

File No. 110121

Committee Item No. _____
Board Item No. 26

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Board of Supervisors Meeting

Date February 8, 2011

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input type="checkbox"/>	Introduction Form (for hearings)
<input type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	MOU
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	Ethics Form 126
<input type="checkbox"/>	<input type="checkbox"/>	Subcontract Budget
<input type="checkbox"/>	<input type="checkbox"/>	Contract/Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input type="checkbox"/>	Application
<input type="checkbox"/>	<input type="checkbox"/>	Public Correspondence

OTHER

(Use back side if additional space is needed)

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(2) local propositions

Completed by: Andrea Ausberry Date February 3, 2011

Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document is in the file.

1 [Consolidation of Special Municipal Election with Special Statewide Election Scheduled for -
2 June 7, 2011]

3 **Resolution calling a Special Municipal Election for June 7, 2011, and consolidating that**
4 **election with the Statewide Special Election anticipated to be held on the same date.**

5
6 WHEREAS, The Governor of the State of California may call a statewide special
7 election for June 7, 2011; and

8 WHEREAS, The Department of Elections has received two local propositions for
9 submission at the next election, both of which are on file with the Clerk of the Board of
10 Supervisors in File No.110121, which is hereby declared to be a part of this motion as if set
11 forth fully herein; and

12 WHEREAS, Additional propositions may be submitted to the Department of Elections in
13 time for submission to the voters at a June 7, 2011, election; and

14 WHEREAS, The Board of Supervisors believes that it is in the best interests of the
15 public that the election on any local propositions awaiting submission to the voters be
16 consolidated with the June 7, 2011 Statewide Special Election, if a statewide election is called
17 for that date; now, therefore, be it

18 RESOLVED, That a Special Municipal Election is called and ordered to be held in the
19 City on Tuesday, the seventh day of June, 2011, for the purpose of submitting to the electors
20 of the City any propositions that have been submitted to the Department of Elections in time
21 for submission to the voters at that election; and, be it

22 FURTHER RESOLVED, That pursuant to Elections Code 10400 et seq., the Special
23 Municipal Election to be held in the City and County of San Francisco on June 7, 2011, shall
24 be and hereby is consolidated with the Special Statewide Election, if the statewide election is
25 called by the Governor of California for the same date; and be it

Supervisor Chiu
BOARD OF SUPERVISORS

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2/3/2011

1 FURTHER RESOLVED, That this call for a Special Municipal Election is contingent on
2 the State of California holding a Statewide Special Election on June 7, 2011, and this
3 resolution shall be repealed by operation of law if a Statewide Special Election is not called for
4 that date;

5 FURTHER RESOLVED, That if the Governor calls a Statewide Special Election that is
6 consolidated with the Special Municipal Election as set forth herein, then the voting precincts,
7 polling places, and officers of the Special Municipal Election and Special Statewide Election
8 shall, in every case, be the same; all candidates, ballot measures and bond proposals shall be
9 set forth on the ballots provided for said election; the elections shall be held in all respects as
10 though there were only one election, and all returns shall be canvassed by the Director of
11 Elections as provided in the California Elections Code; and be it

12 FURTHER RESOLVED, That this resolution may be withdrawn by a majority vote of
13 the Board of Supervisors.
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ACKNOWLEDGEMENT OF RECEIPT

Submission of Measures: Ordinance or Declaration of Policy by E-140

(circle one)

Allows appointed former mayor to obtain full-time City employment
within one year of leaving office. (Unofficial Title of Measure)

☒ Proposed measure submitted to Clerk of the Board:

Date Submitted: 1 / 18 / 11

☒ Copy to Department of Elections:

Date Submitted: 1 / 18 / 11

1) BOARD OF SUPERVISORS: The following four and/or more members of the Board are submitting: (check boxes)

- ☐ AVALOS, John
- ☐ CAMPOS, David
- ☒ CHIU, David
- ☒ CHU, Carmen
- ☒ COHEN, Malia
- ☐ ELSBERND, Sean
- ☐ FARRELL, Mark
- ☒ KIM, Jane
- ☒ MAR, Eric
- ☐ MIRKARIMI, Ross
- ☒ WIENER, Scott

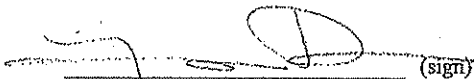
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2011 JAN 18 PM 4:45
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2) MAYOR:

- ☐ LEE, Ed

3) ELECTRONIC COPY OF TEXT

- ☒ DISK/CD-ROM
- ☒ EMAIL- publications@sfgov.org

4) Contact Person: Tudson True
Address: City Hall Rm 204
Phone: (415) 554-7450
Date: 1 / 18 / 11
Submitted By: Tamsen Drew (print)
 (sign)

5) COPIES

- ☐ John Arntz- Director of Elections, in consultation with the City Attorney, shall forward the measure (within two working days after receipt of the petition) to departments that are effected by the measure.
- ☐ Publications
- ☐ Public- copy
- ☐ Office- original

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2011 JAN 18 PM 4:38

DEPARTMENT ~~PROPOSED~~ INITIATIVE ORDINANCE TO BE SUBMITTED BY FOUR OR MORE
SUPERVISORS TO THE VOTERS AT THE JUNE 2011 MUNICIPAL ELECTION.

[Under Charter Sections 3.100(15) and 2.113(b), this measure must be submitted to the Board of Supervisors and filed with the Department of Elections no less than 45 days prior to deadline for submission of such initiatives to the Department of Elections set in Municipal Elections Code Section 300(b)]

[Allowing former appointed Mayor to obtain City employment]

Ordinance amending San Francisco Campaign and Governmental Conduct Code

Section 3.234 to allow an appointed former Mayor to obtain full-time City employment within one year after leaving office.

NOTE: Additions are single-underline italics Times New Roman;
deletions are ~~strike-through italics Times New Roman~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Campaign and Governmental Conduct Code is hereby amended by amending Section 3.234, to read as follows:

SEC. 3.234. POST-EMPLOYMENT RESTRICTIONS.

(a) All Officers and Employees.

(1) Permanent Restriction on Representation in Particular Matters.

(A) Prohibition. No former officer or employee of the City and County, after the termination of his or her service or employment with the City, shall, with the intent to influence, act as agent or attorney, or otherwise represent, any other person (except the City and County) before any court, or before any state, federal, or local agency, or any officer or employee thereof, by making any formal or informal appearance or by making any oral, written, or other communication in connection with a particular matter:

- 1 (i) in which the City and County is a party or has a direct and substantial interest;
2 (ii) in which the former officer or employee participated personally and substantially as
3 a City officer or employee; and
4 (iii) which involved a specific party or parties at the time of such participation.

5 (B) Restriction on assisting others. No former officer or employee of the City and
6 County, after the termination of his or her service or employment with the City, shall aid,
7 advise, counsel, consult or assist another person (except the City and County) in any
8 proceeding in which the officer or employee would be precluded under Subsection (A) from
9 personally appearing.

10 (C) Exception for testimony. The prohibitions in Subsections A and B do not prohibit a
11 former officer or employee of the City and County from testifying as a witness, based on the
12 former officer's or employee's personal knowledge, provided that no compensation is received
13 other than the fees regularly provided for by law or regulation of witnesses.

14 (2) One-Year Restriction on Communicating with Former Department. No current or
15 former officer or employee of the City and County, for one year after termination of his or her
16 service or employment with any department, board, commission, office or other unit of the
17 City, shall, with the intent to influence a government decision, communicate orally, in writing,
18 or in any other manner on behalf of any other person (except the City and County) with any
19 officer or employee of the department, board, commission, office or other unit of government,
20 for which the officer or employee served.

21 (3) Employment with Parties that Contract with the City. No current or former officer or
22 employee of the City shall be employed by or otherwise receive compensation from a person
23 or entity that entered into a contract with the City within the preceding 12 months where the
24 officer or employee personally and substantially participated in the award of the contract.

25 (b) Mayor, Members of the Board of Supervisors, and their Senior Staff Members.

1 (1) One year restriction on communicating with City departments. For purposes of the
2 one-year restriction under Subsection (a)(2), the "department" for which a former Mayor, a
3 former member of the Board of Supervisors, or a former senior staff member to either the
4 Mayor or a member of the Board of Supervisors served shall be the City and County and the
5 prohibition in Subsection (a)(2) shall extend to communications with:

6 (A) a board, department, commission or agency of the City and County;

7 (B) an officer or employee of the City and County;

8 (C) an appointee of a board, department, commission, agency, officer, or employee of
9 the City and County; or

10 (D) a representative of the City and County.

11 For the purposes of this subsection, "a former senior staff member to either the Mayor
12 or a member of the Board of Supervisors" means an individual employed in any of the
13 following positions at the time the individual terminated his or her employment with the City:
14 the Mayor's Chief of Staff, the Mayor's Deputy Chief of Staff, a Legislative Aide to a member
15 of the Board of Supervisors or a position that the Ethics Commission determines by regulation
16 is an equivalent position based on an analyses of the functions and duties of the position.

17 (2) City service.

18 (A) Except as provided in Subsection (B), no former Mayor or member of the Board of
19 Supervisors shall be eligible for a period of one year after the last day of service as Mayor or
20 member of the Board of Supervisors, for appointment to any full time, compensated
21 employment with the City and County. This restriction shall not apply to a former Mayor or
22 Supervisor elected to an office of the City and County, appointed to fill a vacancy in an
23 elective office of the City and County, or appointed to a board or commission in the executive
24 branch.

1 (B) The one-year restriction in Subsection (A) shall not apply to a former Mayor who was
2 appointed to office of Mayor under Charter Section 13.101.5 to fill a vacancy and who did not
3 subsequently file a declaration of candidacy for election to that office.

4 (c) Waiver.

5 (1) At the request of a current or former City employee or officer, the Ethics
6 Commission may waive any of the restrictions in Subsections (a)(1) and (a)(2) if the
7 Commission determines that granting a waiver would not create the potential for undue
8 influence or unfair advantage.

9 (2) At the request of a current or former City employee or officer, the Ethics
10 Commission may waive any of the restrictions in Subsections (a)(1) and (a)(2) for members of
11 City boards and commissions who, by law, must be appointed to represent any profession,
12 trade, business, union or association.

13 (3) At the request of a former City officer or employee, the Ethics Commission may
14 waive the prohibition in Subsection (a)(3) if the Commission determines that imposing the
15 restriction would cause extreme hardship for the City officer or employee.

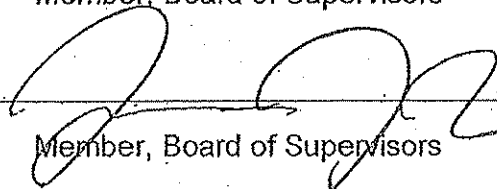
16 (4) The Ethics Commission may adopt regulations implementing these waiver
17 provisions.

18
19 SUBMITTED.

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Date: 1/18/11

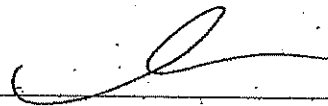
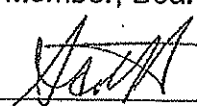
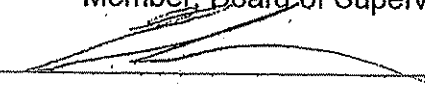
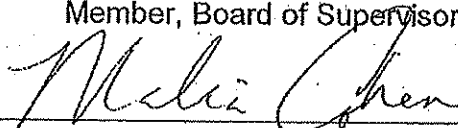
22 Member, Board of Supervisors

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Date: 1/18/11

Member, Board of Supervisors

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	Date: <u>1/18/11</u>
Member, Board of Supervisors CARMEN CHU	
	Date: <u>1/18/11</u>
Member, Board of Supervisors Scott Wiener	
	Date: <u>1/18/11</u>
Member, Board of Supervisors ERIC MAR	
	Date: <u>1/18/11</u>
Member, Board of Supervisors MALIA COHEN	
_____	Date: _____
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Member, Board of Supervisors	

Quality Neighborhood Schools for All

Whereas, San Francisco residents and parents have declared time and again that they support a neighborhood-based school assignment system; and

Whereas, the current school assignment system frequently denies families access to neighborhood schools, thereby deterring enrollment and participation in public schools; and

Whereas, students are safer when they attend a school closer to their home; and

Whereas, the only way in which communities are created within San Francisco is when families participate in their neighborhood schools with other parents, students, teachers, school staff, and neighbors; and

Whereas, independent studies have shown that a neighborhood-based school assignment system will increase the racial, ethnic, and socio-economic diversity within City schools; and

Whereas, the current school assignment system has failed to address the achievement gap, though that is what it was originally intended to do, and has contributed to one of the worst achievement gaps in any urban school district in the State of California; and

Whereas, a neighborhood-based school assignment system will enhance the quality of life for all students and for all residents of San Francisco by reducing travel time, stress, traffic congestion, pollution, and wasted resources for busing.

Now, therefore, the people of the City and County of San Francisco declare as follows:

1. This Declaration of Policy shall be known as "Quality Neighborhood Schools for All."

2. Every family in every San Francisco neighborhood should have the opportunity to send their children to a quality neighborhood school, and the system for assigning children to schools should give the highest priority to the proximity of a child's home to the school.

A. Allowing students to attend quality schools near their homes will help foster a sense of community, increase the involvement of parents and other caregivers in

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schools, and decrease travel time between home and school, thereby increasing family time and decreasing the impact on the environment.

B. Allowing students to attend quality schools near their homes will also attract and keep more San Francisco families in the public school system.

C. Basing school assignment on factors other than the proximity of a child's home to the school disengages families from their neighborhoods, creates uncertainty for families, discourages families from attending public schools, makes it more difficult for parents and other caregivers to volunteer at schools and participate in school activities, and puts more car trips on City streets.

D. San Francisco families also should have the opportunity to have their children attend schools with language immersion programs, newcomer programs, and other schools with specialized programs, including but not limited to Lowell High School, the School of the Arts, and K-8 elementary schools, based on the specific admission and enrollment policies for these schools, even if these schools are not located near their homes.

3. It shall be the policy of the City and County of San Francisco that:

A. All children within the City and County of San Francisco should have the opportunity to attend a quality neighborhood school; and

B. The system for assigning children to schools should give the highest priority to the proximity of a child's home to a school, after assigning siblings to the same school; and

C. The system for assigning children to schools should also provide for the opportunity to send their children to schools with language immersion or other specialized programs, even if these schools are not located near their homes; and

D. The San Francisco Board of Education, School Superintendent, Mayor, and Board of Supervisors shall take any and all actions possible to effectuate this policy.

4. If any section, sub-section, sentence, or clause ("portion") of this Declaration of Policy is held to be invalid or unconstitutional by a final judgment of a court, such decision shall not affect the validity of the remaining portions. The voters hereby declare that this Declaration of Policy, and each portion, would have been adopted irrespective of the fact that any one or more portions of the Declaration of Policy are found invalid. If

any portion of this Declaration of Policy is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this Declaration of Policy which can be given effect.

5. This Declaration of Policy shall be broadly construed to achieve the purposes stated in this Declaration of Policy. It is the intent of the voters that the provisions of this Declaration of Policy be interpreted or implemented by the Board of Education, City and County of San Francisco, courts, and others in a manner that facilitates the purposes set forth herein.

6. This Declaration of Policy shall become effective upon the approval of the voters, so that it applies to the student assignment system used for the 2011-2012 school year and every school year thereafter.

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CITY AND COUNTY OF SAN FRANCISCO



DENNIS J. HERRERA
City Attorney

OFFICE OF THE CITY ATTORNEY

ANDREW SHEN
Deputy City Attorney

DIRECT DIAL: (415) 554-4780
E-MAIL: andrew.shen@sfgov.org

May 13, 2010

TO ALL INTERESTED PARTIES:

Attached is the City Attorney's summary and title for a proposed local initiative measure. In preparing this title, the City Attorney makes no representation regarding the merits or legality of the proposed legislation. Nor does the City Attorney verify or confirm any factual or legal assertion made in the proposal. The title is presented as a "true and impartial statement of the purpose of the proposed measure." Elections Code § 9203.

Very truly yours,

DENNIS J. HERRERA
City Attorney

A handwritten signature in dark ink, appearing to read "Shen".

Andrew Shen
Deputy City Attorney

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2010 MAY 13 PM 3:33
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CITY HALL - 1 DR. CARLTON B. GOODLETT PLACE, ROOM 234 - SAN FRANCISCO, CALIFORNIA 94102
RECEPTION: (415) 554-4700 FACSIMILE: (415) 554-4745

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SAN FRANCISCO UNIFIED SCHOOL DISTRICT STUDENT ASSIGNMENT SYSTEM

In San Francisco, parents may apply for their children to attend any San Francisco Unified School District ("SFUSD") school. If a particular school does not have space for those children, SFUSD uses a student assignment system ("system") to place them. SFUSD began using its current system in 2002-2003, and this system will continue to apply to placements for the 2010-2011 school year. In March 2010, SFUSD adopted a new system that will place students for the 2011-2012 and following school years.

One of the goals of the current system is to create a diverse student body at every school. The current system examines several factors about each student, such as socioeconomic status, English proficiency, and level of academic achievement. The current system also considers whether students live within the attendance area of the school they wish to attend but does not guarantee placement in a local school.

The new system similarly seeks to create diversity. It also does not guarantee placement in a nearby school, but for elementary and middle schools, it does consider whether students live in a school's attendance area. For high school placement, the new system does not prioritize students living near the school they wish to attend.

The proposed measure would make it non-binding City policy that:

- all students have the opportunity to attend a quality neighborhood school;
- the proximity of a student's home to the assigned school should be the highest priority in SFUSD's student assignment system, after assigning siblings to the same school; and
- SFUSD should provide students with the opportunity to attend schools with language immersion or other special programs, even if those schools are not located near their homes.

WORD COUNT: 285 (allowable = 500)

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2010 MAY 13 PM 3:33
DEPARTMENT OF ELECTIONS

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- _____ 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment.
- X 2. Request for next printed agenda without reference to Committee
- _____ 3. Request for Committee hearing on a subject matter.
- _____ 4. Request for letter beginning "Supervisor _____ inquires..."
- _____ 5. City Attorney request.
- _____ 6. Call file from Committee.
- _____ 7. Budget Analyst request (attach written motion).

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- | | |
|---|--|
| <input type="checkbox"/> Small Business Commission | <input type="checkbox"/> Youth Commission |
| <input type="checkbox"/> Ethics Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Inspection Commission | |

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

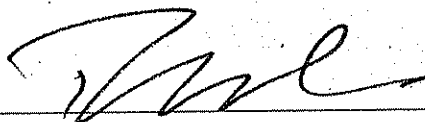
Sponsor(s): Supervisor David Chiu

SUBJECT:

The text is listed below or attached:

Resolution calling a Special Municipal Election for June 7, 2011, and consolidating that election with the Statewide Special Election anticipated to be held on the same date.

Signature of Sponsoring Supervisor: _____



For Clerk's Use Only:

11/01/24