

File No. 140554

Committee Item No. 6

Board Item No. 70

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Rules

Date June 23, 2014

Board of Supervisors Meeting

Date July 8, 2014

### Cmte Board

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| <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 checked="" 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 checked="" type="checkbox"/> | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
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| <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                                 |
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### OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Charter Amendment</u>  |
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Completed by: Alisa Miller Date June 20, 2014

Completed by: Alisa Miller Date July 2, 2014

1 [Charter Amendment - Democratic Special Elections to Fill Mayoral and Board of Supervisors  
2 Vacancies]

3 **Describing and setting forth a proposal to the voters to amend the Charter of the City and**  
4 **County of San Francisco to require the Department of Elections to hold a special election**  
5 **when there is a vacancy in the office of Mayor or Member of the Board of Supervisors,**  
6 **unless a regularly scheduled election will be held within 180 days of the vacancy; to provide**  
7 **that the President of the Board of Supervisors serves as Acting Mayor until an election is**  
8 **held to fill a mayoral vacancy; and to provide that the Mayor appoints an interim**  
9 **Supervisor to fill a supervisorial vacancy until an election is held to fill that vacancy, with**  
10 **the interim Supervisor being ineligible to compete in that election, at an election to be held**  
11 **on November 4, 2014.**

12  
13 The Board of Supervisors hereby submits to the qualified voters of the City and County,  
14 at an election to be held on November 4, 2014, a proposal to amend the Charter of the City and  
15 County by revising Section 13.101.5 and Article XVII, to read as follows:

16 NOTE: **Unchanged Charter text and uncodified text** are in plain font.  
17 **Additions** are *single-underline italics Times New Roman font*.  
18 **Deletions** are ~~*strike-through italics Times New Roman font*~~.  
19 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Charter  
20 subsections.

21 **SEC. 13.101.5. VACANCIES.**

22 (a) If the office of Assessor-Recorder, City Attorney, District Attorney, Public  
23 Defender, Sheriff, Treasurer, or Member of the ~~*Board of Supervisors*~~, Board of Education or  
24 Governing Board of the Community College District becomes vacant because of death,  
25 resignation, recall, permanent disability, or the inability of the respective officer to otherwise  
carry out the responsibilities of the office, the Mayor shall appoint an individual qualified to fill  
the vacancy under this Charter and state laws.

1 (b) If the Office of Mayor becomes vacant because of death, resignation, recall,  
2 permanent disability or the inability to carry out the responsibilities of the office, the President of  
3 the Board of Supervisors shall become Acting Mayor and shall serve until a successor is elected  
4 at a special municipal election as provided in subsection (e) of this Section ~~appointed by the~~  
5 ~~Board of Supervisors.~~

6 (c) If the office of Member of the Board of Supervisors becomes vacant because of  
7 death, resignation, recall, permanent disability or the inability to carry out the responsibilities of  
8 the office, the Mayor shall appoint an individual qualified to fill the vacancy under this Charter  
9 and state laws to serve as an interim Supervisor. The interim Supervisor shall serve until a  
10 successor is elected at a special municipal election as provided in subsection (e) of this Section.  
11 No person appointed as an interim Supervisor may file nomination papers for the following  
12 election held to fill the vacancy.

13 (ed) Any person filling a vacancy pursuant to subsection (a) ~~or (b)~~ of this Section shall  
14 serve until a successor is selected at the next election occurring not less than 120 days after the  
15 vacancy, at which time an election shall be held to fill the unexpired term, provided that (1) if an  
16 election for the vacated office is scheduled to occur less than one year after the vacancy, the  
17 appointee shall serve until a successor is selected at that election or (2) if an election for any seat  
18 on the same board as the vacated seat is scheduled to occur less than one year but at least 120  
19 days after the vacancy, the appointee shall serve until a successor is selected at that election to  
20 fill the unexpired term.

21 (e) If the office of Mayor or Member of the Board of Supervisors becomes vacant as  
22 provided in subsection (b) or (c) of this Section, the Director of Elections, within 14 days of the  
23 vacancy, shall call a special municipal election to fill the vacancy. The special municipal  
24 election shall be held on a Tuesday at least 126 days, but not more than 140 days, following the  
25 date of its calling, except that if the next regularly scheduled statewide or municipal election will

1 occur within 180 days of the vacancy, the Director of Elections shall consolidate the special  
2 municipal election to fill the vacancy with that regularly scheduled election. Notwithstanding  
3 this provision, the special election may be held more than 180 days from the date of the vacancy,  
4 for the purposes of consolidation with a regularly scheduled election, if (1) the Director of  
5 Elections submits such a request to the Board of Supervisors and (2) the Board of Supervisors  
6 and Mayor approve the request by resolution.

7 (f) The Director of Elections shall not include any measures or other contests on the  
8 ballot for a special municipal election held pursuant to subsection (e), unless the special  
9 municipal election is consolidated with a regularly scheduled election.

10 (g) If a vacancy in the office of Mayor or Member of the Board of Supervisors occurs  
11 after November 4, 2014 but before the effective date of the Charter amendment amending this  
12 Section at the November 4, 2014 election, and the vacancy is filled in accordance with the  
13 Charter as operative at that time, the person appointed to fill the vacancy shall vacate the office  
14 by operation of law on the effective date of the Charter amendment, and the vacancy shall then  
15 be filled as provided in this Section. The City Attorney shall remove this subsection (g) from the  
16 Charter by January 1, 2016.

17 (d) If no candidate receives a majority of the votes cast at an election to fill a vacated  
18 office, the two candidates receiving the most votes shall qualify to have their names placed on  
19 the ballot for a municipal runoff election at the next regular or otherwise scheduled election  
20 occurring not less than five weeks later. If an instant runoff election process is enacted for the  
21 offices enumerated in this Section, that process shall apply to any election required by this  
22 Section.

23 //

24 //

25 //

1 **ARTICLE XVII:**

2 **DEFINITIONS**

3 For all purposes of this Charter, the following terms shall have the meanings  
4 specified below:

5 \* \* \* \*

6 "Special municipal election" shall mean, in addition to special elections otherwise  
7 required by law, the election called by (1) the Director of Elections with respect to an  
8 initiative, referendum, or recall, or to fill a vacancy in the office of Mayor or Member of the  
9 Board of Supervisors, and (2) the Board of Supervisors with respect to bond issues,  
10 election of an official not required to be elected at the general municipal election, or an  
11 initiative or referendum.

12 \* \* \* \*

13  
14 APPROVED AS TO FORM:  
15 DENNIS J. HERRERA, City Attorney

16 By:

  
17 ANDREW SHEN  
18 Deputy City Attorney

19 n:\egana\as2014\1400233\00927686.doc

**LEGISLATIVE DIGEST**

(6/19/2014, Second Draft)

[Charter Amendment - Democratic Special Elections to Fill Mayoral and Board of Supervisors Vacancies]

**Describing and setting forth a proposal to the voters to amend the Charter of the City and County of San Francisco to require the Department of Elections to hold a special election when there is a vacancy in the office of Mayor or Member of the Board of Supervisors, unless a regularly scheduled election will be held within 180 days of the vacancy; to provide that the President of the Board of Supervisors serves as Acting Mayor until an election is held to fill a mayoral vacancy; and to provide that the Mayor appoints an interim Supervisor to fill a supervisorial vacancy until an election is held to fill that vacancy, with the interim Supervisor being ineligible to compete in that election, at an election to be held on November 4, 2014.**

Existing Law

When a seat on the Board of Supervisors becomes vacant because of the death, resignation, recall, permanent disability, or the inability of the officer to otherwise carry out the responsibilities of the office, the Mayor has the authority to appoint a successor to fill the vacancy until an election is held. When the office of Mayor becomes vacant, the President of the Board of Supervisors serves as Acting Mayor, and the Board of Supervisors may appoint a successor fill the vacancy until an election is held.

The Charter provides three possible deadlines for these elections depending on the upcoming election schedule. First, if an election for the vacant office is scheduled to occur less than one year after the vacancy, then the voters would choose the successor at that election. Second, if an election for any other seat on the same board is scheduled to occur between 120 days and one year after the vacancy, then the voters would choose the successor at that election. Third, in any other case—for example, if the nearest election for the office or the board is less than 120 days away or more than one year away—then the voters would choose the successor at the next election, as long as that election is scheduled to occur at least 120 days after the vacancy.

Amendments to Current Law

Under the proposed Charter amendment, when a vacancy occurs in the office of Mayor, the President of the Board of Supervisors would serve as the Acting Mayor until the City holds a special election to fill the vacancy. And when a seat on the Board of Supervisors becomes vacant, the Mayor would appoint an interim Supervisor to temporarily fill the vacant office, until the City holds a special election to permanently fill the vacancy. The interim Supervisor would not be eligible to run for office in the special election held to permanently fill the vacancy, but would be able to run in any subsequent election for the office.

The Director of Elections would call the date of these special elections within 14 days of a mayoral or supervisory vacancy. Under this proposal, the Director of Elections would have to hold the special election on a Tuesday falling between 126 and 140 days from the date of its calling. But if a regularly scheduled election would occur within 180 days of the vacancy, the Director of Elections would consolidate the special election with the regularly scheduled election. However, the City may hold a special election more than 180 days from the date of the vacancy, for the purposes of consolidation with a regularly scheduled election, if (1) the Director of Elections submits such a request to the Board of Supervisors and (2) the Board of Supervisors and Mayor approve the request by resolution.

If the special election is not consolidated with a regularly scheduled election, the Director of Elections may not place any ballot measure on the special election ballot.

Lastly, if either a mayoral or supervisory vacancy occurs after the November 4, 2014 election but before the effective date of this Charter amendment, and the City filled the vacancy in accordance with the prior version of Charter section 13.103.5, any such appointee would be required to leave office on the effective date of this Charter amendment. Such a vacancy would then be filled through the special election process set forth in this proposal.

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**CITY AND COUNTY OF SAN FRANCISCO**  
**OFFICE OF THE CONTROLLER**

**Ben Rosenfield**  
**Controller**

**Monique Zmuda**  
**Deputy Controller**

June 18, 2014

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

RE: File 140554 – Charter amendment mandating special elections for elected office vacancies

Dear Ms. Calvillo,

Should the proposed charter amendment be approved by the voters, in my opinion, it would moderately increase the cost of government.

Over a typical election cycle of four years, the amendment can be expected to result in at least one additional municipal special election that would not have otherwise occurred. Based on Department of Elections' costs, there would be an estimated expense of approximately \$300,000 incurred if adding a district election for a member of the Board of Supervisors or approximately \$3.5 million if adding a citywide election for another elective office. Spread over the four year period, these amounts represent approximately \$80,000 to \$865,000 of added expense on an annual basis.

Sincerely,

*for Ben Rosenfield*  
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.



**San Francisco Local Agency Formation Commission  
Presentation on:**

**Study on How Jurisdictions Fill Vacancies to Elected Offices  
Between Election Cycles for BOS and Mayor**

Jason Fried  
Executive Officer  
June 23, 2014



**Original Project**

The objective of the report was to compare San Francisco's procedures for filling vacancies in elected offices with other municipalities and governing districts.

1. Consolidated city-counties (nationally)
2. All California charter counties
3. California wide offices
4. California's most populous cities
5. National most populous cities

Also to review all offices elected.

Reviewed 192 different offices in 31 jurisdictions



### Limiting Scope of Review

➤ This presentation reviews how other jurisdictions fill the position of Mayor, Board of Supervisors, or Council:

- 10 Other Charter Counties in California
- 7 Other Consolidated City-County
- Top 10 cities national and in California



### California Charter Counties

**Mayor** - No other county has a Mayor

**Board of Supervisors** - Two basic methods for filling vacancies on BOS:

➤ **Appointment**

- ❖ Governor appoints a replacement (2).
- ❖ BOS appoints replacement, but if they don't act within prescribed time frame (30-60 days), then Governor makes appointment (3).

➤ **Combination of Special Election and/or Appointment**

- ❖ Either a Special Election is called or there is an appointment process, depending on duration of time left in the term of office. Typically if more than a year is left, a Special Election is called. (3)
- ❖ BOS has 30 days to appoint or a Special Election gets called. (1)
- ❖ BOS has 45 days to either call for a Special Election or appoint the new member. If no action taken with 45 days, Governor appoints. (1)

10 total jurisdictions



## Mayor Office Vacancies

**Mayor** -Three basic methods for filling Mayoral vacancies:

➤ **Appointment**

- ❖ Council appoints. (2)

➤ **Special Election**

- ❖ Most jurisdictions have a provision for how the Mayor offices gets filled temporarily until election occurs. (9)

➤ **Combination of Special Election and/or Appointment**

- ❖ Council has set number of days to appoint or a Special Election gets called. (2)
- ❖ Council can either appoint or call for special election. (1)
- ❖ Either a Special Election is called or there is an appointment process, depending on duration of time left in the term of office. (7)



21 total jurisdictions

## Council Office Vacancies

**Council seats (municipal legislative bodies)**- Three basic methods for filling vacancies:

➤ **Appointment**

- ❖ Council appoints. (3)

➤ **Special Election (7)**

➤ **Combination of Special Election and/or Appointment**

- ❖ Council has set number of days to appoint or Special Election gets called. (3)
- ❖ Council can either appoint or call for special election. (1)
- ❖ Either a Special Election is called or there is an appointment process, depending on duration of time left in the term of office. (8)



22 total jurisdictions

### Council Office Vacancies - Notes

Some special notes on how Council seats get filled.

- ❖ Chicago – Mayor appoints with consent of Council.
- ❖ Honolulu – When consideration appoint Council has 30 days appoint the new member, if no action taken Mayor gets to appoint.
- ❖ Oakland – If more then 120 days until special Council can appoint member until election fills seat.
- ❖ San Jose – Council can make an appointment until election is held.



# Questions?



**Miller, Alisa**

---

**From:** Christopher Dahl [christopherdahlsfca@hotmail.com]  
**Sent:** Tuesday, June 17, 2014 8:17 AM  
**To:** Avalos, John (BOS)  
**Cc:** Yee, Norman (BOS); Tang, Katy (BOS); Campos, David (BOS); Mar, Eric (BOS); Miller, Alisa; Christopher Dahl  
**Subject:** Filling unscheduled vacancies on the Board of Supervisors  
**Attachments:** NewSupesInitiative.wps

June 17, 2014

Supervisor John Avalos  
Board of Supervisors  
City and County of San Francisco

Re: Filling unscheduled vacancies on the Board of Supervisors

Dear Supervisor,

Thank you for your recent offering of a Charter initiative, current item 140554, to provide for direct election of various City officers. Incumbency is such a powerful predictor of election that it should not unnecessarily be a consequence of executive appointment or insider election. It should be, as you suggest, the result of actual public contested election.

Unfortunately, special elections are expensive and require significant delays. These delays deprive voters of the active attention of direct representatives for long periods.

For those offices requiring significant and specialized expertise and demonstrated managerial competence, such delays are probably appropriate for the electorate to assess candidates and develop informed opinions. But, the office of Supervisor simply requires concerned attention and calm judgment. Many, if not most, of the electorate could bring such awareness and focus to bear on the office if given the opportunity and encouragement.

Therefore I have developed a proposed addition to your amendment. It could be characterized as "direct democracy". In fact, it resembles facets of classical Athenian plebiscite democracy and the various colleges of the Roman Republic. And it can also be viewed as an extension of our American jury system. It could be put before the voters simultaneous with your proposed initiative or simply be merged with it.

If we empower a more or less randomly selected group of twelve people with the capacity to permanently dispose of a person's property, time and even life, then we can allow a small group of more or less randomly selected people to determine if any among them should be their next representative.

I am copying this letter and attachment to Supervisors Yee, and Tang, as members of the Rules committee, to Supervisor Campos as both co-sponsor and committee member and to Supervisor

Mar as a co-sponsor of your measure.

I hope to offer Comment regarding this before the committee when your measure is considered.

Thank you for your attention.

Regards,

Christopher Dahl

6<sup>th</sup> and Howard Streets

San Francisco, CA

[ChristopherDahlSFCA@hotmail.com](mailto:ChristopherDahlSFCA@hotmail.com)

415.913.0582

Cc: Supervisor Norman Yee

Supervisor Katy Tang

Supervisor David Campos

Supervisor Eric Mar

Clerk of the Rules Committee, Alisa Miller

## **Procedure for filling unscheduled vacancies on the Board of Supervisors.**

Because there must be continuity in the communication of the needs and circumstances of a District directly with City departments and services,

And because vacancy in the office of Supervisor disrupts that continuity,

And because the direct engagement of the people is critical to the popular validation of and consent to the exercise of political power by their representatives,

And because conducting a special election takes significant time and costs significant money,

It shall be that the charter of the City and County of San Francisco be amended such that **Section 3.100 subsection 15** shall be amended to read:

Make an appointment to fill any vacancy in an elective office of the City and County except for Supervisor and Supervisor Pro Tempore until a successor shall have been elected.

