

File No. 240971

Committee Item No. _____

Board Item No. 30

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: October 8, 2024

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- Grant Budget
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- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
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OTHER

- Department of Elections Memo - 9/27/24
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Prepared by: Lisa Lew

Date: October 4, 2024

Prepared by: _____

Date: _____

1 [Waiver Authorizing City Employees to Assist the Department of Elections with the November
2 5, 2024, Consolidated General Election]

3 **Motion authorizing City Employees to assist the Department of Elections with the**
4 **November 5, 2024, Consolidated General Election.**

5
6 WHEREAS, Charter, Section 13.104.5, prohibits City employees and officers (other
7 than the Director of Elections, Department of Elections employees, Elections Commissioners,
8 the Sheriff and Sheriff’s Department employees) from performing “any function relating to the
9 conduct of an election”; and

10 WHEREAS, Charter, Section 13.104.5, authorizes the Board of Supervisors, upon the
11 request of the Elections Commission, to waive this prohibition by motion; and

12 WHEREAS, On September 24, 2024, the Elections Commission requested that the
13 Board of Supervisors waive this prohibition to permit City employees to assist the Department
14 of Elections with the November 5, 2024 election; now, therefore, be it

15 MOVED, That the Board of Supervisors waives the prohibition imposed by Charter,
16 Section 13.104.5, and authorizes City employees to assist the Department of Elections
17 before, during and after the November 5, 2024, Consolidated General Election.

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Memorandum

To: Aaron Peskin, President, San Francisco Board of Supervisors
From: John Arntz, Director of Elections
Date: September 27, 2024
RE: Resolution to Waive Prohibition of City Employees Assisting Department of Elections for November 5, 2024, Consolidated General Election

The purpose of this memorandum is to request your introducing the enclosed resolution for consideration during the meeting of the full Board scheduled for October 1, 2024, to waive the prohibition in San Francisco Charter Section 13.104.5 of City employees assisting the Department of Elections to conduct the Consolidated General Election occurring on November 5, 2024.

The San Francisco Elections Commission unanimously voted to request that the Board of Supervisors approve the waiver during the Commission's meeting occurring on September 24, 2024. The memorandum I provided to the Elections Commission regarding the purpose of the waiver is attached.

I will gladly answer any questions on this matter and provide any additional information as requested.

CC: Angela Calvillo, Clerk of the Board of Supervisors

Attachment 1: Memorandum to Elections Commission regarding Waiver Allowing City Employees to Assist Elections

Encl: Resolution, Consolidation of Elections Scheduled for November 5, 2024

1. Red-lined version
2. One copy of red-lined version
3. One copy of Word version



Memorandum

To: Elections Commission

From: John Arntz, Director

Date: August 16, 2024

RE: Waiver Allowing City Employees to Assist the Department of Elections with the November 5, 2024, Consolidated General Election

This memorandum represents the Department of Elections' (Department) recommendation to the Elections Commission to request that the Board of Supervisors waive the prohibition under Charter section 13.104.5 that disallows City employees from assisting the Department in the conduct of elections, in relation to the November 5, 2024, Consolidated General Election. The Department seeks a general waiver of this prohibition so that the Department is able to utilize the services and expertise of City personnel when necessary.

Additionally, the Department asks that this waiver allow City employees to serve as poll workers, especially those employees who are bilingual Chinese-, Filipino-, Spanish-, Thai-, Korean-, Japanese-, Vietnamese-, and Burmese-speakers. While the Department asks that this waiver allow all City employees to volunteer as poll workers, the greatest need is for volunteers with bilingual skills.

Although the Department is requesting the support of City employees in limited circumstances such as volunteering as poll workers, the Charter prohibits City personnel from providing such assistance to the Department. (13.104.5).

Except as provided below, no City employee or officer, other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission, may in any capacity perform any function relating to the conduct of an election that this Charter places under the Department of Elections. This section prohibits City personnel from providing to the Department of Elections services that are unique to that department. . . . The Elections Commission may, upon the recommendation of the Director of Elections request from the Board of Supervisors a waiver of this prohibition so as to allow City employees and officers to assist the Department of Elections. The Board of Supervisors shall approve or deny such requests from the Elections Commission by motion.

The Department seeks to conduct every election exclusively with its permanent and temporary personnel, and poll workers who are not employed with the City. However, the Department finds it necessary in some instances to utilize the skills of City personnel who work with other departments. Thus, I recommend that the Elections Commission request from the Board of Supervisors a waiver of the prohibition of City employees performing election-related tasks and allowing City personnel to assist the Department in conducting this election.

The Department asks that this be a general waiver in order to provide flexibility in planning for the election. The Department currently is not planning on the assistance of City employees who may assist the Department. Also, the Department cannot provide a list of City employees who may volunteer as poll workers since the Department has yet to complete its recruitment and assignment of poll workers to individual polling places.

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor inquires..."
- 5. City Attorney Request
- 6. Call File No. from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: