

File No. 230663

Committee Item No. 8

Board Item No. 35

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Appropriations Committee Date June 14, 2023

Board of Supervisors Meeting Date July 25, 2023

Cmte Board

- Motion
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- Legislative Digest
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- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
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- Form 126 – Ethics Commission
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- Application
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OTHER (Use back side if additional space is needed)

- MYR Budget Submission Letter 6/1/2023
- MYR Trailing Legislation List
- MYR 30-Day Waiver Request
- Presidential Action Memo - 30-Day Waiver 6/5/2023
- _____
- _____
- _____
- _____
- _____

Completed by: Brent Jalipa Date June 7, 2023

Completed by: Brent Jalipa Date June 26, 2023

1 [Municipal Elections Code - Supporters and Opponents in Ballot Questions for Local
2 Measures]

3 **Ordinance amending the Municipal Elections Code to opt out of state law that would**
4 **require the names of supporters and opponents of a local ballot measure to be listed in**
5 **the ballot statement or question for the measure for any election held in Fiscal Year**
6 **2023-24 and for future elections subject to approval by the Board of Supervisors.**

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.
9 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
10 **Board amendment additions** are in double-underlined Arial font.
11 **Board amendment deletions** are in ~~strikethrough Arial font~~.
12 **Asterisks (* * * *)** indicate the omission of unchanged Code
13 subsections or parts of tables.

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

15 Section 1. Findings

16 (a) The Municipal Elections Code requires the City Attorney to prepare a general
17 statement or question to appear on the ballot for each local ballot measure submitted to the
18 voters. Such statements are limited to 30 words, except for unusually complex measures or
19 bond measures, where the general statement or question may be up to 100 words long.

20 (b) In 2022, the State enacted new requirements for ballot questions for state and local
21 ballot measures. Assembly Bill 1416 (AB-1416) requires the ballot statement or question for
22 both statewide measures and local measures to include a list of supporters and opponents of
23 each measure. The list of supporters and the list opponents may each be up to 125
24 characters in length. The names of the supporters and opponents must be drawn from the
25 proponents of the measure or from the arguments in favor and against the measure included
in the voter information pamphlet. AB-1416 became operative on January 1, 2023.

1 (c) In enacting AB-1416, the Legislature stated that it intended the new requirements
2 to apply to charter cities like San Francisco.

3 (d) With respect to local ballot measures, AB-1416 gives counties the authority to opt
4 out of the new requirements: “a county board of supervisors may elect not to list supporters
5 and opponents for county, city, district and school measures on the county ballot and future
6 county ballots.” Cal. Elections Code Sec. 9170(d).

7 (e) The Director of Elections has determined that including a list of supporters and
8 opponents in the ballot statement or question will significantly increase the length of the ballot
9 and therefore increase the number of ballot cards required for each ballot. Increasing the
10 number of cards will cause the Department of Elections to incur additional expenses for each
11 election due to the material costs of the ballot cards and postage as well as staff time required
12 to process additional cards. The Director of Elections estimates that the cost of complying
13 with AB-1416 for local ballot measures in the 2024 elections will potentially exceed
14 \$1,000,000. The proponents and opponents of each local ballot measure already appear in
15 the voter information pamphlet sent to each voter prior to an election.

16 (f) Given the projected increase in costs of administering elections associated with
17 including a list of supporters and opponents in the ballot statement or question for each local
18 measure, and the minimal added benefit to voters in light of the information the Department of
19 Elections already provides in the voter information pamphlet, San Francisco elects to opt out
20 of the requirements of AB-1416 for local measures, as provided by Section 9170(d) of the
21 legislation for elections held in Fiscal Year 2023-24 and for future elections, subject to
22 approval by the Board of Supervisors by resolution submitted and approved as part of the
23 annual budget process.

1 Section 2. Article V of the Municipal Elections Code is hereby amended by revising
2 Section 510, to read as follows:

3
4 **SEC. 510. CITY ATTORNEY STATEMENT OR QUESTION.**

5 (a) **Format.** Except as provided in Subsection (c) of this Section, the City
6 Attorney shall prepare a general statement of any ballot measure to be submitted to the
7 voters, followed by the words "yes" and "no," so arranged that voters may indicate a choice
8 upon the ballot. The general statement or question shall not exceed 30 words, except where
9 the subject measure is unusually complex, in which case the general statement or question
10 shall not exceed 100 words.

11 (b) **Deadline.** The general question or statement for any measure shall be
12 transmitted to the Director of Elections no fewer than 85 days prior to the election to which it
13 relates, for printing and inclusion in the voter information pamphlet.

14 (c) **Bond Measures.** The City Attorney shall not prepare the general
15 statement of a bond measure where the Board of Supervisors approves a general statement
16 of the measure by ordinance or resolution. The general statement of a bond measure shall not
17 exceed 100 words.

18 (d) **List of Supporters and Opponents of Measure.** Notwithstanding Section
19 9170(a) of the California Elections Code, and as authorized by Section 9170(d) of the California
20 Elections Code, for any election held in Fiscal Year 2023-24, the general statement or question of
21 any ballot measure to be submitted to voters shall not list the supporters or the opponents of the
22 measure. For elections held after Fiscal Year 2023-24, the Board of Supervisors may opt out
23 of the requirements of Section 9170(a) by resolution submitted and approved as part of the
24 annual budget process.

1 Section 3. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor’s veto of the ordinance.

5
6 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
10 additions, and Board amendment deletions in accordance with the “Note” that appears under
11 the official title of the ordinance.

12
13 APPROVED AS TO FORM:
14 DAVID CHIU, City Attorney

15 By: /s/ Bradley A. Russi
16 BRADLEY A. RUSSI
17 Deputy City Attorney

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REVISED LEGISLATIVE DIGEST

(7/18/2023, Amended in Board)

[Municipal Elections Code - Supporters and Opponents in Ballot Questions for Local Measures]

Ordinance amending the Municipal Elections Code to opt out of state law that would require the names of supporters and opponents of a local ballot measure to be listed in the ballot statement or question for the measure for any election held in Fiscal Year 2023-24 and for future elections subject to approval by the Board of Supervisors.

Existing Law

Existing local law does not require the general statement or ballot question for local ballot measures to include a list of the names of the supporters and opponents of the measure. In 2022, the State enacted Assembly Bill 1416, which requires a list of the supporters and opponents of statewide and local ballot measures to appear on the ballot with the general statement or ballot question. With respect to local ballot measures, Assembly Bill 1416 authorizes counties to opt out of the new requirement.

Amendments to Current Law

The proposed ordinance would opt the City out of the requirements of Assembly Bill 1416 for elections held in Fiscal Year 2023-24 by amending the Municipal Elections Code to provide that the general statement or ballot question for local ballot measures shall not include a list of the names of the supporters and opponents of the measure. For elections held after Fiscal Year 2023-24, the Board of Supervisors may opt out of the requirements by resolution submitted and approved as part of the annual budget process

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OFFICE OF THE MAYOR
SAN FRANCISCO



RECEIVED
LONDON N. BREED
SAN FRANCISCO MAYOR
2023 MAY 32 9:05 AM
PH 2:31
BY *[Signature]*

To: Angela Calvillo, Clerk of the Board of Supervisors
From: Anna Duning, Mayor's Budget Director
Date: June 1, 2023
Re: Mayor's FY 2023-24 and FY 2024-25 Budget Submission

Madam Clerk,

In accordance with City and County of San Francisco Charter, Article IX, Section 9.100, the Mayor's Office hereby submits the Mayor's proposed budget by June 1st, corresponding legislation, and related materials for Fiscal Year (FY) 2023-24 and FY 2024-25.

In addition to the Mayor's Proposed FY 2023-24 and FY 2024-25 Budget Book, the following items are included in the Mayor's submission:

- The Annual Appropriation Ordinance and Annual Salary Ordinance, along with Administrative Provisions
- The proposed budget for the Office of Community Investment and Infrastructure for FY 2023-24
- The Airport Annual Salary Ordinance Supplemental for FY 2023-24
- The Port of San Francisco Annual Salary Ordinance Supplemental for FY 2023-24 and Annual Appropriation Ordinance Supplemental for FY 2023-24
- The Public Utilities Commission Capital Budget for FY 2023-24 and Annual Appropriation Ordinance Supplemental for FY 2023-24
- 34 separate pieces of trailing legislation (see list attached)
- A Transfer of Function letter detailing the transfer of positions from one City department to another
- An Interim Exception letter
- A letter addressing funding levels for nonprofit corporations or public entities for the coming two fiscal years
- Memo to the Board President requesting for 30-day rule waivers on ordinances

Please note the following:

- Technical adjustments to the June 1 budget are being prepared, but are not submitted with this set of materials.

Sincerely,

[Signature]
Anna Duning
Mayor's Budget Director

cc: Members of the Board of Supervisors
Budget & Legislative Analyst's Office
Controller

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2023 JUN - 1 PM 2:34
BY *[Signature]*

DEPT	Item	Description	Type of Legislation	File #
ADM	Code Amendment	Amending the Administrative Code to eliminate the Annual Joint Fundraising Drive	Ordinance	230648
ADM	Code Amendment	Amending the Administrative and Environment Codes to reduce reporting burdens, so as to update insurance manuals when requested or necessary, instead of on an annual basis, and eliminating some scheduled reports	Ordinance	230647
ADM	Code Amendment	Amending the Administrative Code relating to Technology Commodities and Services Procurements, to eliminate the Tech Marketplace fee	Ordinance	230649
ADM	Continuing Prop J	City Administrator's Office convention facility management services, Real Estate custodial services, and Fleet and Real Estate security services	Resolution	230672
BOS	Continuing Prop J	Board of Supervisors Budget and Legislative Analyst Services for FY 2023-24	Resolution	230672
CON	Access Line Tax (ALT) Tax Rates	Sets Access Line Tax in line with 2023 Consumer Price Index. Revenues assumed in budget.	Ordinance	230676
CON	Neighborhood Beautification Fund	Neighborhood Beautification and Graffiti Clean-Up Fund Option (now known as the Community Challenge Grant Program)	Ordinance	230668
DBI	Department of Building Inspection Fee Changes	Changing the fee structure for DBI fees that are charged for permitting and inspection	Ordinance	230658
DEC	Early Care and Education Commercial Rents Tax Baseline	Amending the baseline funding requirements for early care and education programs to enable the City to use Early Care and Education Commercial Rents Tax revenues for those programs	Ordinance	230661
DEC	Early Care and Education, Commercial Rents Tax Deductions	Amending the Business and Tax Regulations Code relating to the Early Care and Education Commercial Rents Tax Sublessor Deduction	Ordinance	230660
DEM	EMSA Fee Changes	Updating medical services fees due to annual adjustments for the purposes of funding trauma and pediatric centers. Fees also required for certain additional services.	Ordinance	230659

DPH	Patient Rates	Amending the Health Code to set patient rates and rates for other services provided by the Department of Public Health.	Ordinance	230662
DPH	Recurring State Grants	Accept and expend for annual, recurring state grant funds.	Resolution	230677
DPH	Managed Care Rates	Amending the Health Code to set managed care rates provided by the Department of Public Health.	Ordinance	230650
DPH	Public Health Foundation MOU	MOU between DPH and San Francisco Public Health Foundation to establish roles and responsibilities for purposes of fundraising and capital projects	Resolution	230673
DPH	Hospital Foundation MOU	MOU between DPH and San Francisco General Hospital Foundation to establish roles and responsibilities for purposes of fundraising and capital projects	Resolution	230674
DPH	Mobile Crisis Grant	Grant agreement between DPH and Advocates for Human Potential Inc. for anticipated revenue that support behavioral health mobile crisis and non-mobile crisis services	Resolution	230679
DPH	Continuing Prop J	Department of Public Health Security Services	Resolution	230672
DPW	Continuing Prop J	Department of Public Works Security Services for FY 2023-24	Resolution	230672
ECN	Contract Amendment - MidMarket Foundation	Contract amendment to reflect budgeted funding levels for the Mid-Market Foundation - Mid-Market/Tenderloin Community-Based Safety Program	Resolution	230681
ECN	Contract Amendment – San Francisco Tourism Improvement District Management Corporation	Contract amendment to reflect budgeted funding levels for the San Francisco Tourism Improvement District Management Corporation – Downtown Welcome Ambassador Program	Resolution	230680
ECN	Film Commission Fee Changes	Increase of filming fees for the SF Film Commission	Ordinance	230651
HOM	CAAP Legislation	Annual legislation for CAAP housing, required if appropriations for HSH fund exceed \$11.9 million, including expenditure details and explanation of benefits provided	Resolution	230675
HOM	Continuing Prop J	Homelessness and Supportive Housing security services	Resolution	230672

HSA	Continuing Prop J	Human Services Agency Security Services for FY 2023-24	Resolution	230672
HSH/ DPH	Funding Reallocation - Our City, Our Home Homelessness Gross Receipts Tax	Ordinance reallocating approximately \$60,000,000 in unencumbered revenues from the Our City, Our Home Fund to allow the City to use revenues from the Homelessness Gross Receipts Tax to provide services to prevent homelessness.	Ordinance	230657
LIB	Friends of the Library A&E	Annual Accept & Expend legislation for the SFPL's Friends of the Library Fund	Resolution	230678
MOHCD	Continuing Prop J	Mayor's Office of Housing and Community Development security services for undeveloped real property	Resolution	230672
OCII	OCII Interim Budget Resolution	OCII Interim Budget Resolution	Resolution	230670
	Citywide Tax Changes	Gross Receipts Tax Rate Increase Postponement and Credits for Opening City Location	Ordinance (Introduced)	File No. 230155
REG	Continuing Prop J	Department of Elections Envelope Assembly Services for FY 2023-24	Resolution	230672
REG	Ballot Arguments Opt-Out	Legislation for CCSF opt out of arguments on ballots required in AB 1416	Ordinance	230663
SHF	Continuing Prop J	Sheriff's Department County Jails Food Services for FY 2023-24	Resolution	230672
TTX	First Year Free	Continues waiving certain small business first-year permit, license, and business registration fees	Ordinance	230664



To: Aaron Peskin, President of the Board of Supervisors
From: Anna Duning, Mayor's Budget Director
Date: June 1, 2023
Re: 30-Day Waiver Requests

President Peskin,

The Mayor's Office Respectfully requests 30-day hold waivers for the following pieces of trailing legislation:

- Administrative Code – Annual Joint Fundraising Drive
- Administrative and Environment Code – Reporting Requirements
- Administrative Code – Technology Commodities and Procurement
- Resolution Adjusting the Access Line Tax with the Consumer Price Index of 2023
- Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling
- Building Code – Permitting and Inspection Fees
- Business and Tax Regulations Code – Early Care and Education Commercial Rents Tax Sublessor Deduction
- Business and Tax Regulations Code – Early Care and Education Commercial Rents Tax Baseline
- Business and Tax Regulations Code – Emergency Medical Services Fees
- Health Code – Patient Rates
- Accept and Expend Grants – Recurring State Grant Funds – Department of Public Health – FY 2023-2024
- Health Code – Managed Care Rates
- Administrative Code – Filming Fees for the SF Film Commission
- Homelessness and Supportive Housing Fund – FYs 2023-2023 and 2024-2025 Expenditure Plan
- Accept and Expend Grants – Recurring Grant Funds – San Francisco Public Library Friends of the Library Fund – FY 2023-2024
- Office of Community Investment and Infrastructure, operating as a Successor Agency to the San Francisco Redevelopment Agency, Fiscal Year 2023-2024 Interim Budget
- Municipal Elections Code – Ballot Arguments Opt-Out
- Business and Tax Regulations Code – Waiving first-year permit, license, and business registration fees
- Business and Tax Regulations Code – Our City, Our Home Homelessness Gross Receipts Tax
- Administrative Code – Minimum Compensation Ordinance

Should you have any questions, please contact Tom Paulino at 415-554-6153.

Sincerely,


Anna Duning
Mayor's Budget Director

1 DR. CARLTON B. GOODLETT PLACE, ROOM 200
SAN FRANCISCO, CALIFORNIA 94102-4681
TELEPHONE: (415) 554-6141

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2023 JUN -1 PM 3:01
BY 

President, District 3
BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. 554-7450
Fax No. 554-7454
TDD/TTY No. 544-6546

Aaron Peskin

PRESIDENTIAL ACTION

Date:

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,

Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No.

(Primary Sponsor)

Title.

Transferring (Board Rule No 3.3)

File No.

(Primary Sponsor)

Title.

From:

Committee

To:

Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor:

Replacing Supervisor:

For:

Meeting

(Date)

(Committee)

Start Time:

End Time:

Temporary Assignment: Partial

Full Meeting

Aaron Peskin, President
Board of Supervisors

**Board of Supervisors
Legislation Introduced**

Legislation Introductions - 6/6/23					
Number	Requests or IA	File No.	Sponsor	File Type	Description
	30-Day	230642	Mayor	O	Proposed Interim Budget and Annual Appropriation Ordinance (AAO)
	30-Day	230643	Mayor	O	Proposed Interim Annual Salary Ordinance (ASO)
	30-Day	230644	Mayor	O	Proposed Budget and Annual Appropriation Ordinance (AAO)
	30-Day	230645	Mayor	O	Proposed Annual Salary Ordinance (ASO)
	30 Day Waiver	230646	Mayor	O	Admin Code - Minimum Compensation Ordinance
	30 Day Waiver	230647	Mayor	O	Admin & Environment Codes - Reducing Reporting Burdens
	30 Day Waiver	230648	Mayor	O	Admin Code - Eliminating Annual Joint Fundraising Drive
	30 Day Waiver	230649	Mayor	O	Admin Code - Technology Commodities and Services Procurements
	30 Day Waiver	230650	Mayor	O	Admin Code - DPH Managed Care Contracts
	30 Day Waiver	230651	Mayor	O	Admin Code - Film Commission Programs
	30-Day	230652	Mayor	O	Appropriation - \$124,020,472 in Proceeds from Revenue Bonds, Hetch Hetchy Revenue, Cap and Trade Allowance - FY 2023-24
	30-Day	230653	Mayor	O	Appropriation - Proceeds from CleanPowerSF Revenue and CPUC Grant Funds for CleanPowerSF Capital Improvements - \$1,607,220 - FY2023-24
	30-Day	230654	Mayor	O	Appropriation - \$332,278,006 in Proceeds from Revenue Bonds, State Loan or Grant Funds, Water Revenues, and Water Capacity Fees - FY2023-24
	30-Day	230655	Mayor	O	Appropriation - Proceeds from Revenue Bonds, State Loans or Grant Funds, Wastewater Revenues, and Wastewater Capacity Fees for Wastewater Capital Improvements - \$1,142,597,402 - FY2023-24
	30-day	230656	Mayor	O	Appropriation - Port Commission - \$501,908 - PUC - \$97,057,341 - FY2023-24
	30 Day Waiver	230657	Mayor	O	Funding Reallocation - Our City, Our Home Homelessness Gross Receipts Tax
	30 Day Waiver	230658	Mayor	O	Building Code - Fees
	30 Day Waiver	230659	Mayor	O	Business & Tax Regulations, Health Codes - Emergency Medical Services Fees
	30 Day Waiver	230660	Mayor	O	Business & Tax Regulations Code - Early Care and Education Commerical Rents Tax Sublessor Deduction
	30 Day Waiver	230661	Mayor	O	Business & Tax Regulations Code - Early Care and Education Commerical Rents Tax Baseline
	30 Day Waiver	230662	Mayor	O	Health Code - Patient Rates for FY 2023-24 and 2024-25
	30 Day Waiver	230663	Mayor	O	Municipal Elections Code - Supporters and Opponents in Ballot Questions for Local Measures
	30 Day Waiver	230664	Mayor	O	Business & Tax Regulations Code - Waiver of Permit, License, and Business Registration Fees for Certain Small Businesses

**Board of Supervisors
Legislation Introduced**

Legislation Introductions - 6/6/23					
Number	Requests or IA	File No.	Sponsor	File Type	Description
	30-Day	230665	Mayor	O	SFPUC Water Revenue Bond and Other Forms of Indebtedness Issuance - NTE \$358,985,453
	30-Day	230666	Mayor	O	SFPUC Wastewater Revenue Bond Issuance - NTE \$1,047,288,286
	30-Day	230667	Mayor	O	SFPUC Power Revenue Bond and Other Forms of Indebtedness Issuance - NTE \$41,031,367
	30 Day Waiver	230668	Mayor	O	Neighborhood Beautification and Graffiti Clean-Up Fund Tax Designation Ceiling
	30-Day	230669	Mayor	O	Public Employment - Amendment to the Salary Ordinance for the Port Commission and the Airport Commission - FY2023-24

From: [Chris Jerdonek](#)
To: [Jalipa, Brent \(BOS\)](#)
Subject: Elections "Opt-out" Ordinance (File No. 230663)
Date: Thursday, July 13, 2023 11:23:48 AM
Attachments: [AB1416 Slide - June 2023 Budget Presentation.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Members of the Board of Supervisors:

I'm writing in regard to File No. 230663, the proposed ordinance to permanently opt San Francisco out of AB 1416's requirement to show on the ballot a short list of the supporters and opponents of each local ballot measure.

I have been serving as the Board's appointee to the Elections Commission for the past nine years, though I'm writing this email as an individual.

I encourage you to at least consider limiting the opt-out in the ordinance to the elections covered by the proposed budget, which are the 2024 elections. This way, greater voter transparency can remain the City's baseline requirement, and San Francisco can look for ways to bridge any budgetary or technical gaps for the next time. This would also let the City see how the new requirement works for state measures before making any decision on local measures.

For comparison, an April 19 Mercury News article reported that Santa Clara County, Los Angeles County, and Orange County have said they plan to remain opted in.

AB 1416 (2021-22) was supported by a long list of good-government groups, including California Common Cause, the Western Center on Law & Poverty, the League of Women Voters of California, California Environmental Voters, CALPIRG, and California Clean Money Campaign, as well as by our own state legislators.

AB 1416's author Assemblymember Santiago acknowledged in the bill analyses that while the voter guide contains detailed information about the measures, this information isn't necessarily easy to access:

Although voters can look to the voter information guide to decipher the facts on ballot measures, this document can be long and confusing for voters to navigate.

For example, in the case of the November 8, 2022 election, the supporters and opponents of San Francisco's 14 local measures were spread and interspersed across 130 pages of San Francisco's 256-page booklet (pp. 63 - 192).

For your convenience, I'm attaching a 1-page mock-up that Director Arntz included in his slide presentation to the Board's Budget and Appropriations Committee on June 14, as I don't think this slide was posted online. It illustrates how ballot measures might look on the ballot with and without opting out.

Thank you.

Sincerely,
Chris Jerdonek

[1] AB-1416 (2021-22):

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1416

[2] 4/19/2023 Mercury News article: <https://www.mercurynews.com/2023/04/19/contra-costa-will-not-list-supporters-and-opponents-on-election-ballots/>



Ordinance: Municipal Elections Code

Ordinance amending the Municipal Elections Code to opt out of state law that would require the names of supporters and opponents of a local ballot measure to be listed in the ballot statement or question for the measure

Prior to State Law

■ **31 REFERENDUM ON 2020 LAW THAT WOULD PROHIBIT THE RETAIL SALE OF CERTAIN FLAVORED TOBACCO PRODUCTS.** A "Yes" vote approves, and a "No" vote rejects, a 2020 law prohibiting retail sale of certain flavored tobacco products. **Fiscal Impact:** Decreased state tobacco tax revenues ranging from tens of millions of dollars annually to around \$100 million annually.

■ **REFERENDUM SA 2020 BATAS NA MAGBABAWAL SA RETAIL NA PAGBEBENTANG ILANG PARTIKULAR NA PRODUKTONG TABAKO NA MAY FLAVOR.** Nag-aaprubang ang botong "Oo" at tumatanggi ang botong "Hindi" sa isang 2020 batas na nagbabawal sa retail na pagbebenta ng ilang partikular na produktong tabako na may flavor. **Epekto sa Pananalapi:** Mas kaunting kita sa buwis sa tabako ng estado na mula sampu-sampung milyong dolyar bawat taon hanggang sa humigit-kumulang \$100 milyon taun-taon.

■ YES / OO

■ NO / HINDI

■ **CITY AND COUNTY PROPOSITIONS / MGA PROPOSISYON NG LUNGSOD AT COUNTY**

■ **A** Shall the City amend the Charter to allow City employees who retired before November 6, 1996, to receive a supplemental cost of living adjustment to their pensions even if the retirement system is not fully funded and allow the Retirement Board to have an individual employment contract with its executive director?

■ Dapat bang amayendahan ng Lungsod ang Tsarter upang mapahintulutan ang mga empleyado ng Lungsod, na nagretiro bago ang Nobyembre 6, 1996, na makatanggap ng karagdagang pera sa kanilang pensiyon at nang makaayon sa halaga ng pamumuhay, kahit na hindi lubusang napopondohan ang sistema para sa pagreretiro, at pahintulutan ang Retirement Board na magkaroon ng pang-indibidwal na kontrata sa pag-eepleyo sa ehekutibong direktor nito?

■ YES / OO

■ NO / HINDI

State Measures Only

■ **31 REFERENDUM ON 2020 LAW THAT WOULD PROHIBIT THE RETAIL SALE OF CERTAIN FLAVORED TOBACCO PRODUCTS.** A "Yes" vote approves, and a "No" vote rejects, a 2020 law prohibiting retail sale of certain flavored tobacco products. **Fiscal Impact:** Decreased state tobacco tax revenues ranging from tens of millions of dollars annually to around \$100 million annually. **Supporters:** Kate Font, Director, Pediatricians CA; Kim Ryder, President, Heart Health CA; Jorge Reyes, Chair, Cancer Action Network **Opponents:** Mike Goa, Director, CA Finance League; Josh Courts, President, Independent Commerce Counsel; Tim Hao, CFO, Taxpayers Together

■ **REFERENDUM SA 2020 BATAS NA MAGBABAWAL SA RETAIL NA PAGBEBENTANG ILANG PARTIKULAR NA PRODUKTONG TABAKO NA MAY FLAVOR.** Nag-aaprubang ang botong "Oo" at tumatanggi ang botong "Hindi" sa isang 2020 batas na nagbabawal sa retail na pagbebenta ng ilang partikular na produktong tabako na may flavor. **Epekto sa Pananalapi:** Mas kaunting kita sa buwis sa tabako ng estado na mula sampu-sampung milyong dolyar bawat taon hanggang sa humigit-kumulang \$100 milyon taun-taon. **Mga Tagasuporta:** Kate Font, Direktor, Pediatricians CA; Kim Ryder, Presidente, Heart Health CA; Jorge Reyes, Tagapangulo, Cancer Action Network **Mga Kalaban:** Mike Goa, Direktor, CA Finance League; Josh Courts, Pangulo, Independent Commerce Counsel; Tim Hao, CFO, Taxpayers Together

■ YES / OO

■ NO / HINDI

■ **CITY AND COUNTY PROPOSITIONS / MGA PROPOSISYON NG LUNGSOD AT COUNTY**

■ **A** Shall the City amend the Charter to allow City employees who retired before November 6, 1996, to receive a supplemental cost of living adjustment to their pensions even if the retirement system is not fully funded and allow the Retirement Board to have an individual employment contract with its executive director?

■ Dapat bang amayendahan ng Lungsod ang Tsarter upang mapahintulutan ang mga empleyado ng Lungsod, na nagretiro bago ang Nobyembre 6, 1996, na makatanggap ng karagdagang pera sa kanilang pensiyon at nang makaayon sa halaga ng pamumuhay, kahit na hindi lubusang napopondohan ang sistema para sa pagreretiro, at pahintulutan ang Retirement Board na magkaroon ng pang-indibidwal na kontrata sa pag-eepleyo sa ehekutibong direktor nito?

■ YES / OO

■ NO / HINDI

State and Local Measures

■ **31 REFERENDUM ON 2020 LAW THAT WOULD PROHIBIT THE RETAIL SALE OF CERTAIN FLAVORED TOBACCO PRODUCTS.** A "Yes" vote approves, and a "No" vote rejects, a 2020 law prohibiting retail sale of certain flavored tobacco products. **Fiscal Impact:** Decreased state tobacco tax revenues ranging from tens of millions of dollars annually to around \$100 million annually. **Supporters:** Kate Font, Director, Pediatricians CA; Kim Ryder, President, Heart Health CA; Jorge Reyes, Chair, Cancer Action Network **Opponents:** Mike Goa, Director, CA Finance League; Josh Courts, President, Independent Commerce Counsel; Tim Hao, CFO, Taxpayers Together

■ **REFERENDUM SA 2020 BATAS NA MAGBABAWAL SA RETAIL NA PAGBEBENTANG ILANG PARTIKULAR NA PRODUKTONG TABAKO NA MAY FLAVOR.** Nag-aaprubang ang botong "Oo" at tumatanggi ang botong "Hindi" sa isang 2020 batas na nagbabawal sa retail na pagbebenta ng ilang partikular na produktong tabako na may flavor. **Epekto sa Pananalapi:** Mas kaunting kita sa buwis sa tabako ng estado na mula sampu-sampung milyong dolyar bawat taon hanggang sa humigit-kumulang \$100 milyon taun-taon. **Mga Tagasuporta:** Kate Font, Direktor, Pediatricians CA; Kim Ryder, Presidente, Heart Health CA; Jorge Reyes, Tagapangulo, Cancer Action Network **Mga Kalaban:** Mike Goa, Direktor, CA Finance League; Josh Courts, Pangulo, Independent Commerce Counsel; Tim Hao, CFO, Taxpayers Together

■ YES / OO

■ NO / HINDI

■ **CITY AND COUNTY PROPOSITIONS / MGA PROPOSISYON NG LUNGSOD AT COUNTY**

■ **A** Shall the City amend the Charter to allow City employees who retired before November 6, 1996, to receive a supplemental cost of living adjustment to their pensions even if the retirement system is not fully funded and allow the Retirement Board to have an individual employment contract with its executive director? **Supporters:** Supervisors: Safai, Walton, Chan, Dorsey, Melgar, Mandelman, Peskin, Preston, Ronen, and Stefani **Opponents:** CSFNI; CRS; District 11 League; EMIA; Save Our Amazing City; OMI Cultural Participation Project; Harold Chin

■ Dapat bang amayendahan ng Lungsod ang Tsarter upang mapahintulutan ang mga empleyado ng Lungsod, na nagretiro bago ang Nobyembre 6, 1996, na makatanggap ng karagdagang pera sa kanilang pensiyon at nang makaayon sa halaga ng pamumuhay, kahit na hindi lubusang napopondohan ang sistema para sa pagreretiro, at pahintulutan ang Retirement Board na magkaroon ng pang-indibidwal na kontrata sa pag-eepleyo sa ehekutibong direktor nito? **Mga Tagasuporta:** Supervisors: Safai, Walton, Chan, Dorsey, Melgar, Mandelman, Peskin, Preston, Ronen, and Stefani **Mga Kalaban:** CSFNI; CRS; Liga ng Distrito 11; EMIA; Iligtas ang Aming Kamangha-manghang Lungsod; OMI Cultural Participation Project; Harold Chin

■ YES / OO

■ NO / HINDI



July 17, 2023

VIA EMAIL

The Honorable San Francisco
Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

John Arntz, Director
San Francisco Department of Elections
1 Dr. Carlton B. Goodlett Place
City Hall, Room 48
San Francisco, CA 94102

The Honorable London Breed
Mayor of San Francisco
1 Dr. Carlton B. Goodlett Place
City Hall, Room 200
San Francisco, CA 94102

David Chiu, City Attorney
Office of the City Attorney
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

**RE: OPPOSE – Proposed ordinance File # 230663 Municipal Elections Code -
Supporters and Opponents in Ballot Questions for Local Measures**

Dear Supervisors, Mayor Breed, Director Arntz, and Mr. Chiu,

The League of Women Voters of San Francisco writes to strongly oppose the ordinance that would amend the Municipal Elections Code to opt out of state law that would require a short list of supporters and opponents of each local ballot measure to be shown on the ballot (File # 230663) being considered by the Board of Supervisors at its meeting on July 18, 2023.

The League supports an informed, active electorate, and we believe that voters should be provided with relevant, accurate, and easily understandable information about elections. The League strongly supported the [2021-2022 State Assembly Bill 1416 \(AB 1416\)](#)¹ to give more information directly to voters and empower them to make better informed choices. AB 1416 was passed into law as [Section 9170 of the California Elections Code](#)².

Educated and informed voters are the key to our democracy. A list of support and opposition on the ballot will provide San Francisco voters with accessible and concise, yet salient information that can help them make more informed decisions.

Empowering voters. Defending democracy.

League of Women Voters of San Francisco

582 Market Street, Suite 615, San Francisco, CA 94104 • 415-989-8683 • lwvsf@lwvsf.org • lwvsf.org

Research shows that Californians support increased transparency on ballots. A [poll by the nonpartisan Clean Money Campaign](#)³ before the November 2020 election found 79% of California voters want to know who supports and opposes ballot measures, but they're not confident they know this information or can find it easily. The poll also showed 75% of those voters favor adding a short list of supporters and opponents of each measure on the ballot itself – precisely what Section 9170 of the California Elections Code addresses.

While we appreciate that support and opposition is listed in the San Francisco Voter Information Pamphlet, that is an extremely long document, making it difficult for San Francisco voters to find the support and opposition information they want to know. As a recent example, in an [interview with ABC7 News](#)⁴, Director Arntz described the November 2022 Voter Information Pamphlet as “rather large, it’s over 250 pages which is one of the biggest, most pages we’ve had for a pamphlet in the city’s history.”

By listing support and opposition on the ballot, critical information about who is behind a ballot measure will be readily available on the ballot itself.

For these reasons and more, **the League strongly opposes San Francisco permanently opting out of Section 9170 of the California Elections Code.**

Thank you for your public service, hearing our concerns, and the opportunity to speak about ways to ensure that San Franciscans have the information and confidence they need to participate in our democracy.

We’re available to speak with you about these issues. Please do not hesitate to contact us.

Sincerely,



Alison Goh
President
League of Women Voters of San Francisco
president@lwvsf.org

CC: San Francisco Elections Commission; Elections Commission Clerk Marisa Davis; Board of Supervisors Budget and Appropriations Committee Clerk Brent Jalipa.

¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1416

² https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=ELEC§ionNum=9170.

³ https://www.yesfairelections.org/content/pdf/ccmc_ab1416_twopager.pdf

⁴ <https://abc7news.com/2022-midterm-election-san-francisco-early-voting-center-open/12315511/>



Helping achieve an open and accountable government

July 17, 2023

San Francisco Board of Supervisors
Via Email

RE: FILE NO. 230663 -- Oppose

Dear Members of the Board of Supervisors:

As sponsor of AB 1416 (Santiago-Chiu-Gonzalez) the *Ballot DISCLOSE Act*, we would like to respectfully request that you not pass the ordinance in File No. 230663 to opt out of AB 1416's addition of short lists of supporters and opponents from the ballot arguments to the ballot for local measures.

San Francisco City Attorney David Chiu was one of the authors of AB 1416, and all three San Francisco legislators voted in favor of the bill. The legislature passed it because, as declared in its findings, *"the identity of those who support and oppose a ballot measure provides voters with extremely important information that helps voters better evaluate and understand the value of the measure and to make more informed decisions on how to vote."*

We hope none of you disagree with that. However, the ordinance in File No. 230663 would deprive voters of precisely that information on local measures in the one place every voter would see it.

The finding in (f) of the proposed ordinance says this would be of *"minimal added benefit to voters in light of the information the Department of Elections already provides in the voter information pamphlet."* However, our polling found that although 79% of likely California voters said it was important to them to know who supports and opposes ballot measures when they vote, only 21% said they were very confident that they know them when they vote.¹

Worse, 22% of voters say they didn't even know they could find supporters and opponents in the voter guide or where to find them in it.¹ And it's even harder for voters in San Francisco due to the extraordinary length of the San Francisco's Voter Information Pamphlet (VIP) — 239 pages long for the November 2022 general election. Chances are very low that all voters will find and absorb this crucial information that's sprinkled throughout the long and complex text in San Francisco's VIP.

The proposed ordinance's findings cite the Director of Elections' estimate that complying could cost in excess of \$1 million.² The stakes of voters not knowing who really supports and opposes local ballot measures is far, far higher. Nearly every election has multiple ballot measures that decide the fate of tens or hundreds of millions of dollars in revenue or costs for the City. Even one of those measures failing because voters don't know where trusted organizations and leaders stand — or a costly measure passing because voters don't know who is against it — costs San Francisco orders of magnitude more than \$1 million.

¹ Poll of 661 likely Nov. 2020 voters by California Clean Money campaign run from 7/22-8/22/2019.

http://www.caclean.org/content/pdf/reports/sb90_poll_results.pdf

² Although there's no doubt that in some elections including supporters and opponents for local ballot measures will require an additional ballot page, it's not obvious that will be case in the 2024 or in every following election. On many ballots there is significant unused space left on the ballot pages that should be able to fit the maximum of 273 characters that AB 1416 adds to each local measure ballot label (the words "Supporters:" and "Opponents:" plus a max 125 characters for each list), which AB 1416 allows to use smaller font if needed to save a page.

One good example is Proposition A from the June 2022 ballot. This measure would have authorized \$400 million in bonds to fund public transportation and streets. It failed to reach its required 2/3 vote by 1.56% despite being supported by the mayor, every member of the Board of Supervisors, and almost the entire spectrum of trusted San Francisco organizations. However, many voters who were unaware of or didn't comb through and remember the 124-page June 2022 VIP likely didn't know that. If every voter had seen on the ballot a short list of the most trusted organizations and leaders that supported Prop A — as AB 1416 would ensure if you don't opt out — the outcome could easily have been different.

This example shows the potential for severe unintended costs of opting out. It not only denies voters ready access to information they want when they're voting, but by doing so it means that many voters will make less informed decisions that could end up costing San Francisco far more than it saves.

Perhaps just as bad is the confusion that might result if voters see supporters and opponents on the ballot for state measures but not local measures. As the California Association of Clerks and Elections Officials, representing California's registrars of voters, said in a 2019 letter about an earlier version of AB 1416 (SB 636 of 2019) that would have applied to only state measures and not local measures:

"...we believe this disparate treatment will lead to voter confusion. Voters do not see much of a difference between state propositions and local measures and they appear directly next to one another for ballot layout purposes. Elections officials will be contacted to answer who are the supporters and opponents for the local contests, diverting resources away from performing election duties."

These reasons are why AB 1416, amended to default to also require local measures to list supporters and opponents, was supported by a long list of good-government and activist groups including the League of Women Voters of California, California Common Cause, California Environmental Voters, CALPIRG, Indivisible, Public Citizen, and many others — including all of San Francisco's legislators.

The counties of Santa Clara, Los Angeles, and Orange County, among others, have decided not to opt out because they believe it's important that state and local measures be treated consistently, and that voters have this powerful transparency for both. We hope you also value these goals enough not to opt out.

For all these reasons, we respectfully request that you vote "No" on the proposed ordinance in File No. 230663. Or, if you decide there is enough of a budget emergency that San Francisco absolutely can't afford the potential costs in the budget for fiscal years FY 2023-24 and 2024-25, that you amend the ordinance to apply to only to them, and not future years.

At a minimum, we request that you schedule a new public hearing to consider the matter and allow sufficient notice for the public to weigh in. An ordinance with such far-reaching policy ramifications should have a full 30 days before the committee hearing. Waiving the 30-day rule meant that even the Elections Commission wasn't able to discuss the ordinance before the Budget & Appropriations Committee's vote, nor was most of the public even aware of it before the hearing happened.

Sincerely,

David Schmidt
San Francisco Coordinator
California Clean Money Campaign

From: [Peter Gallotta](#)
To: [Ronen, Hillary](#); [RonenStaff \(BOS\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [DorseyStaff \(BOS\)](#); [MelgarStaff \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [PeskinStaff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [matt.dorsey@sfgov.rog](#); [PrestonStaff \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Jalipa, Brent \(BOS\)](#)
Subject: Asking for amendment to File # 230663, opting out of Supporters and Opponents in Ballot Questions for Local Measures
Date: Monday, July 17, 2023 11:14:19 PM
Attachments: [Letter re proposed ordinance File # 230663 File # 230663 Peter Gallotta.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

I'm reaching out in my personal capacity as Vice Chair of the San Francisco Democratic County Central Committee (SFDCCC) and the lead sponsor of an [SFDCCC adopted resolution](#) in support of AB 1416 (The Ballot Disclose Act), which allows counties to list the supporters and opponents of local ballot measures on the ballot itself.

The San Francisco Democratic Party supported AB 1416 because we believe, along with a number of good government groups, that it is vital that the ballot itself list some of the most important information that voters care about: who supports or opposes ballot measures. AB 1416 was jointly authored by then-Assemblymember David Chiu and supported by our entire San Francisco state delegation.

AB 1416 not only requires proponent and opponent disclosure for state ballot measures, but it also gives counties the ability to implement this disclosure for local measures. Los Angeles, Orange, and Santa Clara counties have all committed to implementing this locally. San Francisco should be amongst them.

As proposed, Item #19 (File # 230663) on the July 18th Board of Supervisors meeting agenda would take the unfortunate step of having San Francisco permanently opt out of implementing this crucial information for local ballot measures. Not only would that deprive voters who are unable to read and absorb all of San Francisco's 200+ page voter information pamphlets of information they need to make better decisions, but it could end up costing San Francisco significantly more when voters reject local measures they might vote for if they knew who supported it.

For example, Prop A, which appeared on the June 2022 ballot, would have provided \$400 million in bond funds for public transportation. Though it was supported by the Mayor, every Supervisor, and numerous trusted San Francisco organizations, it fell short by the needed 2/3 by 1.56%.

If even 2% of voters who hadn't been able to read the voter pamphlet saw the most important trusted leaders and organizations who supported Prop A on the ballot when they were voting, it might have passed. Its failure was a far bigger financial loss than the potential \$1 million in extra printing costs to list the names of proponents and opponents on the ballot.

San Franciscans deserve greater transparency and access to information as they vote, which is

why **I am urging the Board of Supervisors to consider bringing forward an amendment that would make opting out of Section 9170 of the California Elections Code temporary and *only* applicable to fiscal years FY 2023-24 and 2024-25.** This would prevent permanently denying voters access to this important information on the ballot and allow the Board, the Mayor, and the Department of Elections the opportunity to move forward implementation of this good government policy in the next budget cycle.

Thank you for considering this request and continuing to be champions of free and fair elections in our city.

Sincerely,
Peter Gallotta
Vice Chair, San Francisco Democratic Party

--

Peter K. Gallotta
peter.gallotta@gmail.com
tel: 415.518.9054
Pronouns: he, him, his
[Linkedin](#) | [Twitter](#) | [Facebook](#)

July 17, 2023

SUBJECT: Asking for amendment to File # 230663, opting out of Supporters and Opponents in Ballot Questions for Local Measures

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Thank you for considering this request and continuing to be champions of free and fair elections in our city.

Sincerely,

Peter Gallotta
Vice Chair, San Francisco Democratic Party

From: [Hickey, Jacqueline \(BOS\)](#)
To: [Board of Supervisors \(BOS\)](#); [Jalipa, Brent \(BOS\)](#)
Subject: FW: OPPOSING Budget and Appropriations Committee Agenda Item #8 [Municipal Elections Code - Supporters and Opponents in Ballot Questions for Local Measures] File #230663
Date: Wednesday, June 14, 2023 11:08:36 AM

From: aeboken <aeboken@gmail.com>
Sent: Tuesday, June 13, 2023 10:38 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: OPPOSING Budget and Appropriations Committee Agenda Item #8 [Municipal Elections Code - Supporters and Opponents in Ballot Questions for Local Measures] File #230663

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TO: Budget and Appropriations Committee members and Board of Supervisors members

I am opposing the Mayor's legislation to opt out of AB1416 (Santiago) (2021 - 2022).

Eileen Boken,
President

Sunset-Parkside Education and Action Committee (SPEAK)*

*For identification purposes only.

Sent from my Verizon, Samsung Galaxy smartphone

OFFICE OF THE MAYOR
SAN FRANCISCO



LONDON N. BREED
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Tom Paulino, Liaison to the Board of Supervisors
RE: Municipal Elections Code - Supporters and Opponents in Ballot Questions for
Local Measures
DATE: June 1, 2023

Ordinance amending the Municipal Elections Code to opt out of state law that would require the names of supporters and opponents of a local ballot measure to be listed in the ballot statement or question for the measure.

Should you have any questions, please contact Tom Paulino at 415-554-6153.