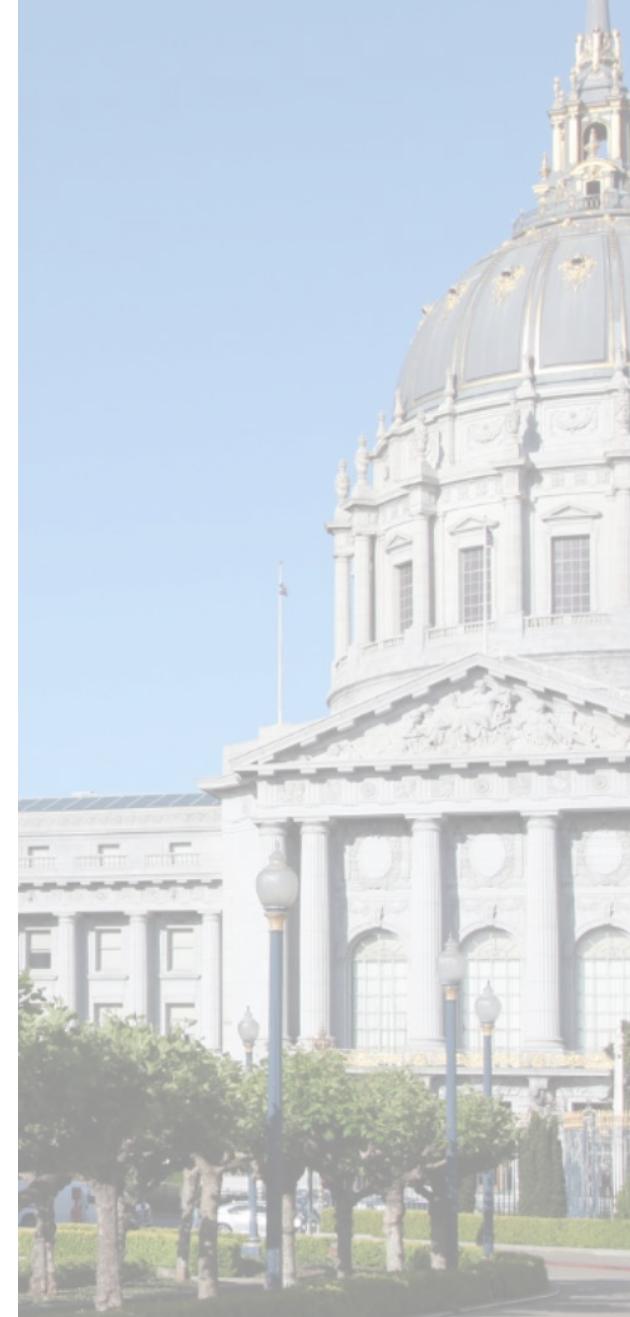
2. DBI Appeals Boards

- **Action Item:** Confirm Access Appeals Commission and Board of Examiners decisions in light of 12/3 decision to keep the Abatement Appeals Board
- **Options:**
 1. **Consolidate DBI appeals with Abatement Appeals Board (AAB)**
 - Transfer Board of Examiners appeals function to AAB
 - Option to keep Access Appeals Committee as a stand-alone body or restructure as a subcommittee of AAB
 2. **Consolidate DBI appeals with Board of Appeals (BOA) – (original 10/1 decision)**
 - Eliminate AAB and transfer appeals to BOA
 - Clarify who should appoint members to the Access Appeals Subcommittee (currently the Building Inspection Commission)
 3. **Maintain split appeals (not recommended)**



3. Relocation Appeals Board (RAB)

- **Action Item:** Revisit 7/16 decision to eliminate the Relocation Appeals Board (RAB)
- **Background:**
 - Fulfils a **legally required function** to hear appeals by residents who are forcibly displaced by local Redevelopment Agencies
 - Since all California Redevelopment Agencies have been dissolved and, as a general practice, San Francisco does not force the relocation of homes or businesses, RAB has been inactive for at least 10 years
 - Initially the Task Force **recommended eliminating RAB and assigning its duties to the Board of Supervisors**
 - Upon further review, the City Attorney's Office has advised that **the Board of Supervisors cannot take over this function**



3. Relocation Appeals Board (RAB)

- **Action Item:** Revisit 7/16 decision to eliminate the Relocation Appeals Board (RAB)

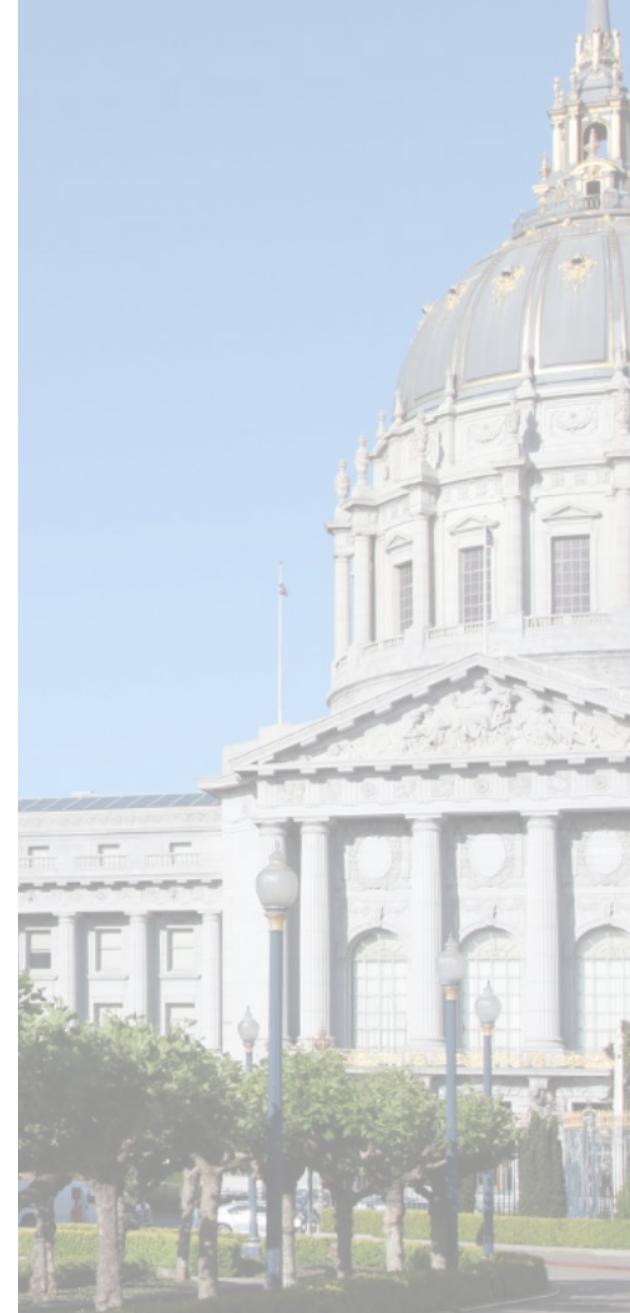
- **Options:**

1. **Keep RAB**

- May choose to narrow its scope to apply only to Office of Community Investment and Infrastructure (OCII) matters
- Body will likely continue to be dormant, since OCII does not plan to forcibly displace residents

2. **Eliminate RAB and transfer its functions to the Board of Appeals (BOA)**

- Functionally no increase in workload
- State law requires RAB members to be confirmed by the Board of Supervisors
 - Would require Task Force to deviate from template and maintain the status quo (BOS must confirm mayoral appointees to the BOA within 60 days)



4. Public Utilities Citizen's Advisory Committee

- **Action Item:** Determine which two seats should be removed
- **Staff recommendation:** Remove the President of the Board's two seats

11 BOS Seats

One resident of each supervisorial district who represents

- A community, business, environmental, or environmental justice organization, or with expertise in a field related to public utilities, environmental justice or environmental science

4 Mayoral Seats

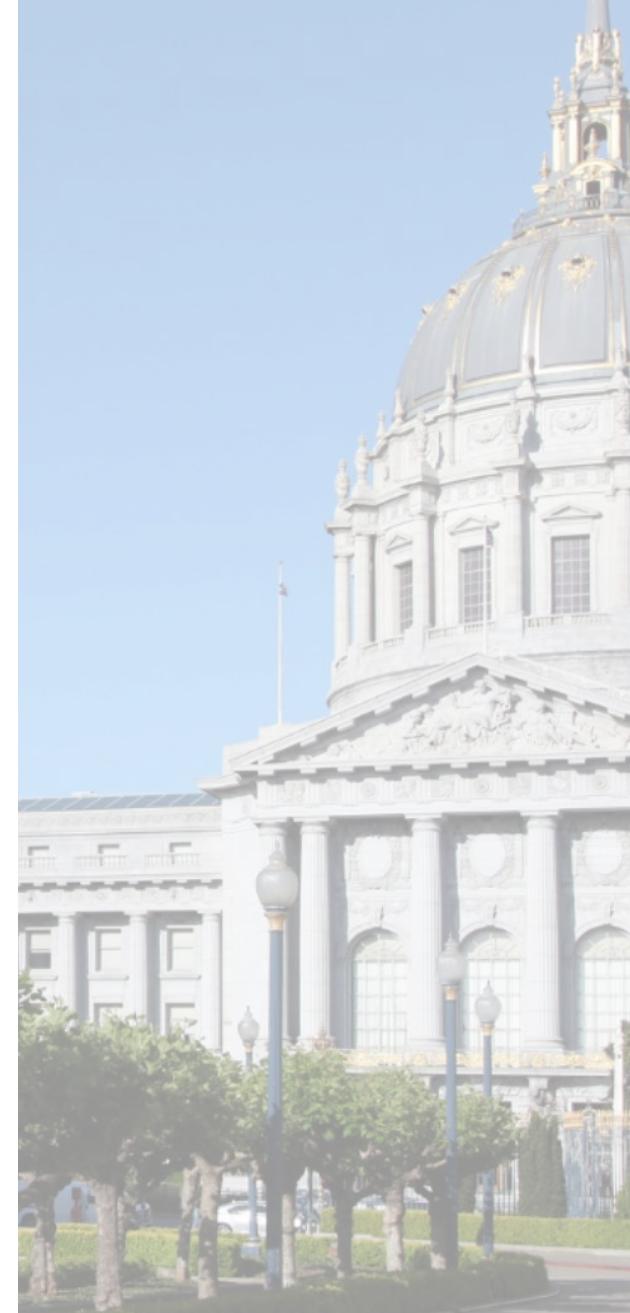
One member who represents

- PUC's regional water customers
- A large San Francisco water user
- City resident with engineering or financial management expertise
- A regional or statewide environmental organization

2 President of the Board Seats

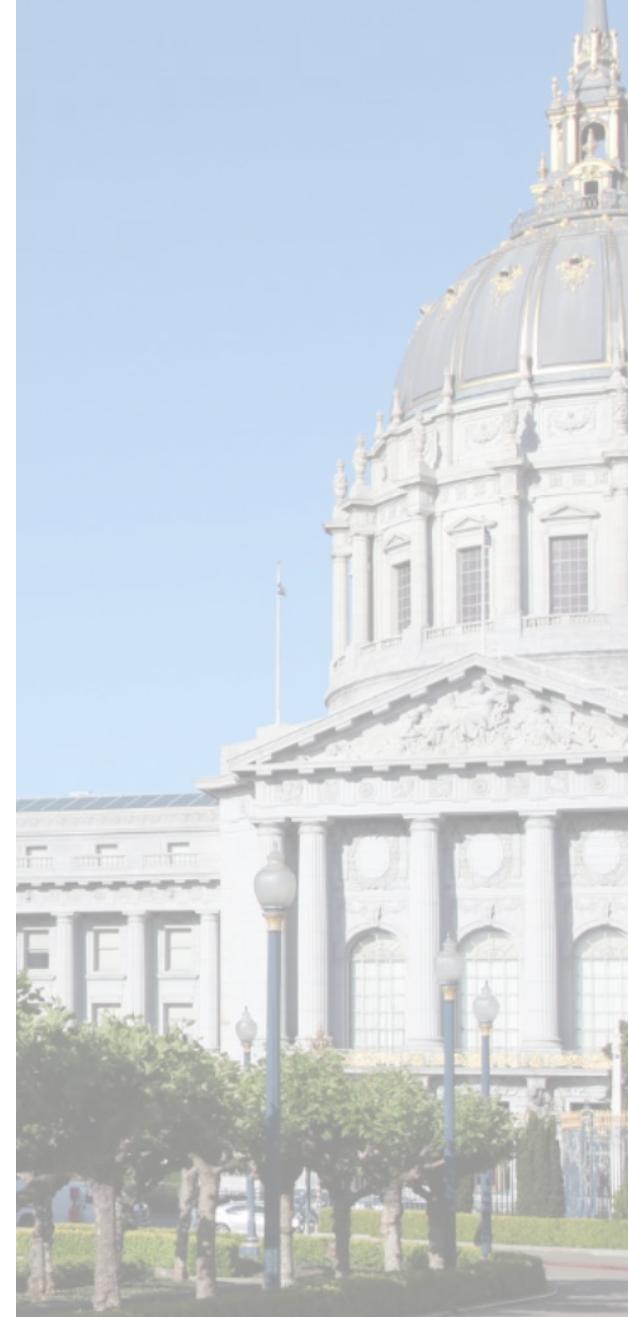
One member who represents

- A small business in the City
- An environmental justice organization



5. Mission Bay Transportation Improvement Fund Advisory Committee (MBTIF AC)

- **Action Item:** Revisit September 17th decision to eliminate the MBTIF AC
- **Background**
 - [Administrative Code § 5.23-6](#) states that MBTIF AC sunsets when the Mission Bay Transportation Improvement Fund expires. The Fund must exist as long as events are held at the Chase Center ([Administrative Code § 10.100-364 \(e\)](#)).
 - Controller's Office Budget & Analysis Division confirmed there is no approved funding for FY 2025-26 and 2026-27 for the Fund.
 - There are no current required deposit or spending levels for the Fund. The first five years of the Fund's establishment required specific deposit minimums ([Administrative Code § 10.100-364 \(c\)\(3\)](#)).
 - [Administrative Code § 5.23-4](#) states that the MBTIF AC's input is required on an as needed basis.



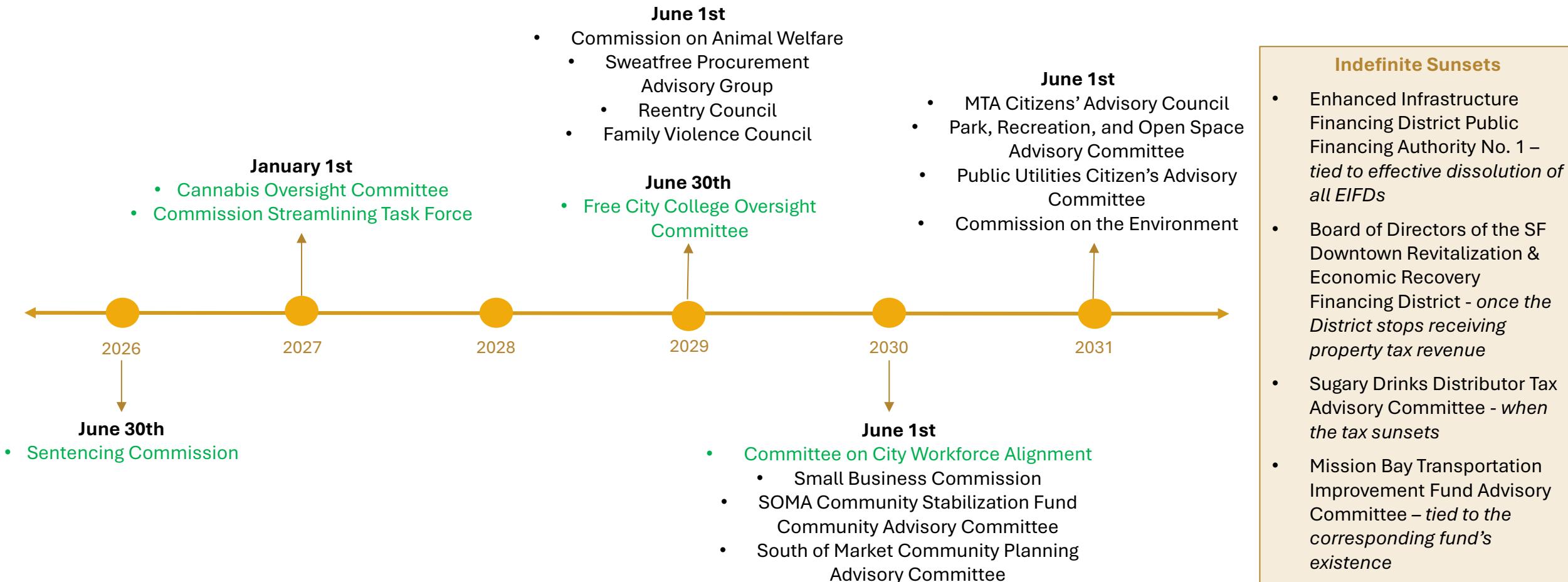
5. Mission Bay Transportation Improvement Fund Advisory Committee (MBTIF AC)

- **Action Item:** Revisit September 17th decision to eliminate the MBTIF AC
- **Options**
 - Maintain September 17th decision to eliminate the MBTIF AC.
 - Change decision and keep the MBTIF AC.
 - Align MBTIF AC to the advisory body template

Template Component	Current State	Advisory Committee Template	Currently Aligned?	Proposal
Number of Members	5 members	15 maximum	Yes	
Appointing Authority	Chase Center owner, UCSF Chancellor, Mayor, and District 6 Supervisor	N/A	N/A	
Appointment Confirmations	None; appointments are effective immediately	No confirmations	Yes	
Member Removal	At will	At will	Yes	
Term Length	None	3 years maximum	No	Align to template; 3-year term length
Term Limits	None	Case-by-case	N/A	If re-authorized, adhere to 12-year (4 term) limit
Qualifications	Various employment or residence requirements	None required	Yes	
Establishing Authority	Administrative Code	Administrative Code	Yes	
Sunset Date	None	3 years	No	Align to template; 3-year sunset

6. Proposal for Staggering Sunset Dates

- **Action Item:** Stagger sunset dates so bodies do not come up for evaluation at once
- The timeline below illustrates when bodies are to be or proposed to be evaluated for reauthorization



Police Commission's Role in Employee Discipline

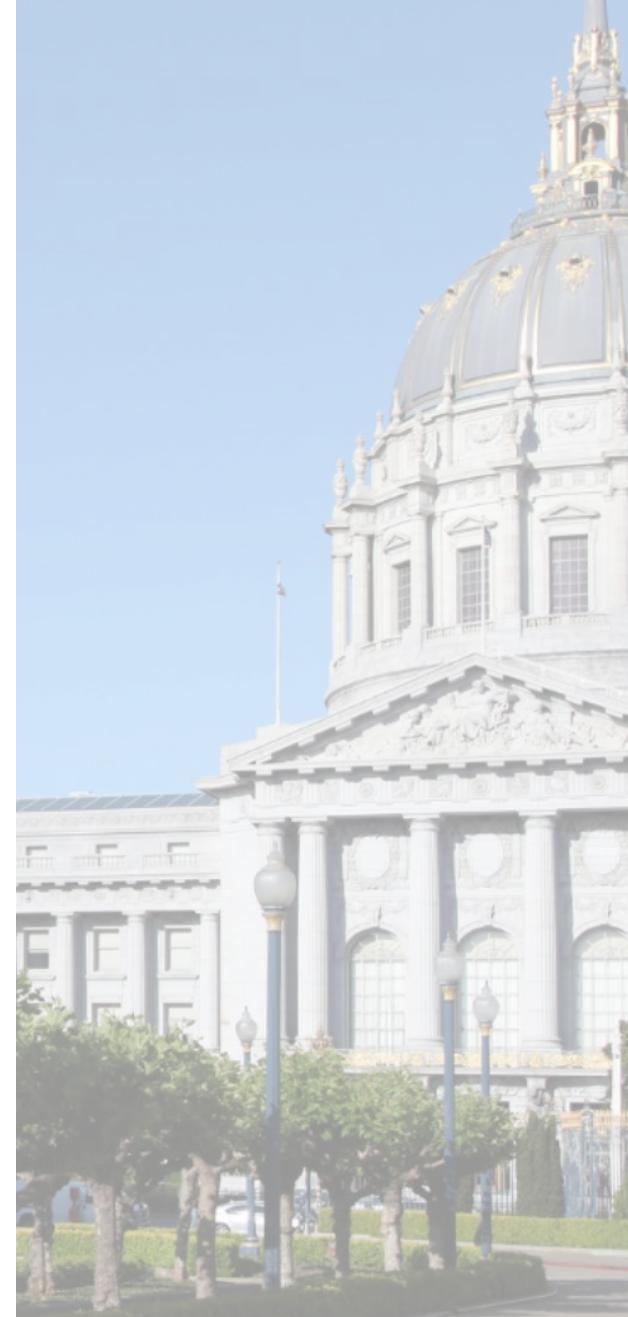
Agenda Item 6



Police Commission

Role in DPA Discipline Cases

- **Action Item:** Clarify the Police Commission's role in employee discipline cases within the purview of the Department of Police Accountability (DPA).
- *Background:* Police Commission makes determinations in employee discipline matters for two departments: Police Department (SFPD) and DPA.
 - For SFPD cases: On 9/3, the Task Force recommended the Police Chief make all disciplinary decisions, with the Police Commission hearing appeals.
 - For DPA cases: On 11/19, the Task Force tentatively recommended requiring the Police Chief to implement DPA's recommendation for discipline, with the Police Commission hearing appeals.
- However, at the 11/19 meeting, there was confusion around the DPA's current process for police discipline.
 - The Task Force requested that staff come back with additional information on how it currently works to inform its recommendation.



Police Commission Role in DPA Discipline Cases

[OPTIONS PRESENTED ON 11/19]

No staff recommendation. Options outlined by City Attorney's Office:

1

Empower DPA Director to impose discipline, with appeals taken to Police Commission (similar to decision for SFPD).

2

Have Police Chief implement DPA's recommendation for discipline, with Police Commission hearing the appeal.

Task Force
tentative direction
on 11/19

3

Keep existing procedures for DPA cases.

4

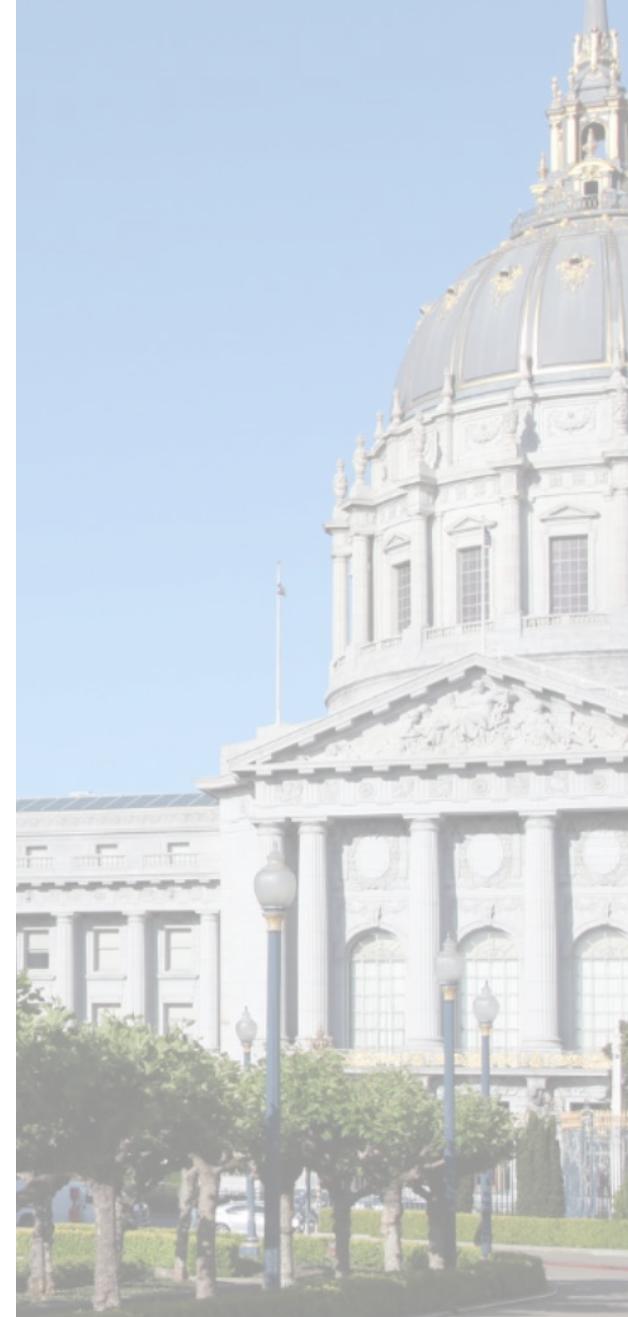
Have ALJ make the initial determination for charges filed by DPA Director, with Police Commission hearing the appeal.



Police Commission: Role in DPA Discipline Cases

Guiding Rationale

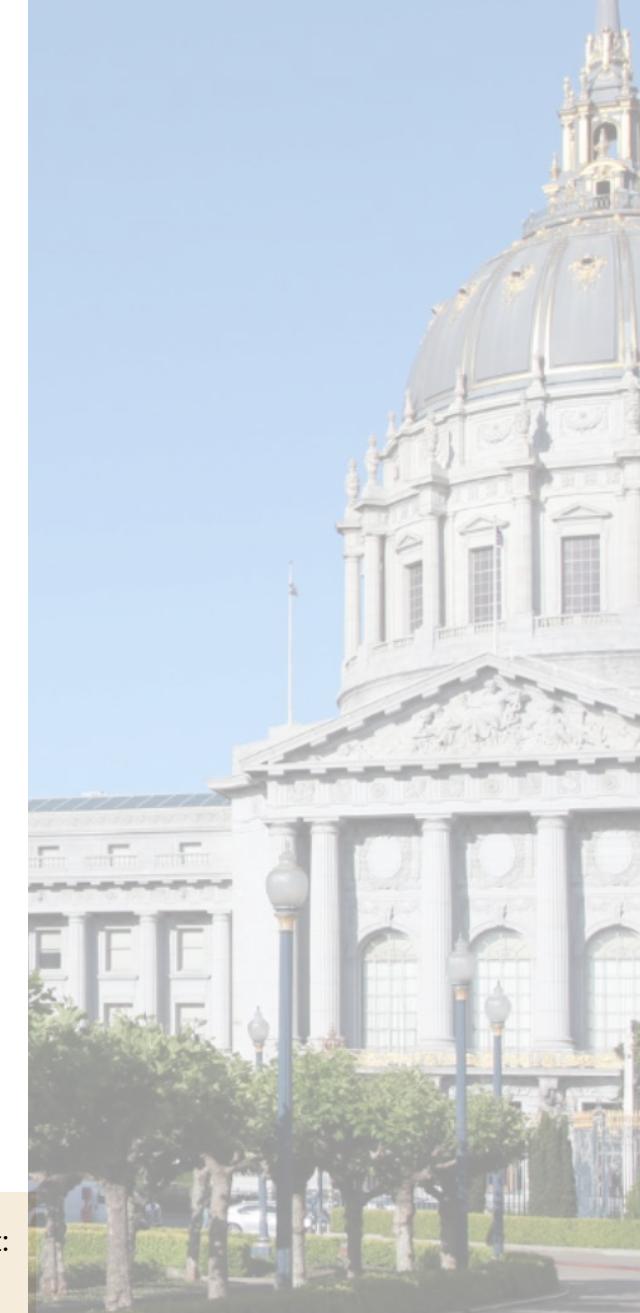
- **Overarching goal:** Police Commission should be the **appellate** body for employee discipline cases, not the main hearing body.
 - No requirement that all members have trial experience, but the body functions as a trial court
 - Challenges in scheduling timely hearings
- Appellate role would be more appropriate, efficient, and consistent with the Task Force's 9/3 decision for internal SFPD cases



Police Commission: Role in DPA Discipline Cases

Current State

- Refer to handout for a full flowchart of the current process
- **First step: Investigate the complaint**
 - **SFPD's Internal Affairs Division (IAD)** investigates all complaints from other SFPD employees, other law enforcement agencies, and off-duty complaints.
 - **Department of Police Accountability (DPA)** investigates all complaints from members of the public, and any firearm discharge in San Francisco that results in injury or death.
 - Both follow a matrix to determine whether to recommend suspension of 10 days or less, or 11+ days.



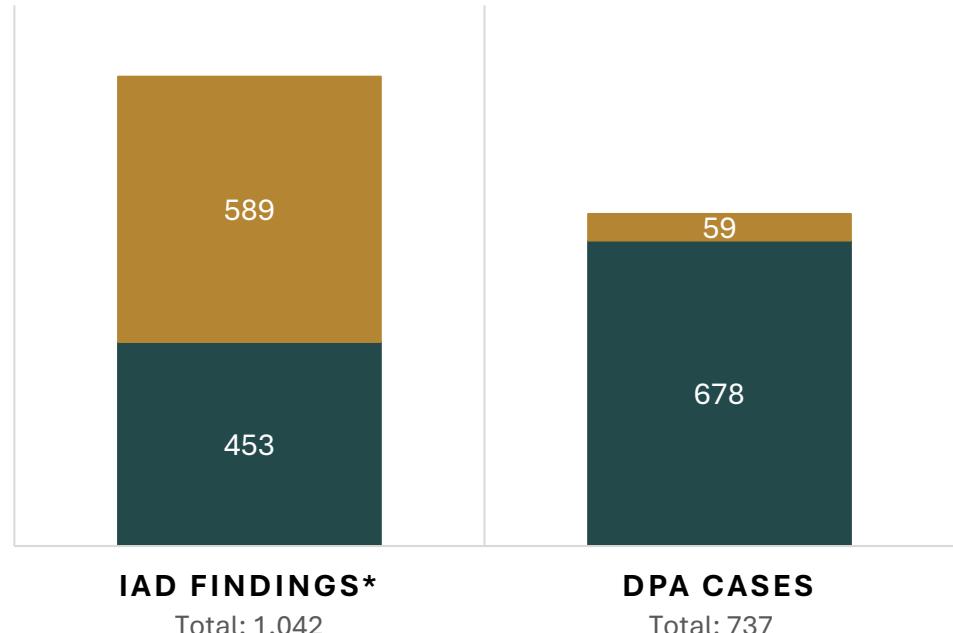
Accompanying Handout:
Attachment A

Police Commission: Role in DPA Discipline Cases

Current State

Distribution of SFPD IAD and DPA Complaints (2024)

- Complaints Sustained (proceed to disciplinary track)
- Complaints Not Sustained



DPA cases represent a small percentage of all sustained cases.



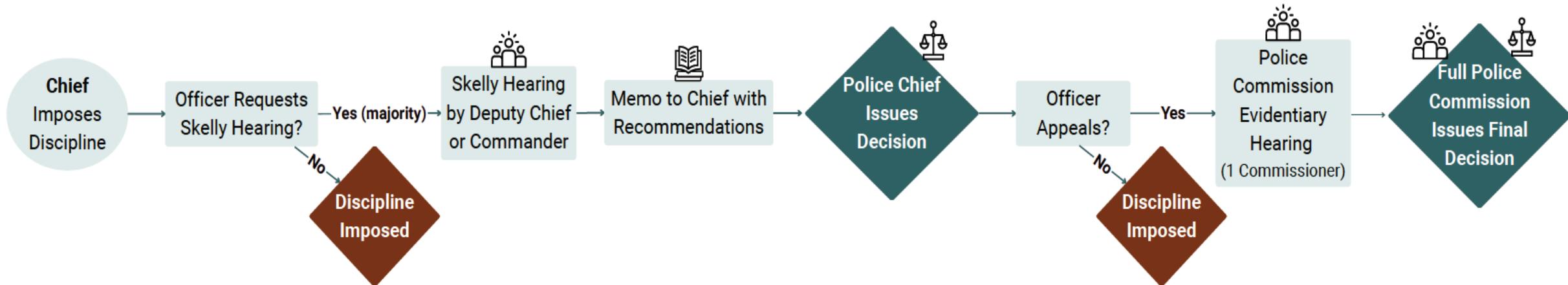
These numbers include both less severe (≤ 10 days suspension) and more severe ($11+$ days suspension) cases.

*Data caveat: IAD “findings” are not a direct comparison with DPA “cases;” there may be multiple findings to a case.

Police Commission: Role in DPA Discipline Cases

Current State – Track 1

- **Next step:** DPA sustained complaints enter the hearing/discipline process. There are two tracks, depending on severity of allegations.
- **TRACK 1: Potential suspension is 10 days or fewer (Police Chief's authority; majority of cases)**



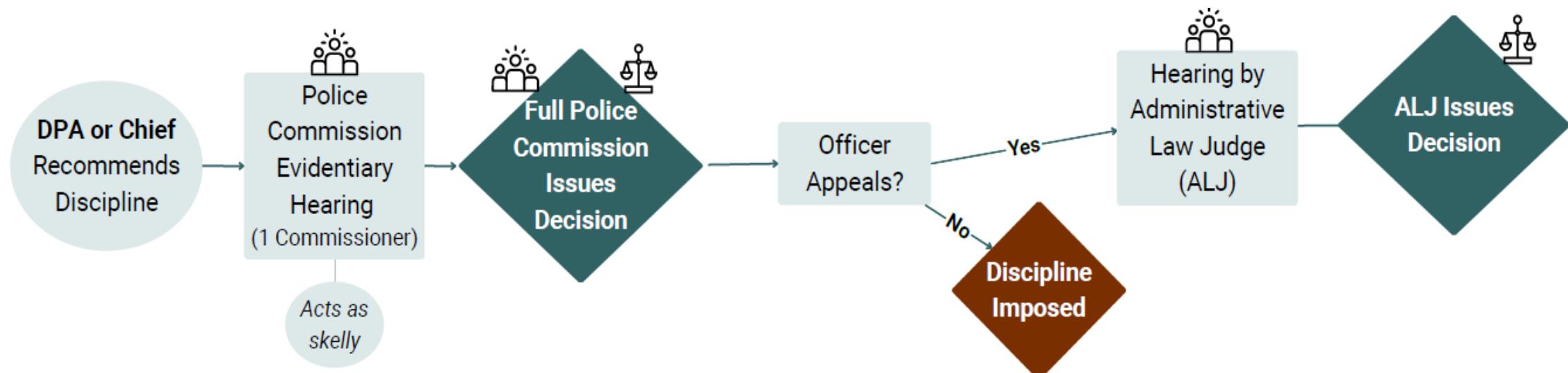
Note: On 9/3, the Task Force decided to apply this process to all SFPD IAD cases, not just those that are ≤10 days.

 Accompanying Handout:
Attachment A

Police Commission: Role in DPA Discipline Cases

Current State – Track 2

- **TRACK 2: Potential suspension is 11+ days (Police Commission's authority)**



- At the end of Track 2, officers have an additional appellate remedy via state law (may file writ to Superior Court)

 Accompanying Handout:
Attachment A

Police Commission: Role in DPA Discipline Cases

Challenges with the Current Process



1. GRAY AREAS

- Selection of Track 1 (10 days or less) versus Track 2 (11+ days) may be subjective, and DPA and SFPD investigation processes differ
 - As a result, similar cases can vary in process and timeline
- Evidentiary hearings before Police Commission are handled by only one commissioner, and commissioners have varying levels of expertise with legal or trial matters



2. DELAYED RESOLUTION

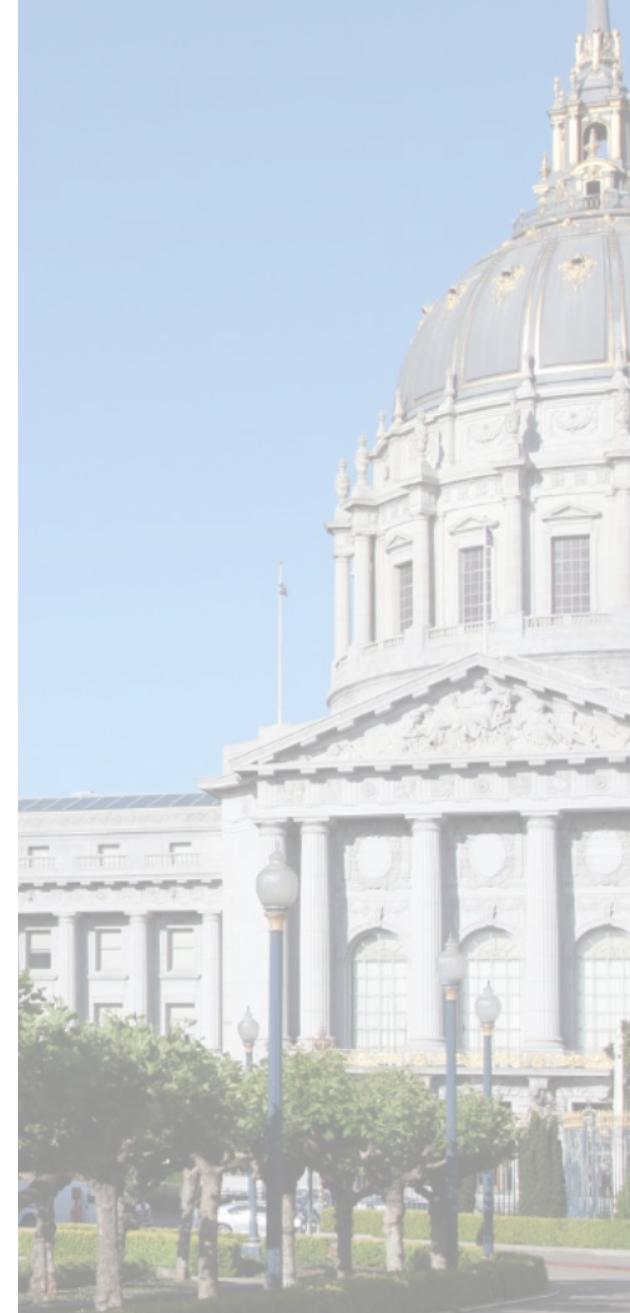
- Even straightforward cases can take years to resolve
 - Example: A case for a 1-day suspension took 6 years to resolve
- Difficult to schedule hearings with Police Commissioners (primarily a concern with past commissioners)
- No deadline by which Commission must act



