

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Carol Isen, Director, Department of Human Resources

FROM: Victor Young, Assistant Clerk, Rules Committee *Victor Young*
Board of Supervisors

DATE: May 28, 2024

SUBJECT: LEGISLATION INTRODUCED – MEET AND CONFER DETERMINATION

The Board of Supervisors' Rules Committee has received the following Charter Amendment. This matter is being **referred** to you as it may require the Department of Human Resources to fulfill "**Meet and Confer**" requirements. Please review, assess the impact and provide proper noticing as required and report back to on the status of the "Meet and Confer" requirement.

File No. 230987 (ver2)

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to establish within the Charter the Department of Emergency Management, the position of the Director of the Department, and the Director's qualifications and appointing authority; at an election to be held on November 5, 2024.

If you have any questions or concerns, please call me at (415) 554-7723 or email: victor.young@sfgov.org. To submit documentation, please email or forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

RESPONSE FROM THE DEPARTMENT OF HUMAN RESOURCES - Date: _____

_____ **Meet and Confer requirement has been fulfilled.**

_____ **Meet and Confer requirement not applicable.**

_____ **Additional information attached.**

Department of Human Resources

c: Mawuli Tugbenyoh, Department of Human Resources
Aliya Chisti, Department of Human Resources

1 [Charter Amendment - Establishing the Department of Emergency Management in the Charter]

2
3 **Describing and setting forth a proposal to the voters at an election to be held on March 5,**
4 **2024, to amend the Charter of the City and County of San Francisco to establish within the**
5 **Charter the Department of Emergency Management, the position of the Director of the**
6 **Department, and the Director’s qualifications and appointing authority.**

7
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 March 5, 2024, a proposal to amend the Charter of the
10 City and County by adding Section 4.130, 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*~~.
Asterisks (* * * *) indicate the omission of unchanged Charter
subsections.

14 **SEC. 4.130. DEPARTMENT OF EMERGENCY MANAGEMENT.**

15 *(a) There shall be a Department of Emergency Management. The Mayor shall appoint a*
16 *Director of the Department of Emergency Management who shall serve as department head for*
17 *the Department. The Director, at the time of appointment, must have a total of at least ten years*
18 *of employment, experience, or professional service in any of the following fields, singly or*
19 *cumulatively: firefighting, law enforcement, public health, or military service, or in the fields of*
20 *disaster management or emergency preparedness and relief, at the local, state, and/or federal*
21 *level. At least five years of that employment, experience, or professional service must be at a*
22 *management level. The Director shall serve at the pleasure of the Mayor and shall report*
23 *directly to the Mayor. The Department shall include such officers and employees as are*
24 *authorized pursuant to the budgetary and fiscal provisions of the Charter.*

25 *(b) On the date this Section 4.130 is added to the Charter, the Director of the*
Department of Emergency Management or, if applicable, person serving in an acting capacity as

1 *Director, shall in the first case continue to be Director serving at the pleasure of the Mayor, and*
2 *in the second case shall continue to serve temporarily in an acting capacity as Director. If, at*
3 *that time, there is a person serving in an acting capacity as Director, and if at any time the*
4 *position of Director is vacant, the position shall be filled in accordance with subsection (a).*

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6 APPROVED AS TO FORM:
7 DAVID CHIU, City Attorney

8 By: */s/ Christina Fletes-Romo* _____
9 CHRISTINA FLETES-RÓMO
Deputy City Attorney

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LEGISLATIVE DIGEST

[Charter Amendment - Establishing the Department of Emergency Management in the Charter]

Describing and setting forth a proposal to the voters at an election to be held on March 5, 2024, to amend the Charter of the City and County of San Francisco to establish within the Charter the Department of Emergency Management, the position of the Director of the Department, and the Director's qualifications and appointing authority.

Existing Law and Amendments to Current Law

The Department of Emergency Management was created via ordinance and is codified in Administrative Code Section 2A.200. Administrative Code Section 2A.200 (a) established the Department, the Department Director position, required qualifications for the Director, and the Director's appointing authority. Subsections (b) – (d) include additional Department requirements.

Amendments to Current Law

The Charter amendment does not make substantive changes to the Department of Emergency Management nor to the Department Director position. The Charter amendment essentially replicates the language in Administrative Code Section 2A.200 (a) in order to establish the Department and the position of Department Director within the Charter. The Charter amendment does not incorporate Administrative Code Section 2A.200 (b) – (d). Those sub-sections remain in the Administrative Code.

The Charter amendment also establishes that the individual serving as Department Director, or acting Department Director, on the date the Charter Amendment language is added to the Charter, can continue to serve in that capacity.