

File No. 160089

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date February 3, 2016

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative 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"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <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)

- | | | |
|-------------------------------------|--------------------------|----------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Charter Amendment (Second Draft) |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Derek Evans Date February 1, 2016

Completed by: _____ Date _____

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

1 [Charter Amendment - Filling Supervisorial Vacancies Within 28 Days]

2
3 **Describing and setting forth a proposal to the voters at an election to be held on June 7,**
4 **2016, to amend the Charter of the City and County of San Francisco to require the Mayor**
5 **to fill a supervisorial vacancy within 28 days.**

6
7 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City
8 and County, at an election to be held on June 7, 2016, a proposal to amend the Charter of the
9 City and County by revising Section 13.101.5, to read as follows:

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

15 **SEC. 13.101.5. VACANCIES.**

16 (a) If the office of Assessor-Recorder, City Attorney, District Attorney, Public Defender,
17 Sheriff, Treasurer, or Member of the Board of Supervisors, Board of Education or Governing
18 Board of the Community College District becomes vacant because of death, resignation, recall,
19 permanent disability, or the inability of the respective officer to otherwise carry out the
20 responsibilities of the office, the Mayor shall appoint an individual qualified to fill the vacancy
21 under this Charter and state laws. *The Mayor shall appoint an individual to fill a vacancy on the*
Board of Supervisors within 28 days of the date of the vacancy.

22 (b) If the Office of Mayor becomes vacant because of death, resignation, recall,
23 permanent disability or the inability to carry out the responsibilities of the office, the President of
24 the Board of Supervisors shall become Acting Mayor and shall serve until a successor is
25 appointed by the Board of Supervisors.

1 (c) Any person filling a vacancy pursuant to subsection (a) or (b) of this Section shall
2 serve until a successor is selected at the next election occurring not less than 120 days after the
3 vacancy, at which time an election shall be held to fill the unexpired term, provided that (1) if an
4 election for the vacated office is scheduled to occur less than one year after the vacancy, the
5 appointee shall serve until a successor is selected at that election or (2) if an election for any seat
6 on the same board as the vacated seat is scheduled to occur less than one year but at least 120
7 days after the vacancy, the appointee shall serve until a successor is selected at that election to
8 fill the unexpired term.

9 (d) If no candidate receives a majority of the votes cast at an election to fill a vacated
10 office, the two candidates receiving the most votes shall qualify to have their names placed on
11 the ballot for a municipal runoff election at the next regular or otherwise scheduled election
12 occurring not less than five weeks later. If an instant runoff election process is enacted for the
13 offices enumerated in this Section, that process shall apply to any election required by this
14 Section.

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

17 By:


18 _____
19 ANDREW SHEN
Deputy City Attorney

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LEGISLATIVE DIGEST

(Second Draft – Amended in Committee, 1/28/16)

[Charter Amendment - Filling Supervisorial Vacancies Within 28 Days]

Describing and setting forth a proposal to the voters at an election to be held on June 7, 2016, to amend the Charter of the City and County of San Francisco to require the Mayor to fill a supervisorial vacancy within 28 days.

Existing Law

When a seat on the Board of Supervisors becomes vacant because of the death, resignation, recall, permanent disability, or the inability of the officer to otherwise carry out the responsibilities of the office, the Mayor has the authority to appoint a successor to fill the vacancy until an election is held. The Charter does not impose any deadline for the Mayor's vacancy appointments.

Amendments to Current Law

The Mayor would be required to make an appointment to fill a vacancy on the Board of Supervisors within 28 days of the date of the vacancy.

Background Information

This legislative digest reflects amendments made by the Rules Committee on January 28, 2016. On that day, the Committee duplicated the file and amended the duplicate file to remove almost all of the proposed changes to the vacancy appointment and election process. The proposal now solely requires the Mayor to make vacancy appointments for the Board of Supervisors within 28 days of the date of the vacancy.

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: John Arntz, Director, Department of Elections
Jon Givner, Office of the City Attorney
Nicole Elliot, Mayor's Office

FROM: Derek Evans, Assistant Clerk, Rules Committee
Board of Supervisors

DATE: January 29, 2016

SUBJECT: CHARTER AMENDMENT INTRODUCED
June 7, 2016, Election

The Board of Supervisors Rules Committee has received the following Charter Amendment for the June 7, 2016, Election, duplicated from File No. 151273 by Supervisor Tang and amended by the Rules Committee on January 28, 2016. This matter is being referred to you in accordance with Rules of Order 2.22.4.

File No. 160089 Charter Amendment - Filling Supervisorial Vacancies within 28 Days

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to require the Mayor to fill a supervisorial vacancy within 28 days, at an election to be held on June 7, 2016.

Please review and submit any reports or comments you wish to be included with the legislative file.

If you have any questions or concerns please call me at (415) 554-7702 or email derek.evans@sfgov.org. To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

BOARD of SUPERVISORS



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January 29, 2016

File No. 160089

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones:

The following Charter Amendment was duplicated from File No. 151273 by Supervisor Tang and amended by the Rules Committee on January 28, 2016:

File No. 160089

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to require the Mayor to fill a supervisorial vacancy within 28 days, at an election to be held on June 7, 2016.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Derek Evans, Assistant Clerk
Rules Committee

Attachment

c: Joy Navarrete, Environmental Planner
Jeanie Poling, Environmental Planner

BOARD of SUPERVISORS



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Fax No. 554-5163
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MEMORANDUM

TO: Ben Rosenfield, City Controller

FROM: Derek Evans, Assistant Clerk, Rules Committee
Board of Supervisors

DATE: January 29, 2016

SUBJECT: CHARTER AMENDMENT INTRODUCED
June 7, 2016, Election

The Board of Supervisors Rules Committee has received the following Charter Amendment for the June 7, 2016, Election, duplicated from File No. 151273 by Supervisor Tang and amended by the Rules Committee on January 28, 2016. This matter is being referred to you in accordance with Elections Code, Section 305(B)(2), and Rules of Order 2.22.3.

File No. 160089 Charter Amendment - Filling Supervisorial Vacancies within 28 Days

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to require the Mayor to fill a supervisorial vacancy within 28 days, at an election to be held on June 7, 2016.

Please review and prepare a financial analysis of the proposed measure prior to the first Rules Committee hearing.

If you have any questions or concerns please call me at (415) 554-7702 or email derek.evans@sfgov.org. To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Todd Rydstrom, Office of the City Controller