Police Commission: Role in DPA Discipline Cases

Priorities Going Forward

- In light of these challenges, staff have identified the following priorities:
 1. Create a more streamlined process by removing the **10-day distinction** (have only one process, not two).
 2. Help reduce the time it takes to investigate, hold a hearing, and issue judgment by **converting the Police Commission's role to appellate only**.
 3. Ensure sufficient expertise by having a **third-party ALJ trial attorney conduct evidentiary hearings**.
 4. Maintain **DPA's independence** for the cases in its purview.
 5. Maintain departmental decision-making authority by preserving the **Police Chief's discretion**.



Police Commission: Role in DPA Discipline Cases

Option A for Consideration (formerly Option 4)

- **One process – have ALJ conduct evidentiary hearings for all DPA cases:**
 1. DPA Director meets and confers with Police Chief
 - If concurrence, Police Chief and DPA file charges together
 - If no concurrence, DPA may file charges directly with ALJ
 2. Administrative Law Judge (ALJ) holds evidentiary hearing
 - *Potential con:* Cost of external hearings
 - *Alternative third parties:* Civil Service Commission, Human Resources Dept., or hearing officer selected from community
 3. Officer may appeal to full Police Commission

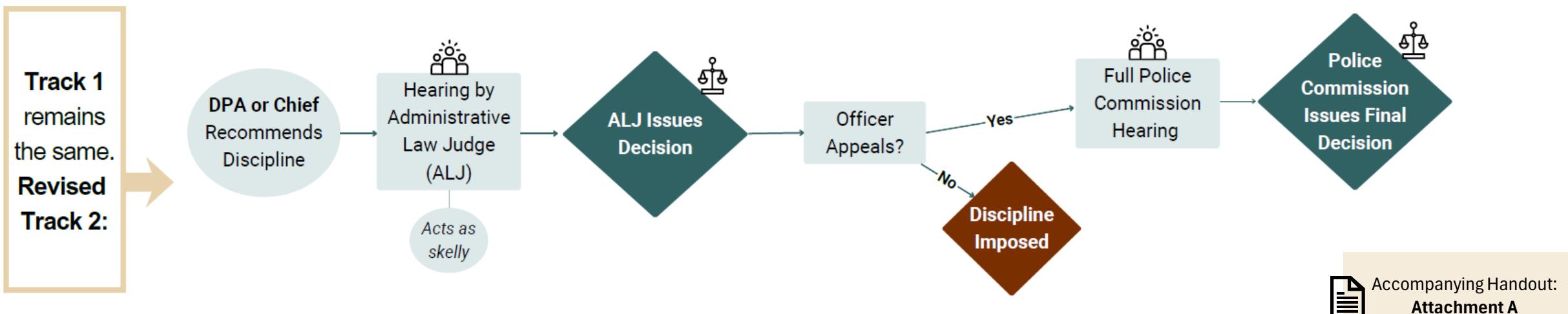


Accompanying Handout:
Attachment A

Police Commission: Role in DPA Discipline Cases

Option B for Consideration

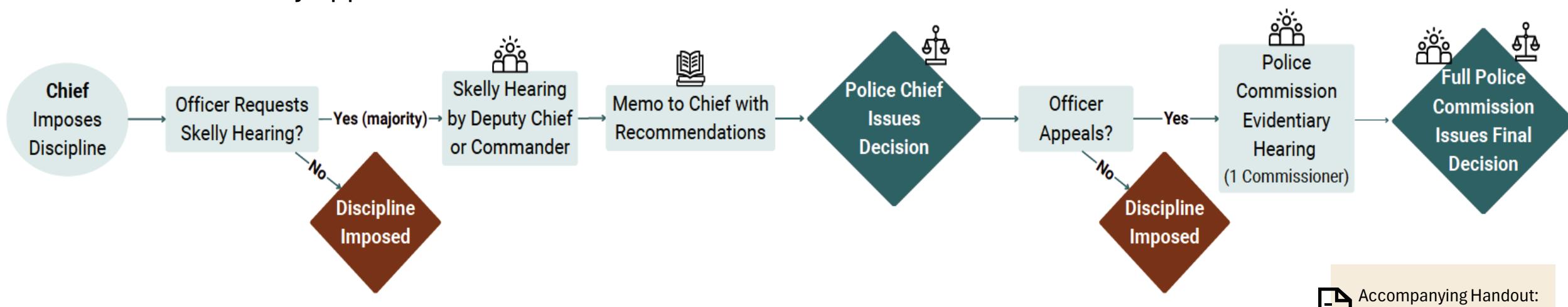
- Status quo (keep 10-day distinction), but switch ALJ and Police Commission roles for more serious cases (Track 2) so that Commission has appellate role.
 1. [Track 1 remains the same]
 2. Track 2:
 1. DPA or Chief recommends discipline (if they disagree, DPA may direct file)
 2. Administrative Law Judge (ALJ) holds evidentiary hearing
 3. Officer may appeal to full Police Commission



