

BOARD of SUPERVISORS



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## 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  
All City Department Heads via Mawuli Tugbenyoh, Liaison to the Board of Supervisors, Mayor's Office

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

**File No. 171306 Charter Amendment - Appointed Board Members and Commissioners Seeking Elective Office**

**Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to provide that appointed members of boards and commissions under the Charter forfeit their offices upon filing a declaration of candidacy for state or local elective office; at an election to be held on June 5, 2018.**

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

1 [Charter Amendment - Appointed Board Members and Commissioners Seeking Elective Office]

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 provide that**  
5 **appointed members of boards and commissions under the Charter forfeit their offices upon**  
6 **filing a declaration of candidacy for state or local elective office.**

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8 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City  
9 and County, at an election to be held on June 5, 2018, a proposal to amend the Charter of the  
10 City and County by adding Section 4.101.1, to read as follows:

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

16 **SEC. 4.101.1. PROHIBITION ON BOARD MEMBERS AND COMMISSIONERS**  
17 **SEEKING ELECTIVE OFFICE.**

18 *(a) Any member of a board, commission, or other body established by this Charter, other*  
19 *than a citizen advisory committee, shall immediately forfeit his or her seat on the board,*  
20 *commission, or body upon filing a declaration of candidacy for any State elective office, any*  
21 *elective office referenced in Section 13.101, or the Bay Area Rapid Transit Board of Directors.*

22 *(b) This Section 4.101.1 shall not apply to members of boards, commissions, or other*  
23 *bodies who hold elective offices referenced in Section 13.101 of this Charter, including insofar*

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1 as the elected official serves on another board, commission, or other body established by this  
2 Charter. This Section 4.101.1 also shall not apply to elected members of bodies established by  
3 Article XII of this Charter.

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

6 By:   
7 JON GIVNER  
8 Deputy City Attorney

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

[Charter Amendment - Appointed Board Members and Commissioners Seeking Elective Office]

**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 provide that appointed members of boards and commissions under the Charter forfeit their offices upon filing a declaration of candidacy for state or local elective office.**

Existing Law

Existing law does not prohibit members of appointed City boards and commissions from running for state or local elective office during their tenures as board members and commissioners.

Amendments to Current Law

Under the proposed Charter amendment, appointed members of boards and commissions under the Charter would forfeit their offices upon filing a declaration of candidacy for state or local elective office. The measure would not apply to elective officers, even those who have been appointed to a board or commission like the Retirement Board or the Health Service Board. The measure also would not apply to elected members of the Retirement Board, Health Service Board, or Retiree Healthcare Trust Fund Board. And the measure would not apply to members of citizen advisory committees.

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