

BOARD of SUPERVISORS



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November 6, 2019

File No. 191104

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Ms. Gibson:

On October 29, 2019, the following proposed Charter Amendment for the November 3, 2020, Election was received by the Board of Supervisors' Rules Committee:

File No. 191104

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide that when the Mayor appoints a person to fill a vacancy in local elective office less than 90 days before a scheduled election for that office, the appointee may not be a candidate for the office at that election; at an election to be held on November 3, 2020.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink that reads "Victor Young".

By: Victor Young, Assistant Clerk
Rules Committee

Attachment

c: Devyani Jain, Deputy Environmental Review Officer
Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning
Laura Lynch, Environmental Planning

1 [Charter Amendment - Appointments to Fill Vacancies in Elective Office]

2
3 **Describing and setting forth a proposal to the voters at an election to be held on November**
4 **3, 2020, to amend the Charter of the City and County of San Francisco to provide that**
5 **when the Mayor appoints a person to fill a vacancy in local elective office less than 90 days**
6 **before a scheduled election for that office, the appointee may not be a candidate for the**
7 **office at that election.**

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9 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City
10 and County, at an election to be held on November 3, 2020, a proposal to amend the Charter of
11 the City and County by revising Section 13.101.5, to read as follows:

12 NOTE: **Unchanged Charter text and uncodified text** are in plain font.
13 **Additions** are *single-underline italics Times New Roman font*.
14 **Deletions** are ~~*strike-through italics Times New Roman font*~~.
15 **Asterisks (* * * *)** indicate the omission of unchanged Charter
16 subsections.

17 **SEC. 13.101.5. VACANCIES.**

18 (a) (1) If the office of Assessor-Recorder, City Attorney, District Attorney, Public
19 Defender, Sheriff, Treasurer, or Member of the Board of Supervisors, Board of Education, or
20 Governing Board of the Community College District becomes vacant because of death,
21 resignation, recall, permanent disability, or the inability *otherwise* of the respective officer to
22 ~~*otherwise*~~ carry out the responsibilities of the office, the Mayor shall appoint an individual
23 qualified to fill the vacancy under this Charter and state laws.

24 (2) *If an election for the vacated office is scheduled to occur less than 90 days*
25 *after the date of the vacancy:*

(A) *the Mayor may not appoint a person under subsection (a)(1) if that*
person is a candidate for the office at that election, and

1 ~~offices enumerated in this Section, that process shall apply to any election required by this~~
2 ~~Section.~~

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

6 By: 
7 JON GIVNER
8 Deputy City Attorney

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