And it shall be that the charter of the City and County of San Francisco be amended such that the following be added as **Section 2.118**:

### **Section 2.118.01 Filling Unscheduled Vacancies on the Board of Supervisors**

Unscheduled vacancies in the Board of Supervisors, that is, vacancies due to resignation, death, or incapacity or unavailability due to health or legal issues, or due to the expiration of the six

month term of office of a Supervisor Pro Tempore and unless a general municipal election for Supervisor for the vacant seat is regularly scheduled to be held within 30 days shall be filled by the election of a Supervisor Pro Tempore through the following process:

### **Section 2.118.02 Selection of Voters for a Municipal College of Electors**

By the next full business day subsequent to the vacating of a Supervisorial office, the Director of Elections, in the presence of all those available among the members of the Board, the Mayor, and all elected City Officers and in the full view of the public, from randomly selected Registered Voters of the District in Vacancy, shall contact and subsequently Invite to be members of a Municipal College of Electors such Voters who assent to the following two questions:

Are you available to be present and in full public view at or near City Hall for the entire next business day;

Are you willing to be a member of a ten person Municipal College of Electors who will elect from among yourselves a Supervisor Pro Tempore to act as Supervisor for your district for a term of up to six months?

### **Section 2.118.03 Swearing In the Electors**

The first ten Voters who assent to both questions shall be Invited to report to a place in or near City Hall by 8 am of the designated next business day. At this time the Director of Elections shall take the sworn oaths or affirmations of those Invitees who are present that the individual Voters are truly the persons named and Invited and that the individual Voters will offer their best judgment in the service of the people of the City and County of San Francisco.



Once sworn, the Invitees become Electors and all contact among the Electors or between the Electors and any other persons shall remain in full public view.

### **Section 2.118.04 Election of a Supervisor Pro Tempore**

The Electors shall, over the next nine hours, conduct an Election of a Supervisor Pro Tempore using the following format:

#### **Section 2.118.04.01 Declaration of Service Status**

First, the Electors shall each on paper in secret declare whether the Elector is willing and available to serve as Supervisor Pro Tempore for a term not to exceed six months (180 days) beginning the next business day after the Election. The Electors shall simultaneously reveal their declarations.

#### **Section 2.118.04.02 If Electors Decline to Serve**

If no Elector is willing and available to serve, the Electors shall promptly inform the Director of Elections and the Director of Elections shall declare the day's proceedings void and repeat the whole procedure on the next business day beginning with the random selection of registered Voters to be Invitees.

#### **Section 2.118.04.03 Definition of Status**

All those willing and available to serve shall be Elector Candidates. Those either not willing or not able to serve shall be Elector Voters. Elector Candidates may at any time withdraw their willingness or availability to serve and shall then be considered Elector Voters. Elector Voters may at any time assert their willingness and availability to serve and

shall then be considered Elector Candidates.

**Section 2.118.04.04 Hourly Casting of Ballots**

At least every hour on the hour, the Elector Voters shall, by secret ballot, cast a vote for one or none of the Elector Candidates to serve as Supervisor Pro Tempore.

**Section 2.118.04.05 Qualification For Election as Supervisor Pro Tempore**

A Supervisor Pro Tempore shall be elected by a true majority of voters, that is, at least fifty percent plus one rounded down to the nearest whole Elector of all Elector Voters shall have voted for a Elector Candidate for that Elector Candidate to be declared elected.

**Section 2.118.05.06 If No Supervisor Pro Tempore has been elected.**

If no Supervisor Pro Tempore has been elected by five pm of the designated business day, the Director of Elections shall declare the day's proceedings void and repeat the whole procedure on the next business day beginning with the random selection of registered Voters to be Invitees .

**Section 2.118.05 Swearing In the Supervisor Pro Tempore**

Once a Supervisor Pro Tempore is elected, the Director of Elections shall be informed and that person shall be promptly sworn into office by the Mayor or other available elected Charter Officer of the City and County of San Francisco.

**Section 2.118.09 Challenging an Elector's Status**

If any two Electors challenge the qualifications of any Elector to be a registered voter in the district in Vacancy, the Director of Elections shall declare the day's proceedings void and repeat the whole procedure on the next business day beginning with the random selection of registered Voters to be Invitees.

#### **Section 2.118.10 Challenging an Elector's Behavior**

If any two Electors challenge the behavior of any Elector as disruptive or corrupt the Director of Elections shall declare the day's proceedings void and repeat the whole procedure on the next business day beginning with the random selection of registered Voters to be Invitees.

#### **Section 2.118.12 Term of Office of a Supervisor Pro Tempore**

The Supervisor Pro Tempore shall serve a term of office beginning the day of their election and lasting until the election and swearing of a Supervisor following the next municipal general election or for six months (180 days) whichever is lesser. The Supervisor Pro Tempore shall expect to serve a full forty hours per week or more to satisfy the necessities of the office.

#### **Section 2.118.13 Powers and Responsibilities of a Supervisor Pro Tempore**

The Supervisor Pro Tempore shall exercise and be subject to all usual powers, authorities, titles, duties and responsibilities of a Supervisor for their district of residence of and in the City and County of San Francisco.

#### **Section 2.118.14 Compensation of Service for a Supervisor Pro Tempore**

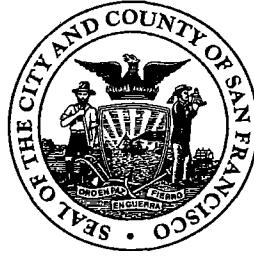
The Supervisor Pro Tempore shall receive daily compensation

equivalent to the pro rata daily salary of a Supervisor for each day of service and shall receive this on a weekly basis. This compensation is the entire and complete compensation of service.

**Section 2.118.15 Definition of “Full View of the Public”**

“Full view of the public” shall be considered to be satisfied by concurrent and unedited video and audio distribution on the Internet of all interactions among the Electors and between the Electors and any other persons.

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

FROM: Alisa Miller, Clerk, Rules Committee  
Board of Supervisors

DATE: June 20, 2014

SUBJECT: CHARTER AMENDMENT (Second Draft)  
November 4, 2014 Election

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The Board of Supervisors' Rules Committee amended the following Charter Amendment at their June 10, 2014, regular meeting. This matter is being referred to you in accordance with Elections Code, Section 305(B)(2) and Rules of Order 2.22.3.

**File No. 140554 Charter Amendment - Democratic Special Elections to Fill Mayoral and Board of Supervisors Vacancies**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to require the Department of Elections to hold a special election when there is a vacancy in the office of the Mayor or Member of the Board of Supervisors, unless a regularly scheduled election will be held within 180 days of the vacancy; to provide that the President of the Board of Supervisors serves as Acting Mayor until an election is held to fill a mayoral vacancy; and to provide that the Mayor appoints an interim Supervisor to fill a supervisory vacancy until an election is held to fill that vacancy, with the interim Supervisor being ineligible to compete in that election, at an election to be held on November 4, 2014.

Please review immediately 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) 554-4447 or email: [alisa.miller@sfgov.org](mailto:alisa.miller@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: Monique Zmuda, Office of the City Controller  
Peg Stevenson, Office of the City Controller

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: Jason Elliott, Mayor's Office  
Jon Givner, Office of the City Attorney  
Naomi Kelly, City Administrator  
John St. Croix, Executive Director, Ethics Commission  
John Arntz, Director, Department of Elections  
John Rahaim, Director, Planning Department  
Sarah Jones, Environmental Review Officer, Planning Department  
Harvey Rose, Budget and Legislative Analyst

FROM: Alisa Miller, Clerk, Rules Committee  
Board of Supervisors

DATE: June 20, 2014

SUBJECT: CHARTER AMENDMENT (Second Draft)  
November 4, 2014 Election

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The Board of Supervisors' Rules Committee amended the following Charter Amendment at their June 10, 2014, regular meeting. This matter is being referred to you in accordance with Rules of Order 2.22.4.

