



SAN FRANCISCO PLANNING DEPARTMENT

Memo to the Planning Commission Rules Committee

HEARING DATE: MAY 14, 2015
Continued from the April 23, 2014 Hearing

Date: May 4, 2015
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Recommendation: **None**

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BACKGROUND

On Thursday, February 5, 2015, at a regularly scheduled meeting, the Planning Commission created a Rules Committee to review proposed amendments and reach consensus for a recommendation to the Planning Commission. President Fong appointed Commissioners Johnson, Moore and Richards to the Committee.

On Thursday, February 12, 2015, the Rules Committee held its first meeting and considered potential amendments.

On Thursday, March 12, 2015, the Rules Committee held a second meeting and considered potential amendments.

On Thursday, April 2, 2015, the Rules Committee held a third meeting and presented five items for consideration: (1) Action Item List; (2) Election Process for Officers; (3) Director Performance Evaluation; (4) Commission Secretary Position; and (5) Standing Committees.

On Thursday, April 23, 2015, the Rules Committee held a fourth meeting, voting to forward the Order of Speakers; Action Items; Election Process, Director's Performance Evaluation to the Planning Commission. The Committee voted to not forward the Standing Committee topic; and to table Hearing Submittal Guidelines along with the Commission Secretary Position topics, for additional deliberation on May 14, 2015.

CURRENT PROPOSAL

The original proposed amendments included: a "Hearing Submittal Guidelines" document and the Order of Speakers. Subsequently, five additional amendments were proposed.

1. *Hearing Submittal Guidelines* – the current Rules & Regulations establishes when advance submittals to the Planning Commission must be provided to the Department. The amendment would modify the language under Submittals (Appendix A, Submittals and Hearing Procedures: Subsection A.), to refer to a new "Hearing Submittals Guidelines" document. This document would be different and distinct from the existing Plan

Submittal Guidelines added as a part of the previous amendment, and would be managed administratively.

The proposed Hearing Submittal Guidelines would serve as a guide for staff and the public as to when, how, how many copies and in what format the Department needs to accommodate its current and future procedures.

This would not modify the current deadlines for any submittal to become part of the Commission Packet.

The Committee voted to TABLE this proposal, by a vote of 3 -0.

2. *Order of Speakers* – the current Rules & Regulations stipulate that proponents speak first and opponents speak second. The amendment would eliminate the prescribed order of speakers for Cases (Appendix A, Subsection D. III., Hearing Procedures), recognizing the current Commission practice.

The Committee voted to forward this proposal to the Commission, by a vote of 3 -0.

3. *Action Item List* – the Committee considered ways items on the List could best be addressed. The recommendation to the Commission would add the Action Item List as an item for discussion on the Agenda, quarterly or as often as needed.

The Commission would be able to prioritize the list and direct the Department's response in the appropriate format.

The Committee voted to forward this proposal to the Commission, by a vote of 2 -0 (Johnson absent).

4. *Election Process* – the Committee recognized the need for additional direction in the Rules & Regulations for the election of Commission Officers' in order to guide the process. The City Attorney's Good Government Guide suggests the most frequently used process in Roberts' Rules of Order. "First, the presiding officer takes public comment on the agenda item. Then the presiding officer requests nominations for the office from the members of the body. No second is required under Roberts' Rules of Order. When no additional nominations are offered, the presiding officer closes the nomination. The commission then votes on the nomination in the order they were received. The first candidate to receive a majority of the votes is elected to the office."

Commissions may not vote by secret ballot. All votes, other than those permitted in a closed session, must be conducted publicly.

The Committee also suggested to include a note, recognizing the practice of alternating President and Vice President between Mayoral and Board appointees.

The Committee voted to forward this proposal to the Commission, by a vote of 2 -0 (Johnson absent).

5. *Director's Performance Evaluation* – the Committee recognized that only Commission Officers evaluate the Director's performance. A closed hearing session was suggested to allow all Commissioners to be a part of the evaluation process. Personnel issues are appropriately considered by the Commission in a closed session.

The Committee voted to forward this proposal to the Commission, by a vote of 2 -0 (Johnson absent).

6. *Commission Secretary Position* – the Committee expressed an interest to revisit the Commission Secretary duties and responsibilities. Issues raised under this discussion included: evaluation; dynamic interaction; public criticism; Commission's procedures; feedback loop; demeanor; professional conduct; and "filling in the gaps."

This item was tabled for further discussion. It was agreed that the current Commission Secretary job description would be forwarded to the Committee as a point of reference under which the current Secretary was appointed.

7. *Standing Committees* – the Committee discussed if there was a need for standing committees, or whether the existing ad hoc method was appropriate. The current Rules & Regulations under Article III – Duties of Officers, Section 1, President states: "The President shall preside at all meetings of the Commission, **shall appoint all Committees and their Chairs**, and shall perform all other duties necessary or incidental to the office." (emphasis added)

The Committee members agreed that this language was sufficient and that there is no current need for a standing committee.

The Committee voted to NOT forward this proposal to the Commission, by a vote of 2 -0 (Johnson absent).

REQUIRED COMMISSION ACTION

None.

Attachments:

DRAFT "Hearing Submittal Guidelines"
Commission Secretary Job Description

DRAFT Hearing Submittals Guidelines

Staff case reports for Commission hearings are outsourced and reproduced by Repromail, the City's reproduction and mail service. If you wish to have the Planning Commission or Historic Preservation Commission consider your submittal(s) as a part of their packet in advance of the hearing, you must adhere to the following timelines.

These timelines also include deadlines for Project Sponsors and/or interested parties to submit material to staff for inclusion in the case report. If the Project Sponsor does not submit the necessary material by the deadline provided, the project may be continued to a later date.

PLANNING COMMISSION CASE REPORT SCHEDULE

- **14 days prior to hearing (9 am):** Deadline for Project Sponsor, DR Requestor and/or interested parties submittal material in electronic format (.pdf) to be included in staff case reports¹.
- **10 days prior to hearing (5 pm):** Deadline for project planner to submit an electronic copy (.pdf) of their report.
- **9 days prior to hearing (9 am):** Deadline for the Office of Commission Affairs to transmit all electronic packets to Repromail.
- **7 days prior to hearing (9 am):** Deadline for Repromail to deliver collated copies of case reports to the Department for issuance and distribution.

HISTORIC PRESERVATION COMMISSION CASE REPORT SCHEDULE

- **14 days prior to hearing (9 am):** Deadline for Project Sponsor and/or interested parties submittal material in electronic format (.pdf) to be included in staff case reports².
- **12 days prior to hearing (5 pm):** Deadline for project planner to submit an electronic copy (PDF) of their report.
- **9 days prior to hearing (9 am):** Deadline for the Office of Commission Affairs to transmit all electronic packets to Repromail.
- **7 days prior to hearing (9am):** Deadline for Repromail to deliver collated copies of case reports to the Department for issuance and distribution.

COMMISSION PACKET SUBMITTAL DEADLINE

The final opportunity to include your brief to either Commission as a part of their packets, is generally, eight (8) days prior to the hearing. The Office of Commission Affairs must receive 15 copies and .pdf no later than the close of business Tuesday for the HPC and Wednesday for the CPC approximately one week prior to the scheduled hearing of any matter before the Commissions, respectively.

Notes:

Holidays may modify the scheduled deadlines by increasing the number of days case reports are due prior to a hearing in order to accommodate early packet delivery.

At the discretion of the Planning Director and/or the respective Commission's leadership, a week of additional review time may be incorporated into the process, resulting in the Commission receiving packets two weeks in advance of a hearing.

¹ Materials submitted after this deadline but before 5:00pm on Wednesday (8 days) prior to the scheduled public hearing will be sent to the Commission separately.

² Materials submitted after this deadline but before 5:00pm on Tuesday (8 days) prior to the scheduled public hearing will be sent to the Commission separately.

Commission Secretary Job Description

The Commission Secretary reports to and supports the Planning Commission (CPC) and the Historic Preservation Commission (HPC). The Planning Commission reviews and approves development projects, acts as the steward of the City's General Plan, and advises the Mayor, the Board of Supervisors, and City agencies on long-range goals, policies, and procedures pertaining to land use issues. The CPC is comprised of seven members, of whom four are appointed by the Mayor and three are appointed by the President of the Board of Supervisors. The Historic Preservation Commission (HPC) oversees the City's Historic Preservation program, including designating historic buildings and historic districts. The HPC advises the Mayor, the Board of Supervisors, the Planning Commission, and City agencies on issues pertaining to historic preservation. The HPC also approves certain entitlement applications, such as Certificates of Appropriateness. The HPC has seven members, all of whom are appointed by the Mayor.

The Commission Secretary also serves as a member of the Senior Management Team in the San Francisco Planning Department, which includes management of the Department's Public Records policy and acting as the project manager for matters of the Planning and Historic Preservation Commissions. Through delegation of the Planning Commission, the Planning Department proposes and implements land use policy for the City and County of San Francisco. The Department provides development entitlements, guides land use decisions, develops long-range land use policy, administers and enforces the Planning Code, and provides environmental review of land use proposals. The Department has approximately 150 employees.

The position reports to the President of the Planning Commission and to the President of the Historic Preservation Commission. The position directly supervises between one and three subordinate staff.

Important and Essential Duties

The Commission Secretary is responsible for the administrative function of the Planning Commission and the Historic Preservation Commission. In this capacity, the Commission Secretary performs the following duties:

- Provides effective and balanced support to the Historic Preservation Commission and to the Planning Commission
- Attends weekly Planning Commission hearings which often run late into the evening and bimonthly Historic Preservation Commission hearings; serves as the recording secretary for these hearings; manages the hearing's calendar; and advises the Commissions on relevant policies, codes, rules, and regulations pertaining to the Commissions' hearings
- Manages the administrative needs of the Planning and Historic Preservation Commissions, including – through oversight of subordinate staff – preparing, disseminating, and appropriately posting the Commissions' advance calendars, hearing calendars, hearing packets, minutes, hearing results, and action lists; and recording

official acts of the Commissions

- Through oversight of subordinate staff and through coordination with other staff, establishes the quality control standard for all materials provided to the Commissions by reviewing and analyzing materials submitted and obtaining, amplifying, or clarifying information needed by the Commissions to make decisions regarding such materials
- Provides guidance to Commissioners on various matters related to their roles and responsibilities as officers of the City;
- Manages the Commissions' office, including planning, prioritizing and scheduling the work of the Commissions' office and responding to Commissioners' needs and requests
- Works with external agencies and internal staff to ensure that the Commissions' goals and objectives are met
- Coordinates regular legally-required training for Commissioners
- Maintains confidentiality
- Performs other duties as required.

The Commission Secretary manages a staff of up to three subordinate employees, including a Manager of the Commissions' Office and clerical support staff. In this capacity, the Commission Secretary performs the following duties:

- Ensures the smooth operation of the Commissions' office by: planning and prioritizing workloads for subordinate staff; coordinating and overseeing clerical and technical support activities; monitoring productivity and evaluating outcomes; and ensuring staff compliance with established departmental policies, procedures and goals, as well as legal requirements and regulatory mandates
- Supports effective staff performance by: completing performance appraisals; fostering cooperation and teamwork amongst staff; and providing training and other aids to staff development
- Performs other duties as required.

The Commission Secretary serves as the Custodian of Records for the Planning Department and the CPC and HPC. In this capacity, the Commission Secretary performs the following duties:

- Through management of subordinate staff, oversees the Department's response to Public Records Act Requests and ensures that such responses are thorough, appropriate, and timely
- Produces, maintains, communicates, and ensures compliance with the Department's Records Retention policy, including making adjustments as necessary as technology changes and as legally required
- Serves as the Filing Officer for the annual Statement of Economic Interest forms and ensures compliance with filing requirements
- Maintains, updates, disseminates and issues interpretations of the Planning Commission's, the Historic Preservation Commission's, and the Department's respective Statement of Incompatible Activities
- Performs other duties as required.

The Commission Secretary provides a central communications role for the Commissions, between the Commissions, and between the Department and the

Commissions. In this capacity, the position:

- Supports the public's engagement with the Commissions by maintaining open and transparent communication with the public; ensuring the availability of materials and information to the public; answering questions; responding sensitively to diverse and multilingual communities engaging in the Commissions' process; and ensuring appropriate decorum and public involvement at Commission hearings
- Communicates Departmental matters of interest to the Commissions and Commission interests to the Department
- Maintains effective working relationships with the general public, representatives of various organizations and groups, commissions, boards, and elected officials
- Responds to queries from the general public, community groups, and government officials regarding the policies, procedures, and actions of the CPC and the HPC
- Researches and prepares correspondence on behalf of the members of the CPC and the HPC, as directed by the Commissions
- Ensures that the Commissions websites are current, accurate, and complete
- Performs other duties as required.

The Commission Secretary serves as a core member of the Department's Senior Management Team. In this capacity, the position:

- Participates in developing the Department's two-year operating budget
- Participates in discussions regarding Departmental operations, procedures, and policies
- Advises on and may oversee the work of staff that is relevant to the Commissions
- Participates in Department-wide organizational initiatives, such as implementation of the new Permit & Project Tracking System
- Provides stewardship of the Department's Public Records
- Attends regular Senior Management meetings
- Performs other duties as required.

In addition, the position adheres to the following set of professional standards:

- Follows the Department's Code of Conduct.
- Provides timely response to emails and telephone calls.
- Works cooperatively with colleagues and clients to promote a work environment of trustworthiness, respect, responsibility, fairness, caring, and citizenship.
- Manages the stress of last minute assignments and information requests so that others in the workplace are not negatively impacted.
- Maintains a positive, proactive, and upbeat attitude about the challenges that managers, staff, and the Department face.
- Supports a quality service and continuous improvement philosophy in all work.
- Follows all City/County, and Planning Department policies and procedures.
- Maintains expertise and professional growth through participation in professional development opportunities.
- **Statement of Incompatible Activities:** Fully complies with the Department's Statement of Incompatible Activities as approved by the Ethics Commission. Compliance includes, but is not limited to: Restrictions on Incompatible Activities; Restrictions on Use of City Resources, City Work-Product and Prestige; and

Prohibition on Gifts for Assistance with City Services.

- **Use of City and County Property for Business Purposes Only:** Fully complies with restrictions on the use of City and County property for business purposes only. All City equipment, devices, and materials (e.g., photocopier, telephones, computers, vehicles, stationery, fax machines, etc.) must be used only for conducting City business.
- **Attendance:** Regular and prompt attendance is required for your job. All planned absences must be requested and approved in advance. For illness, emergencies and other unplanned and unforeseeable absences, notify your supervisor as soon as possible, but no later than the beginning of the work day on the first day of the absence.
- **Compliance with all Department Rules, Policies, and Procedures:** Fully complies with all rules, policies, and procedures as defined by your Department.
- **Mission/Vision/Values: Work products and work style/behavior demonstrates understanding of and adherence to Department's Mission/Vision/Values.**