

File No. 171305

Committee Item No. 4

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date January 24, 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 type="checkbox"/> | <input type="checkbox"/> | <u>Charter Amendment</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | <u>CEQA Determination</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | <u>Youth Commission Recommendation</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Alisa Somera Date January 19, 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.

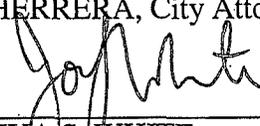
4 ~~The Board of Supervisors may adopt ordinances implementing this subsection (a)(1).~~

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 _____

24 JOSHUA S. WHITE
25 Deputy City Attorney

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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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CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CONTROLLER

Ben Rosenfield

Controller

Todd Rydstrom

Deputy Controller

January 16, 2018

Ms. Angela Calvillo
Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place Room 244
San Francisco, CA 94102-4689

RE: File 171305 - Charter amendment requiring authorization by ordinance prior to an election in which non-citizens could vote for the Board of the San Francisco Unified School District

Dear Ms. Calvillo,

The proposed amendment would revise the Charter section approved by the voters in November 2016 which permits non-citizens 18 years of age or older who have children in the San Francisco public schools to vote in the elections for the School Board. The amendment provides that for non-citizens to vote in a School Board election, the Board of Supervisors would also have to authorize that voting by adopting an ordinance that becomes effective at least 270 days prior to the specified election.

As noted in the Controller's 2016 statement on the earlier amendment, there would be an additional cost, as estimated by the Department of Elections, of a minimum of \$160,000 per election to print and distribute voting materials, train poll workers and separately register people who would become eligible to vote in School Board elections. Should the election take place by absentee ballot only, which would require a subsequent ordinance by the Board, costs may be reduced to approximately \$110,000, in addition to any costs associated with registration processes.

Sincerely,

Ben Rosenfield

for Ben Rosenfield
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

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:

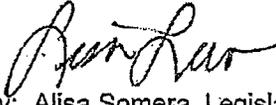
On December 12, 2017, Supervisor Fewer introduced legislation for the following proposed Charter Amendment for the June 5, 2018, Election:

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]

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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Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
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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:

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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

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

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. 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



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
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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. 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

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

RECEIVED
 BOARD OF SUPERVISORS
 2017 DEC 1 2:03 PM
 Time stamp or meeting date
 BY *ZAB*

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: