

File No. 171305

Committee Item No. 3

Board Item No. \_\_\_\_\_

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date January 17, 2018

Board of Supervisors Meeting

Date \_\_\_\_\_

### Cmte Board

- |                                     |                          |  |
|-------------------------------------|--------------------------|--|
| <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"/> | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | Memorandum of Understanding (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"/> | Form 700                                     |
| <input type="checkbox"/>            | <input type="checkbox"/> | Vacancy Notice                               |
| <input type="checkbox"/>            | <input type="checkbox"/> | Information Sheet                            |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

OTHER (Use back side if additional space is needed)

- |                                     |                          |  |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Charter Amendment</u>               |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>CEQA Determination</u>              |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Youth Commission Recommendation</u> |
| <input type="checkbox"/>            | <input type="checkbox"/> | _____                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | _____                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | _____                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | _____                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | _____                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | _____                                  |

Completed by: Alisa Somera Date January 12, 2018

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

1 [Charter Amendment - Noncitizen Voting in School Board Elections]

2  
3 **Describing and setting forth a proposal to the voters at an election to be held on June 5,**  
4 **2018, to amend the Charter of the City and County of San Francisco to establish, as a**  
5 **condition for noncitizens voting in an election for members of the Board of Education, that**  
6 **the Board of Supervisors adopt an implementing ordinance for that election at least 270**  
7 **days before that election.**

8  
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 June 5, 2018, a proposal to amend the Charter of the  
11 City and County by revising Section 13.111, 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. 13.111. ELECTION OF BOARD OF EDUCATION.**

18 (a) Manner of Election.

19 (1) ~~*Beginning on January 1, 2017*~~*Subject to subsection (a)(2) of this Section*  
20 ~~*13.111, and ending on the sunset date set forth in subsection (a)(2),*~~ elections for the Board of  
21 Education of the Unified School District shall be conducted in a manner that permits any San  
22 Francisco resident to vote who either:

23 (A) is a voter, as defined in Article XVII of this Charter, or

24 (B) is the parent, legal guardian, or caregiver (as defined in California  
25 Family Code Section 6550 or any successor legislation) of a child under age 19 residing in the  
San Francisco Unified School District, is the minimum age required under this Charter to vote in

1 a municipal election, and is not disqualified from voting under Article II Section 4 of the  
2 California Constitution or any implementing State statute, regardless of whether the person is a  
3 United States citizen.

4 ~~The Board of Supervisors may adopt ordinances implementing this subsection (a)(1).~~

5 (2) Noncitizens may not vote in an election for members of the Board of  
6 Education unless the Board of Supervisors adopts an ordinance authorizing noncitizens to vote  
7 in that election, and that ordinance becomes effective at least 270 days prior to that election.

8 ~~(2) Subsection (a)(1)(B) authorizing non-citizens to vote in Board of~~  
9 ~~Education elections shall expire by operation of law on December 31, 2022, or on December 31~~  
10 ~~immediately following the third election for members of the Board of Education conducted in~~  
11 ~~accordance with this Section 13.111, whichever is later. Thereafter, the Board of Supervisors~~  
12 ~~may determine by ordinance whether non-citizens may vote in elections for members of the~~  
13 ~~Board of Education.~~

14 (b) Limitations. This Section 13.111 shall apply only to elections for members of  
15 the Board of Education of the San Francisco Unified School District. Nothing in this Section  
16 13.111 shall affect the terms of office of members of the Board of Education, including  
17 incumbent members on the effective date of the Charter amendment enacting this Section.  
18 Nothing in this Section shall alter the definition of “elector” or “voter” set forth in Article XVII  
19 of this Charter.

20 APPROVED AS TO FORM:  
21 DENNIS J. HERRERA, City Attorney

22 By: 

23 JOSHUA S. WHITE  
24 Deputy City Attorney

25 n:\legana\as2017\1800235\01237721.docx

**LEGISLATIVE DIGEST**  
(First Draft, 12/12/2017)

[Charter Amendment - Noncitizen Voting in School Board Elections]

**Describing and setting forth a proposal to the voters at an election to be held on June 5, 2018, to amend the Charter of the City and County of San Francisco to establish, as a condition for noncitizens voting in an election for members of the Board of Education, that the Board of Supervisors adopt an implementing ordinance for that election at least 270 days before that election.**

Existing Law

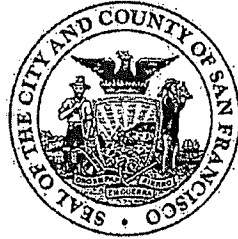
At the November 2016 elections, voters approved Proposition N, which allows a non-citizen resident of San Francisco who is of legal voting age and the parent, legal guardian or legally recognized caregiver of a child living in the San Francisco Unified School District to vote for members of the Board of Education.

Amendments to Current Law

The proposal is a charter amendment that would authorize noncitizen to vote in an election for members of the Board of Education only if the Board of Supervisors adopts an ordinance authorizing noncitizens to vote in that election, and that ordinance becomes effective at least 270 days prior to that election.

