

[City Elections In Even-Numbered Years]

CHARTER AMENDMENT

PROPOSITION ____

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 4, 2008, a proposal to amend the Charter of the City and County by amending Sections 2.101 and 13.101 and Article XVII to read as follows:

Note: Additions are *single-underline italics Times New Roman*.
Deletions are ~~*strikethrough italics Times New Roman*~~.

SEC. 2.101. TERM OF OFFICE.

Each member of the Board of Supervisors shall be elected at a general election and shall serve a four-year term commencing on the eighth day in January following election and until a successor qualifies. The respective terms of office of the members of the Board of Supervisors in effect on the date this Charter is adopted shall continue.

No person elected or appointed as a Supervisor may serve as such for more than two successive four-year terms. Any person appointed, *elected, or any combination thereof* to the office of Supervisor to complete in excess of two years of a four-year term shall be deemed, for the purpose of this section, to have served one full term. No person having served two successive four-year terms may serve as a Supervisor, either by election or appointment, until at least four years after the expiration of the second successive term in office. Any Supervisor who

resigns with less than two full years remaining until the expiration of the term shall be deemed, for the purposes of this section, to have served a full four-year term.

SEC. 13.101. TERMS OF ELECTIVE OFFICE.

(a) Except in the case of an appointment or election to fill a vacancy, the term of office of each elected officer shall commence at 12:00 noon on the eighth day of January following the date of the election.

(b) Subject to the applicable provisions of Section 13.102, the elected officers of the City and County shall be elected as follows:

(1) ~~At the general municipal election in 1995 and every fourth year thereafter, a~~ A Mayor, a Sheriff and a District Attorney shall be elected at the general municipal election in 2011, at the general municipal election in 2016 and every fourth year thereafter.

(2) ~~Four members of the Board of Education and four members of the Governing Board of the Community College District shall be elected~~ At the statewide at the general municipal election in 1996 and every fourth year thereafter, ~~four members of the Board of Education and four members of the Governing Board of the Community College District shall be elected.~~

(3) ~~At the general municipal election in 1997 and every fourth year thereafter, a~~ A City Attorney and a Treasurer shall be elected at the general municipal election in 2009, at the general municipal election in 2014 and every fourth year thereafter.

(4) ~~An Assessor-Recorder and Public Defender shall be elected at~~ At the general municipal election in 2006 and every fourth year thereafter, ~~an Assessor-Recorder and Public Defender shall be elected.~~

(5) ~~Three members of the Board of Education and three members of the Governing Board of the Community College District shall be elected at~~ At the statewide general municipal election in 1998 and every fourth year thereafter, ~~three members of the Board of Education and three members of the Governing Board of the Community College District shall be elected.~~

(6) The election and terms of office of members of the Board of Supervisors shall be governed by Section 13.110.

(c) Notwithstanding any other provision of this Charter including sections 3.101 and 6.100, the term of office for the person elected Mayor, Sheriff or District Attorney at the general municipal election in 2011 and the term of office for the person elected City Attorney or Treasurer at the general municipal election in 2009 shall be five years. This five year term for the person elected to the office of Mayor in 2011 shall be deemed a single term for the purposes of term limits under section 3.101.

ARTICLE XVII

DEFINITIONS

For all purposes of this Charter, the following terms shall have the meanings specified below:

“Business day” shall mean any day other than a Saturday, Sunday or holiday on which governmental agencies are authorized by law to close.

“Confirm” or “confirmation” shall mean the approval by a majority of the members of the Board of Supervisors.

“Discrimination” shall mean violations of civil rights on account of race, color, religion, creed, sex, national origin, ethnicity, age, disability or medical condition, political affiliation, sexual orientation, ancestry, marital or domestic partners status, gender identity, parental status, other non-merit factors, or any category provided for by ordinance.

“Domestic partners” shall mean persons who register their partnerships pursuant to the voter-approved Domestic Partnership Ordinance.

“Elector” shall mean a person registered to vote in the City and County.

“For cause” shall mean the issuance of a written public statement by the Mayor describing those actions taken by an individual as a member of a board or commission which are the reasons for removal, provided such reasons constitute official misconduct in office.

“General municipal election” shall mean the election to be held in the City and County on the Tuesday immediately following the first Monday in November in ~~odd-numbered~~ every years until and including 2011. Thereafter, "general municipal election" shall mean the election to be held in the City and County on the Tuesday immediately following the first Monday in November in even-numbered years.

“Initiative” shall mean (1) a proposal by the voters with respect to any ordinance, act or other measure which is within the powers conferred upon the Board of Supervisors to enact, any legislative act which is within the power conferred upon any other official, board, commission or other unit of government to adopt, or any declaration of policy; or (2) any measure submitted to the voters by the Mayor or by the Board of Supervisors, or four or more members of the Board.

“Notice” shall mean publication in an official newspaper (as defined by ordinance), and a contemporaneous filing with the Clerk of the Board of Supervisors or other appropriate office.

“One-third,” “a majority” or “two-thirds” of the Board of Supervisors or any other board or commission of the City and County shall mean one-third, a majority or two-thirds of all members of such board or commission.

“Published” shall mean published in an official newspaper of the City and County.

“Referendum” shall mean the power of the voters to nullify ordinances involving legislative matters except that the referendum power shall not extend to any portion of the annual budget or appropriations, annual salary ordinances, ordinances authorizing the City Attorney to compromise litigation, ordinances levying taxes, ordinances relative to purely administrative matters, ordinances necessary to enable the Mayor to carry out the Mayor's emergency powers, or ordinances adopted pursuant to Section 9.106 of this Charter.

“Special municipal election” shall mean, in addition to special elections otherwise required by law, the election called by (1) the Director of Elections with respect to an initiative, referendum or recall, and (2) the Board of Supervisors with respect to bond issues, election of an official not required to be elected at the general municipal election, or an initiative or referendum.

“Statewide election” shall mean an election held throughout the state.

“Voter” shall mean an elector who is registered in accordance with the provisions of state law.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
JON GIVNER
Deputy City Attorney

