

SAN FRANCISCO JUVENILE PROBATION COMMISSION AUTHORITY AND RULES OF ORDER

REVISED AND ADOPTED AUGUST 9, 1995
section 9.03 adopted 12-10-97

1.00 Authority

The Juvenile Probation Commission exists under the authority of the Charter of the City and County of San Francisco as amended on November 7, 1989, adding Part 23, §§ 3.699, 3.699.2, 3.699.3, and amending § 4.105, constituting a Department of Juvenile Probation. Under these amendments, the Department of Juvenile Probation consists of a Juvenile Probation Commission, a Chief Juvenile Probation Officer, and such assistants, deputies and employees as may be necessary to carry out the functions and duties of the Department.

2.00 Governance

2.01 Under the authority of Charter Section 3.699.3, the Commission appoints the Chief Juvenile Probation Officer, who serves at its pleasure. The Chief Juvenile Probation Officer is a department head in the sense of the term as defined in Charter Section 3.501.

2.02 The Chief Juvenile Probation Officer and his or her assistants and deputies have the powers conferred upon chief juvenile probation officers, assistants and deputies by the laws of the State of California; and perform all of the duties prescribed by such laws, and such additional duties as may be prescribed by ordinances of the Board of Supervisors of San Francisco.

2.03 Ultimate responsibility for the governance of the department rests with the Commission. The Commission has the power and duty to organize, re-organize and manage the Department of Juvenile Probation.

3.00 Composition

3.01 The Juvenile Probation Commission shall consist of seven members, appointed by the Mayor. Two of the members are appointed from lists of eligibles submitted to the Mayor by the Superior Court.

3.02 The Commission is required to be broadly representative of the general public of San Francisco, reflecting diversity across racial, ethnic, gender, sexual orientation, age (including youth), and socioeconomic lines.

4.00 Maintaining the Commission --Terms of Service, Filling Vacancies, Compensation, and Concurrent Service

4.01 Terms of Service: The term of each Commissioner is four years, commencing at 12:00 noon on the 15th day of January 1990. However, the terms of original Commissioners are staggered such that no more than two (2) completed term appointments will ever expire simultaneously. The original composition consisted of two four-year appointees, two three-year appointees, two two-year appointees, and one one-year appointee; determination of initial terms made by drawing lots.

4.02 Filling Vacancies: All subsequent appointments to fill vacancies commence at the time when the

appointment is made by the Mayor and end at 12:00 noon on the fifteenth day of January of the year occurring in four years time, or at 12:00 noon on the fifteenth day of January of the year in which the vacating Commissioner's term expires (if the appointment results from a resignation in advance of term expiration. Upon expiration of a Commissioner's term, should the Mayor not have made a determination as to re-appointment or replacement, the Commissioner whose term has expired may continue to serve until such determination is made. Vacancies occurring on the Commission either during or at the expiration of the terms of each member shall be filled by the Mayor in the same fashion as the appointment of the vacating member.

4.03 Compensation: The compensation of each Commissioner shall be \$25 per meeting, but not to exceed \$100 per month.

5:00 Officers, Staff

5.01 The Commission shall select a President and a Vice-President from its members by a majority vote at its first full Commission meeting after January 15th of each year for a term of one year. The President and Vice-President shall not serve in their respective office for more than two full consecutive terms.

5.02 The President shall be the official spokesperson for the Commission. Only the President of the Commission will make any official statement to the Press. S/he shall preside at all general meetings of the Commission, shall preserve order and decorum, shall decide on all questions of order, subject to appeal to the Commission by any member, and shall, in consultation with Commissioners, appoint any and all Committees of the Commission, and the Committee Chairs. The President shall be an ex-officio member of all committees, and have the right to participate in the proceedings of the Commission Committees.

5.03 The Vice-President of the Commission shall assume the duties of the President in his or her absence or when the President shall designate the Vice-President to act. In the event that the Commission determines the President cannot or will not fulfill the duties of the position, the Vice President shall act for the President until the Commission elects a new President to complete the unexpired term of office.

5.04 In the absence of the President and the Vice-President, the Program Committee Chair shall preside over general Commission meetings, and in the absence of President, Vice President and Program Committee Chair, the Finance Committee Chair shall preside over general Commission meetings.

5.05 The Commission shall appoint an Executive Secretary to assume the day to day direction of the Commission's office and to be the official record keeper of the Commission's proceedings. The Secretary shall serve at the pleasure of the Commission.

6.00 Attendance

6.01 Unless excused, all members of the Commission shall be in their respective seats at the hour appointed for each meeting of the Commission. The Chief Juvenile Probation Officer and the Secretary shall attend Commission meetings unless excused by the President of the Commission.

6.02 Commissioners may not have more than 3 unexcused absences, in a calendar year, from general Commission meetings, without the issue of attendance being referred to the Mayor.

7.00 Open & Public Meetings

- 7.01 The Commission and its committees shall conduct all of its business in a public forum, in keeping with requirements of the Brown Act, and San Francisco's Sunshine Ordinance. Meetings are noticed at the Public Library and other public buildings at least 72 hours prior to each meeting.
- 7.02 Regular Meeting: Regular meetings of the Commission shall be held in hearing room 408 of City Hall, at 1 Dr. Canton B. Goodlett Place, San Francisco, on the 2nd Wednesday of every month, with the following exceptions. All off-site meetings require 15 days advanced public notice.
- a. Community Meetings: Twice each year the Commission shall meet in community locations to be decided by a majority vote of the Commission, *[and twice each year, the Commission shall meet in the cafeteria of Youth Guidance Center]*.
 - b. Unusual Circumstances: An alternative meeting site may be selected should circumstances warrant the change.
- 7.03 If the regularly scheduled meeting date occurs on a holiday, it shall instead be held on the next business day. The Commission also has the option of canceling the meeting.
- 7.04 Special Meetings: Special meetings of the Commission may be called at any time by the President or by a majority vote of the members of the Commission. Notice of the meeting must be provided at least 24 hours prior to the special meeting.
- 7.05 Special Meetings on the Budget: In the event of a situation constituting a budget crisis, the Finance Committee Chair, shall inform the Commission's President of the budget directive received and the Department's required response time. The President shall then either convene a Special meeting with at least 24 hours advance public notice, or, if a quorum cannot be established, require a Special Meeting of the Finance Committee, with 24 hours advance public notice to allow public input on the Department's budget proposal (change approved 12/9/92).
- 7.06 Informational: The Commission may also hold informational meetings for the purpose of conveying information to the public and to receive information from the public. Informational meetings may be held at any convenient location as designated by the Commission. No official business shall be transacted at informational meetings.
- 7.07 Committee meetings: The Commission shall have committees to oversee the operations of the Department. Policies recommended by Committees shall be considered and acted upon by the Commission as a whole.
- a. Program Committee meetings: Program Committee meetings of the Commission shall be held in the Youth Guidance Center, 375 Wood side, San Francisco, on an as-needed basis.
 - b. Finance Committee meetings: Finance Committee meetings of the Commission shall be held in the Youth Guidance Center, 375 Woodside, San Francisco, on an as-needed basis.
 - c. Other Committees: The President may appoint ad hoc committees to address issues not falling within the purview of the standing committees. Those committees will set meeting schedules as needed.

7.00 Closed Meetings

- 8.01 All Commission meetings shall be open and public and all persons shall be permitted to attend any meeting of the Commission. The Commission may, with appropriate notice, meet in executive session, or convene Personnel Committee meetings, to consider and act upon matters authorized by San Francisco Sunshine Ordinance, and the Ralph M. Brown Act.
- 8.02 Personnel Committee & Executive Sessions: Personnel Committee meetings and Executive Sessions of the Commission to address personnel matters and matters under litigation or potentially litigious are closed to the public. They shall be held in the Youth Guidance Center, 375 Woodside, in San Francisco, on an as-needed basis. Any decision made at an Executive Session shall be so noted in the minutes of the meeting. At the end of a closed session for a personnel matter where a decision is made, or at the next public meeting, the Commission must announce to the public the action taken and the roll call vote.
- 9.00 Agendas
- 9.01 Agenda items will be set by the President and Commission members, and by the Department Head.
- 9.02 Items to be heard by the Commission: Only matters, which have been calendared, will be heard by the Commission at any meeting. The Commission shall consider information items and action items. Action items shall be so noted on the agenda. The Commission shall approve the budget for the department, including estimates of revenues and expenditures, re-appropriations, accepting and expending grants, receipt of gifts, fee changes, and contractual agreements. The Commission shall also approve major program deletions and additions and changes.
- 9.03 Written materials: It shall be the policy of the Juvenile Probation Commission that written information from the Chief Juvenile Probation Officer pertaining to calendared items must be received by each Commissioner no later than 7 days prior to the Commission meeting. This policy will be followed for all Committees of the Commission. The Commission will undertake no item for action unless written materials are received in this time frame. In the event of an emergency, the Chief Probation Officer will notify the Executive Secretary of the Commission who will then notify the Commissioners that such materials will not be forthcoming, with an explanation of the nature of the emergency. The Commission will determine by a majority vote whether or not to declare an emergency and take action on the calendared items. Only by a majority vote of the Commission will such additional materials be considered at the meeting. [Change approved 3/21/91.3]
- 10.00 Meeting Organization, Proceedings
- 10.01 Roberts Rules: Unless provided herein, Roberts Rules of Order shall guide the Commission in its proceedings.
- 10.02 Call to Order and Roll Call: The President shall call each Commission meeting to order at the appointed hour. Immediately after the call to order, the Secretary of the Commission shall call the roll of the members of the Commission and shall record those present and those absent and shall enter into the minutes the names of those members at the first roll call, as well as the names and times of appearance of those members who arrive subsequent to the first roll call.
- 10.03 Quorum: The Commission shall have a quorum in order to transact official business. A quorum shall consist of four members.

- 10.04 President calls the agenda: The President shall call each item before consideration by the Commission. Discussions by the Commission shall be limited to the items called from the agenda. Each Commission agenda shall have a general discussion item, entitled Other Business, during which Commissioners, the Chief Juvenile Probation Officer or designated staff, and the public may bring up topics for discussion, providing that any action is delayed until proper notice can be effected.
- 10.05 Rules of Debate: When a member desires to address the Commission, he or she shall seek recognition by addressing the presiding officer, and when recognized, shall proceed to speak, confining his or her remarks to the question before the Commission. No discussion shall take place until a resolution or motion has been moved and seconded, or a calendared item has been introduced.
- 10.06 Motions: Authorization for the department to accept and expend grants, enter into contractual agreements, accept gifts, or approve expenditures of funds may be made in the form of a motion. Formal requests made to the Chief Juvenile Probation Officer or his or her staff may be made in the form of a motion.
- 10.07 Resolutions: The Commission shall consider policy matters relating to juvenile probation. All declarations of policy shall be made in the form of a resolution. All resolutions directive of Juvenile Probation Department policy from the Commission shall upon passage be assigned a number, note all sponsors, and reflect all relevant dates in its development; including: date of first reading, date of committee approval (if applicable), date of amendments (if applicable), and date of passage.
- 10.08 Action Items: All items requiring action by the Commission shall be first discussed during an appropriate Committee meeting, at which time all those with an interest in the item may present testimony. After such general discussion, the Commission shall act on any appropriate resultant motion. For items that do not arise in Committee, the Commission may take action after a general discussion during a full Commission meeting.
- 10.09 Written materials: If possible, a minimum of ten (10) copies of printed materials (handouts) on a discussion or action item should reach the Juvenile Probation Commission Office no later than seven (7) days prior to the meeting so that materials can be distributed to the Commissioners.
- 10.10 Approval of Grants: Commission approval is required for all Department grant applications. However, when the grant application and acceptance process is bifurcated, the President shall be authorized to sign letters of intent on behalf of the Commission prior to the consideration of the application by the full Commission. Full Commission approval of the grant proposal will be required for grant acceptance and expenditure of grant funds.
- 10.11 Receiving Testimony: Department staff may be asked to make presentations to the Commission for its consideration.
- 10.12 Public input: Members of the public are encouraged to attend the meetings and to address the Commission on items under consideration. The President of the Commission shall ask for public comments before calling for a vote on action items. Testimony shall be limited to comments pertaining to the items under consideration by the Commission. The President shall be the judge of the pertinence of such comments, and has the authority to limit this privilege if the comments are not pertinent to the question before the Commission or if the comments are reiterative of points made by previous speakers. Members of the public are limited to three minutes each. An organization may designate a single member to address

the Commission; such member of an organization may speak for up to five minutes. The time may be extended with the consent of the President. The Secretary may be asked to time the speakers and to notify the speakers when they have exceeded the time limit. Speakers who wish to testify before the Commission will be requested to sign up at the beginning of the meeting.

- 10.13 Members of the public may address the Commission on any matter during Public Comment in accordance with the rules adopted above. No formal action shall be taken on any matter discussed as an Other Business item.
- 10.14 Recess During a Meeting: The Commission meeting may have such recesses as may be deemed appropriate by the President or presiding officer.
- 10.15 Adjournment of Meetings: The Commission may adjourn any regular, special or adjourned special meeting to a time and place specified in the order of adjournment.
- 10.16 Reports: For each Commission meeting, the Commission Secretary shall provide the Commission with written reports providing background information on the items under consideration. The Secretary shall prepare all resolutions with input from staff for consideration by the Commission, and shall amend the resolutions as directed by the Commission. The Secretary shall make available to the public copies of resolutions under consideration at the Commission meeting.
- 10.17 For each Commission meeting, the Chief Juvenile Probation Officer shall provide the Commission with a summary of pertinent information on the operations of the department. The Chief Juvenile Probation Officer's report shall be summarized in the Commission's minutes.

11.00 Voting

- 11.01 All Commissioners present shall vote on all action items pending before the Commission. A Commissioner may not abstain unless required to do so to avoid a conflict of interest or Unless excused by a vote of the Commission. An absent member may not vote by proxy. Action items on the Commission calendar shall be voted on either by roll call vote, voice vote or by a show of hands. The vote on resolutions and motions shall be ayes and noes.
- 11.02 Except as otherwise provided herein, an affirmative vote of the majority of the members of the Commission shall be required for the passage of any resolution or motion. Four members constitute a majority.

12.00 Recording Meetings/Public Records

- 12.01 The Secretary of the Commission shall record the proceedings of each Commission meeting in the minutes of the Commission and shall forward a copy of the minutes to the members of the Commission, the Chief Juvenile Probation Officer and such of his or her assistants and deputies as may be appropriate, the Mayor, the Board of Supervisors, the Public Library, such individuals who may request that their names be placed on a mailing list for that purpose, and any other departmental representatives as may be appropriate. All motions/resolutions will be noted with who will implement, what will be implemented, and the dates set for any requested follow up report. The Secretary will include, as an agenda item, any follow up report on the date specified in the original action. Such follow up reports can be removed from the agenda only by action of the Commission.

12.02 Minutes of Closed Proceedings: Minutes of closed sessions are confidential and not subject to disclosure under the Public Records Act.

13.00 Adoption and Amending the Commission's Rules of Order

13.01 The adoption of the Rules of Order shall be by motion and shall require an affirmative recorded vote of a majority of the members of the Commission.

13.02 When adopted, such Rules of Order shall remain in effect, unless suspended or amended as provided herein. An amendment to the Rules of Order may, after at least two weeks notice, be adopted by the affirmative vote of a majority of the members of the Commission.

14.00 Suspension of the Commission's Rules of Order

14.01 Except for this rule and such other rules already stated in the Charter, ordinances or resolutions by the Board of Supervisors, or other provisions of the law, any of these Rules of Order may be suspended by the affirmative vote of 2/3 (two-thirds) of the members of the Commission, provided that such suspension is entered into the minutes of the Commission.

SPECIAL 10-DAY JUVENILE PROBATION COMMISSION RULE CHANGE
NOTICE - for January 10, 2007

Hearing and Discussion to Amend Juvenile Probation Commission Rule 7.02
Regular Meetings, to schedule regular meetings on the 2nd Wednesday of each
month.

Copies of the "SAN FRANCISCO JUVENILE PROBATION COMMISSION AUTHORITY AND
RULES OF ORDER" are available upon request at the San Francisco JUVENILE PROBATION
COMMISSION office, 375 Woodside Avenue, Room 246, each business day from 9am to 5pm, or
via email. Don.chan@sfgov.org