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BOARD of SUPERVISORS



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

December 20, 2017

File No. 171305

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

Dear Ms. Gibson:

On December 12, 2017, Supervisor Fewer introduced legislation for the following proposed Charter Amendment for the June 5, 2018, Election:

**File No. 171305 Charter Amendment - Noncitizen Voting in School Board Elections**

**Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to establish, as a condition for noncitizens voting in an election for members of the Board of Education, that the Board of Supervisors adopt an implementing ordinance for that election at least 270 days before that election; at an election to be held on June 5, 2018.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

*for*   
By: Alisa Somera, Legislative Deputy Director  
Rules Committee

Attachment

c: Joy Navarrete, Environmental Planner  
Laura Lynch, Environmental Planner

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment. Any proposed physical project will require environmental review.

*Debra Dwyer 1/12/18*

Youth Commission  
City Hall ~ Room 345  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4532



(415) 554-6446  
(415) 554-6140 FAX  
www.sfgov.org/youth\_commission

**YOUTH COMMISSION**  
**MEMORANDUM**

**TO:** Alisa Somera, Legislative Deputy Director, Clerk of the Board of Supervisors  
**FROM:** Youth Commission  
**DATE:** Monday, January 8, 2018  
**RE:** Referral response to BOS File No. 171305 – [Charter Amendment – Noncitizen Voting in School Board Elections]

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At our **Tuesday, January 2, 2018, meeting**, the Youth Commission voted 11-1 to support the following motion:

**To support BOS File No. 171305**– Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to establish, as a condition for noncitizens voting in an election for members of the Board of Education, that the Board of Supervisors adopt an implementing ordinance for that election at least 270 days before that election; at an election to be held on June 5, 2018.

\*\*\*

Commissioners also approved the following comments and recommendations regarding this legislation:

Youth commissioners recommend that the Board of Supervisors introduced and adopt legislation detailing the implementation of Non-Citizen’s voting in School Board Elections (Prop N, 2016) alongside the proposed charter amendment, in advance of the November 2018 School Board election.

\*\*\*

Youth Commissioners thank the Board of Supervisors for their attention to this issue. If you have any questions, please contact our office at (415) 554-6446, or your Youth Commissioner.

A handwritten signature in cursive script, reading "Chiara Lind", written over a horizontal line.

---

Chiara Lind, Chair  
Adopted on January 2, 2018  
2017-2018 San Francisco Youth Commission

BOARD of SUPERVISORS



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December 20, 2017

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Planning Department  
1650 Mission Street, Suite 400  
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This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

*for*   
By: Alisa Somera, Legislative Deputy Director  
Rules Committee

Attachment

c: Joy Navarrete, Environmental Planner  
Laura Lynch, Environmental Planner

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Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Ben Rosenfield, City Controller, Office of the Controller

FROM: *ll*  
*for* Alisa Somera, Legislative Deputy Directory, Rules Committee  
Board of Supervisors

DATE: December 20, 2017

SUBJECT: CHARTER AMENDMENT INTRODUCED  
June 5, 2018 Election

---

The Board of Supervisors' Rules Committee has received the following Charter Amendment for the June 5, 2018, Election, introduced by Supervisor Fewer on December 12, 2017. This matter is being referred to you in accordance with Rules of Order 2.22.4.

**File No. 171305 Charter Amendment - Noncitizen Voting in School Board Elections**

**Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to establish, as a condition for noncitizens voting in an election for members of the Board of Education, that the Board of Supervisors adopt an implementing ordinance for that election at least 270 days before that election; at an election to be held on June 5, 2018.**

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) 554-7711 or email: [alisa.somera@sfgov.org](mailto:alisa.somera@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, Deputy City Controller  
Peg Stevenson, City Performance Director



BOARD of SUPERVISORS



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San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Mawuli Tugbenyoh, Liaison to the Board of Supervisors, Mayor's Office  
Jon Givner, Deputy City Attorney, Office of the City Attorney  
John Arntz, Director, Department of Elections  
LeeAnn Pelham, Executive Director, Ethics Commission  
Naomi Kelly, City Administrator, Office of the City Administrator  
Vincent C. Matthews, Ed.D., Superintendent, San Francisco Unified  
School District  
Shamann Walton, President, Board of Education  
Adele Carpenter, Director, Youth Commission

FROM: *ll*  
*for* Alisa Somera, Legislative Deputy Director, Rules Committee  
Board of Supervisors

DATE: December 20, 2017

SUBJECT: CHARTER AMENDMENT INTRODUCED  
June 5, 2018 Election

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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) 554-7711 or email: [alisa.somera@sfgov.org](mailto:alisa.somera@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:     Shahde Tavakoli, Mayor's Office  
       Kyle Kundert, Ethics Commission  
       Lynn Khaw, Office of the City Administrator  
       Lihmeei Leu, Office of the City Administrator  
       Viva Mogi, San Francisco Unified School District  
       Esther Casco, San Francisco Unified School District/Board of Education  
       Leah LaCroix, Youth Commission

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

RECEIVED  
BOARD OF SUPERVISORS  
2017 DEC 12 PM 2:03  
Time stamp  
or meeting date  
BY *SLB*

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

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

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

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

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

**Sponsor(s):**

Fewer

**Subject:**

Charter Amendment - Non Citizen Voting in School Board Elections

**The text is listed below or attached:**

Attached

Signature of Sponsoring Supervisor: *Sandra Lee Fewer*

For Clerk's Use Only: