THE SAN FRANCISCO ENTERTAINMENT COMMISSION

BYLAWS

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Article I - Name and Purpose

Section 1. Name

The name of this Commission shall be "SAN FRANCISCO ENTERTAINMENT COMMISSION"

Section 2. Purpose

The Entertainment Commission is a seven member Commission established in 2003. The Entertainment Commission has the powers and duties to accept, review, gather information regarding and conduct hearings for entertainment-related permit applications. The Entertainment Commission has the power to issue permits, issue warnings and suspend and revoke existing permits. Additionally, the Entertainment Commission plans and coordinates the provision of City services for major events for which there is no recognized organizer, promoter, or sponsor.

Article II - Commissioners

Section 1. Commissioners

1. **Roles of Commissioners**
   - **a.** Read all materials emailed or sent by staff prior to all meetings.
   - b. Commissioners may communicate by e-mail to only one commissioner at a time. A Commissioner cannot send the same email to two or more commissioners. Communication to the entire body should go through the entire Entertainment Commission staff. These provisions notwithstanding, communication among Commissioners are ruled by the Sunshine Ordinance and Brown Act.
   - c. With reasonable notification, Commissioners must be available, at the request of the Executive Director, to attend meetings that are in addition to the regularly scheduled Commission and committee meetings.
   - d. Recommend policy direction to staff.
   - e. Each year, at its first regularly scheduled meeting in July, the full Commission will elect a President and Vice President. At that same meeting the President, in consultation with other Commissioners and staff, may reassign committee positions.
   - f. Commissioners shall not act in the role of staff (see 7) at any time.
   - *g.* Any Commissioner may hold the seat of President for no more than 3 consecutive years.*(Changed by EC Motion August 7,2012)*
   - h. Commissioners must notify the Executive Director, in advance if possible, of all meetings or significant conversations with entities (see below) in which they are acting on behalf, or representing the EC, including, but not limited to:

     - **i. City agencies**
     - **ii. State agencies**
     - **iii. Current Permit Holders**
     - **iv. Applicants**

v. **Elected Officials**
vi. **Neighborhood groups**
vii. **Merchant associations**
viii. **Non-Profit organizations**
ix. **Political organizations**

i. **Notification must include:**
   i. **Date and time of meetings**
   ii. **Nature of conversations**

Section 2. Terms of Office

The Commissioners' terms shall be designated by the appointing authority.

Article III - Duties of the President & Commissioners

Section 1. Duties of the President

The President shall preside at all meetings of the Entertainment Commission. The President, working with members of the Entertainment Commission and staff, shall oversee the preparation of the agenda for the Entertainment Commission meetings and shall appoint all committees and those committees shall select a Chairperson (their Presidents) and shall perform all other duties as prescribed by the Entertainment Commission or by the By Laws which are necessary or incident to the office.

Section 2. Duties of the Vice President

In the event of the absence, or inability of the President to act, the Vice President shall preside at the meetings and perform the duties of the President. In the event of the absence of the President and the Vice President, the remaining Entertainment Commissioner members shall appoint one of the members to act as temporary President.

Article IV - Meetings

Section 1. Regular Meetings

Regular meetings of the Entertainment Commission shall be held on the Second and fourth Tuesday of the month at 6:30 p.m. at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400, San Francisco, California.

Section 2. Rules of Conduct

1. The conduct of all commissioners shall be respectful and polite to each other and other public agencies.

2. The Entertainment Commission, relative to the affairs of its own department, shall deal with administrative matters solely through the department head or his or her designees, and any dictation, suggestion or interference herein prohibited on the part of any member of a board or commission shall constitute official misconduct; provided, however, that nothing herein contained shall restrict the board or commission's powers and inquiry as provided in this Charter.

Section 3. Special Meetings

The President and/or Executive Director, upon receipt of a request from the majority of members of the Entertainment Commission, may call special meetings.

Section 4. Notice of Meetings

The agendas of all the regular meetings and notices and agendas of all special meetings shall be posted at least seventy-two hours before time of such meeting, at the meeting site, the San Francisco Main Library and Government information Center, the Entertainment Commission website and the office of the Entertainment Commission Agendas and notices shall be mailed and/or e-mailed to each Entertainment Commission member and any person who files a written request for such notice.

Section 5. Cancellation of Meetings

The President may cancel a meeting if she or he is aware that a quorum of the body will not be present or if the meeting date conflicts with a holiday or other responsibilities of the Entertainment Commission members. Notices of cancellation shall be posted at the meeting site, the San Francisco Main Library, Government Information Center, and the office of the Entertainment Commission. If time permits, notices of the meeting cancellations shall be mailed to all members of the public who have requested, in writing, to receive notices and agendas of the Entertainment Commission.

Section 6. Conduct of Meetings & Permit Hearing Process:

1. **Call to Order and Roll Call**
2. **Public Comment (see Article IV, Section 11 for more details)**
3. **Review and approve minutes of Regular Entertainment Commission Meeting**
4. **Consent Calendar**
5. **Hearing and possible action regarding applications for permits under the jurisdiction of the Entertainment Commission.**

    a. **Permit Review**
    b. **Applicant Appearance**
    c. **Public Comment**
    d. **Commissioners questions**
    e. **Motion and Second**
    f. **Vote**
6. **Old Business**

7. **New Business**
8. **Commissioner Comments and Questions**
9. **Executive Director's Report**
10. **Report from Events Committee**
11. **Report of Organizational Development Committee**
12. **Discussion of agenda items for future Entertainment Commission Meetings**
13. **Adjournment**

Section 7. Setting Agendas

The staff of the Entertainment Commission, at the direction of the President, shall prepare the agenda for the meetings. The agenda for all regular meetings shall contain an item requesting future agenda items.

Section 8: Consent Calendar

All matters appearing on the Consent Calendar are considered to be routine by the Entertainment Commission and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

Section 9. Action at a Meeting: Quorum and Required Vote

Four votes are required to approve or deny an application. Four votes are required to approve or deny a permit. A simple majority of Commissioners present may approve a continuance. A quorum shall consist of four commissioners.

Section 10.Voting and Abstention

Entertainment Commission members must be present to vote and participate. Teleconference participation is not permitted. Each member presents at an Entertainment Commission meeting shall vote "Yes" or "No" when a question is put, unless the member is excused from voting on the matter by a motion adopted by a majority of the members present or the member has a conflict of interest that legally precludes participation in the discussion and vote. The Entertainment Commission shall take action on items on the agenda by roll call, voice vote or by show of hands.

Section 11. Public Testimony and Public Comment

1. The Entertainment Commission and all committees of the Entertainment Commission shall hold meetings open to the public in full compliance with state and local laws. The Entertainment Commission encourages the participation of all interested persons.

2. Members of the public may comment on every item on the agenda prior to any action being taken by the Entertainment Commission. Each person wishing to speak on an item before the Entertainment Commission shall be permitted to be heard once per item. Speaking time shall begin after he or she has stated his or her name and city of residence.

3. Members of the public may also address the Commission, during the period of each meeting designated "Public Comment," on items of interest to the public that is within the subject matter jurisdiction of the Commission.

4. The President shall designate the length of time, not to exceed three minutes that all speakers must adhere to.

5. When addressing the Entertainment Commission, Applicants and all members of the public must:

a. State their full name
b. Spell their last name
c. State the city they live in

Article V - Entertainment Commission Records

Section 1. Minutes

Minutes shall be taken at every regular meeting and shall comply with the provisions of the San Francisco Sunshine Ordinance. Minutes shall be approved by the majority vote of the Entertainment Commissioners.

Section 2. Public Review of File

The Entertainment Commission shall maintain a public review file in compliance with the San Francisco Sunshine Ordinance. (*See*, San Francisco Administrative Code, Section 67.14(b).)

Section 3. Tape Recordings

The Entertainment Commission shall audio record all regular meetings and closed sessions of the Entertainment Commission. The audio recordings shall be maintained in accordance with the San Francisco Sunshine Ordinance. (See, San Francisco Administrative Code, Section 67.17(b).)

Article VI - Committees

Article VI - Committees

Section 1. Committees

1. Upon approval by a majority of the members of the Entertainment Commission, the Entertainment Commission may form committees to advise the Entertainment Commission on its ongoing functions.

2. The President of the Entertainment Commission, working with the Entertainment Commission and staff, shall name the members of the Committees. The committees shall be composed of members of the Entertainment Commission.

3. Members of each committee shall select their own Chairperson.

4. The President of the Entertainment Commission shall encourage the Entertainment Commission members to participate on committees and shall ensure broad and diverse representation of Entertainment Commission members on all committees. Each Commissioner shall serve on at least one committee during the course of their term as a commissioner.

Article VII - Roles of Staff

Section 1. Roles of Staff

1. Executive Director

The Executive Director shall manage the day-to-day affairs of the Entertainment Commission. The Executive Director shall appoint and have supervisory authority over the deputy director, permit administrators, sound technician(s), and other commission personnel. The Executive Director shall develop and submit a budget each year for the Entertainment Commission. The Executive Director shall be the liaison for the Commission to the public as well as all other City and State agencies having business with the Entertainment Commission and be responsible for planning and coordinating of major cultural, entertainment, athletic and similar events in the City (provided that the Police Department shall continue to be responsible for all matters concerning security and law enforcement); promoting the use of City-owned facilities for such events; promoting the location of cultural, entertainment, athletic and similar establishments within the City; promoting the responsible operations of such establishments and adherence by their operators to good neighbor policies designed to protect the health, safety and welfare of residents and businesses in the vicinity of such establishments, and performing such other duties as the commission may prescribe.

2. Deputy Director

Under direction, performs responsible work in connection with issuing permits under the jurisdiction of the Entertainment Commission; Manages permit administration and sound technician staff; Oversees and administers Entertainment Commission Mediation policy and procedures; Manages and assists staff work related to large events under the auspices of the Entertainment Commission, including Halloween in the Castro. Assists the Executive Director in the development, coordination and execution of policy and procedures for the Entertainment

Commission; Explains and interprets policies, codes, rules and regulations; directs the preparation, review, approval and maintenance of important technical reports and records for the Commission; Maintains effective working relationships with the general public, representatives of various organizations and groups, boards and commissions, and other city agencies; other duties as needed.

3. Permit Administrator/Sound Technician

Permit administrators shall be responsible for reviewing applications and advising applicants regarding the submission of all necessary information and documentation for the commission to process applications in a timely manner; verifying information contained on entertainment-related permit applications; assisting other City departments in the review of applications for permits necessary for and coordinating investigations by developing instructions, manuals and forms for entertainment-related permit applications that can be accessed on the internet; informally mediating disputes between neighbors and such establishments and events; and for such other duties as the Executive Director may prescribe. Additional training and responsibility for sound testing during permit process and for current permit holders as part of mediation process.

4. Permit Administrator

Permit administrators shall be responsible for reviewing applications and advising applicants regarding the submission of all necessary information and documentation for the commission to process applications in a timely manner; verifying information contained on entertainment-related permit applications; assisting other City departments in the review of applications for permits necessary for and coordinating investigations by developing instructions, manuals and forms for entertainment-related permit applications that can be accessed on the internet; informally mediating disputes between neighbors and such establishments and events; and for such other duties as the Executive Director may prescribe.

5. Commission Aid

Under general administrative direction, serves as the secretary to the Entertainment Commission; maintains records of meetings, hearings and official actions of the Commission and certifies all official commission documents and resolutions; and transmits to the Commission communications and materials received from boards and other bodies. Prepare agenda and minutes of the meeting; review and prepare ordinances, resolutions, rules, and procedures in consultation with the City Attorney; prepare, edit, analyze and/or evaluate reports and make recommendations prepare and respond to correspondence; plan and supervise the work of subordinate staff; communicate effectively, tactfully, and discreetly, both orally and in writing, with the general public, the media, other government officials and Entertainment Commission and/or Entertainment Commission Inspection employees.

Article VIII - Attendance

Members of the Entertainment Commission shall notify the Commission Secretary if she or he is unable to attend a regular or special meeting of the Entertainment Commission or its committees.

Section 1. Attendance Requirements

Attendance: Must attend 80% of annual meetings and not miss more than 2 consecutive meetings unless extraordinary circumstances determined by the President. If the attendance criteria have not been met the Executive Director shall prepare a report for the president.

The President shall notify the appointing authority that the attendance requirement has not been met.

Article IX - Amendment of By Laws

The By Laws of the Entertainment Commission may be amended by a vote of the members of the Entertainment Commission after presentation of the proposed amendments as an agenda item at a meeting of the Entertainment Commission. The Entertainment Commission shall give ten days notice before considering any amendments to its by laws.