Police Commission: Role in DPA Discipline Cases

Option C for Consideration

- One process – apply existing Track 1 to all DPA cases:
 1. DPA Director makes recommendation to Police Chief
 - If concurrence, Police Chief files charges
 - If no concurrence, Police Chief may override DPA
 2. Skelly hearing
 3. Police Chief issues decision
 4. Officer may appeal to Police Commission



Accompanying Handout:
Attachment A

Police Commission: Role in DPA Discipline Cases

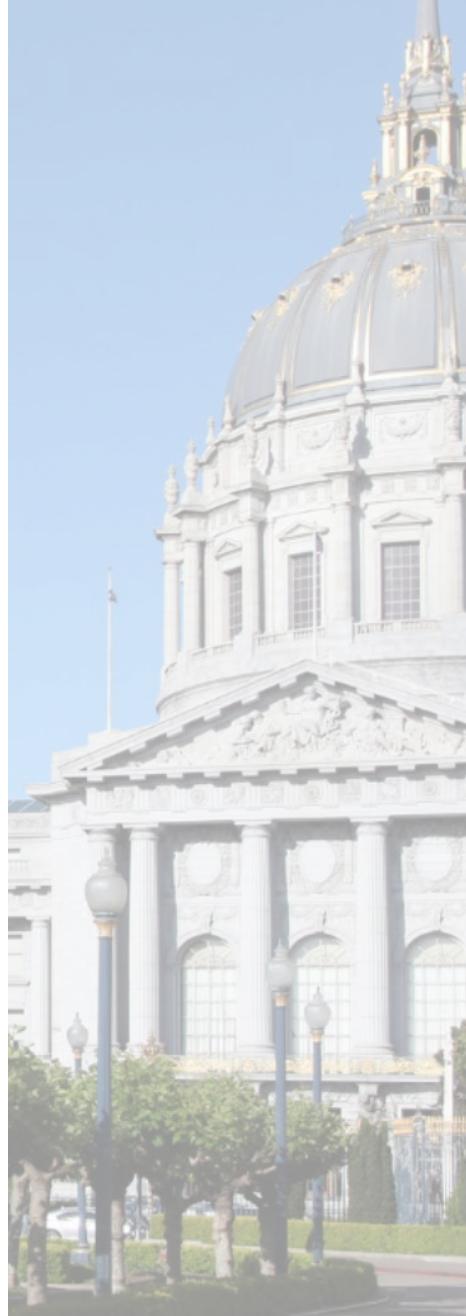
Option D for Consideration

- Maintain current practice
- Recommend in the Task Force's final report that the City Attorney's Office, SFPD, DPA, and Police Commission staff collaborate to improve existing processes

Police Commission: Role in DPA Discipline Cases

Evaluating the Prior Options

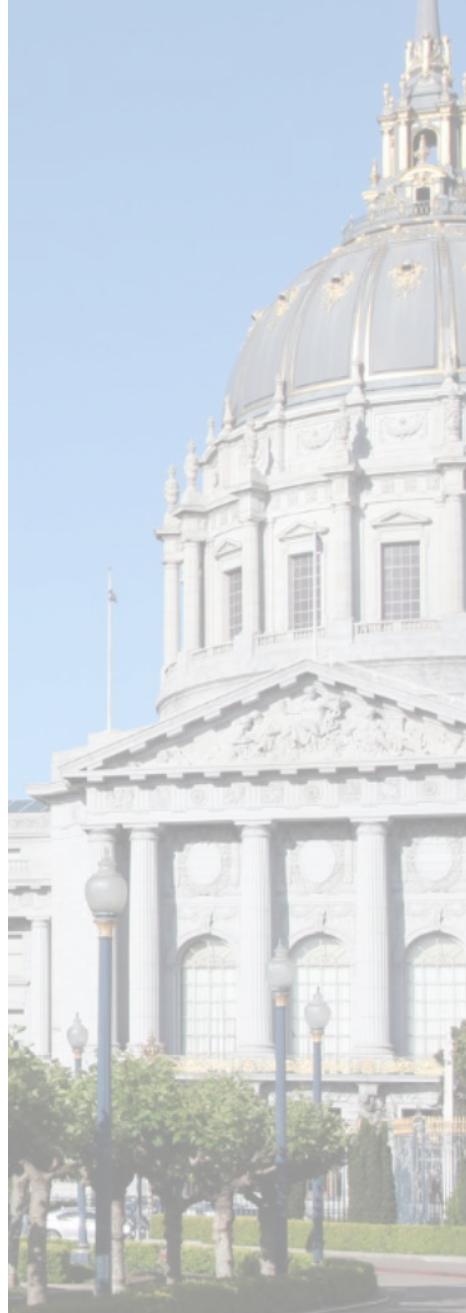
	Priorities				
	One process (removes 10-day distinction)	Police Commission hears appeals	Evidentiary hearing by third party	Maintains DPA independence	Retains some Police Chief discretion
Option 1: DPA imposes discipline	✓	✓	✗	✓	✗
Option 2: Police Chief must implement DPA rec	✓	✓	✗	✓	✗
Option 3: Status quo	✗	✗	✗	✓	✓
Option 4: DPA files with ALJ	✓	✓	✓	✓	✓



Police Commission: Role in DPA Discipline Cases

Evaluating the Updated Options

	Priorities				
	One process (removes 10-day distinction)	Police Commission hears appeals	Evidentiary hearing by third party	Maintains DPA independence	Retains some Police Chief discretion
Option A (formerly #4): DPA files with ALJ	✓	✓	✓	✓	✓
Option B: Keep existing processes, but switch ALJ and Commission roles for more serious (Track 2) cases	✗	✓	✓ (for Track 2 cases only)	✓	✓
Option C: Apply Track 1 process to all DPA cases (Chief may override DPA rec)	✓	✓	✗	✗	✓
Option D: Maintain current practice	✗	✗	✗	✓	✓



Police Commission: Role in DPA Discipline Cases

Additional Recommendations

- The Task Force should also consider recommending **closer review and reform of the Police Commission's procedural rules** (not codified) to reflect its strictly appellate function and address other practical issues.
 - May occur via partnership between the City Attorney's Office, SFPD, DPA, and Police Commission staff.
 - *Example issue 1:* There is no deadline by which the Police Commission must hold a hearing.
 - *Possible change to procedural rules:* Set a standard deadline.