**File No. 140554 Charter Amendment - Democratic Special Elections to Fill Mayoral and Board of Supervisors Vacancies**

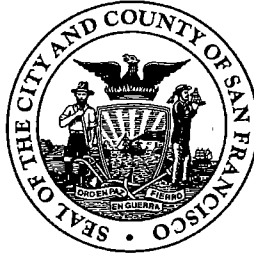
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to require the Department of Elections to hold a special election when there is a vacancy in the office of the Mayor or Member of the Board of Supervisors, unless a regularly scheduled election will be held within 180 days of the vacancy; to provide that the President of the Board of Supervisors serves as Acting Mayor until an election is held to fill a mayoral vacancy; and to provide that the Mayor appoints an interim Supervisor to fill a supervisorial vacancy until an election is held to fill that vacancy, with the interim Supervisor being ineligible to compete in that election, at an election to be held on November 4, 2014.

Please review immediately 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) 554-4447 or email: [alisa.miller@sfgov.org](mailto:alisa.miller@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: AnMarie Rodgers, Planning Department  
Aaron Starr, Planning Department  
Jeanie Poling, Planning Department  
Debra Newman, Office of the Budget and Legislative Analyst  
Severin Campbell, Office of the Budget and Legislative Analyst  
Gabriela Loeza, Office of the Budget and Legislative Analyst

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

FROM: Alisa Miller, Clerk, Rules Committee  
Board of Supervisors

DATE: May 28, 2014

SUBJECT: CHARTER AMENDMENT INTRODUCED  
November 4, 2014 Election

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The Board of Supervisors' Rules Committee has received the following Charter Amendment for the November 4, 2014 Election, introduced by Supervisor Avalos on May 20, 2014. This matter is being referred to you in accordance with Elections Code, Section 305(B)(2) and Rules of Order 2.22.3.

**File No. 140554 Charter Amendment - Democratic Special Elections to Fill Vacancies in City Elected Offices and Appointments to Fill Vacancies on the School Board and Community College District Board**

Charter Amendment (First Draft) to amend the Charter, at an election to be held on November 4, 2014, to require the Department of Elections to call a special election when there is a vacancy in the office of Mayor, Assessor-Recorder, City Attorney, District Attorney, Public Defender, Sheriff, Treasurer, or Member of the Board of Supervisors unless a general municipal election for the vacated seat is regularly scheduled to be held less than a year after the vacancy; and to authorize the Board of Education and the Governing Board of the Community College District to make appointments to fill vacancies on their respective boards to serve until a successor is elected at a regularly scheduled election.

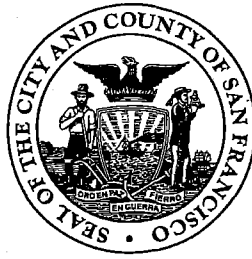
Please review immediately and prepare a financial analysis of the proposed measure prior to the first Rules Committee hearing.

If you have any questions or concerns please call me at (415) 554-4447 or email: [alisa.miller@sfgov.org](mailto:alisa.miller@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: Monique Zmuda, Office of the City Controller  
Peg Stevenson, Office of the City Controller



BOARD of SUPERVISORS



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## MEMORANDUM

TO: Jason Elliott, Mayor's Office  
Jon Givner, Office of the City Attorney  
Naomi Kelly, City Administrator  
John St. Croix, Executive Director, Ethics Commission  
John Arntz, Director, Department of Elections  
John Rahaim, Director, Planning Department  
Sarah Jones, Environmental Review Officer, Planning Department  
Harvey Rose, Budget and Legislative Analyst  
Carmen Chu, Assessor/Recorder  
George Gascon, District Attorney  
Jeff Adachi, Public Defender  
Sheriff Ross Mirkarimi, Sheriff's Department  
Jose Cisneros, Treasurer/Tax Collector  
Superintendent Richard Carranza, SFUSD  
Sandra Lee Fewer, President, Board of Education  
Dr. Arthur Tyler, Chancellor, Community College of San Francisco

FROM: Alisa Miller, Clerk, Rules Committee  
Board of Supervisors

DATE: May 28, 2014

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election when there is a vacancy in the office of Mayor, Assessor-Recorder, City Attorney, District Attorney, Public Defender, Sheriff, Treasurer, or Member of the Board of Supervisors unless a general municipal election for the vacated seat is regularly scheduled to be held less than a year after the vacancy; and to authorize the Board of Education and the Governing Board of the Community College District to make appointments to fill vacancies on their respective boards to serve until a successor is elected at a regularly scheduled election.

Please review immediately 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) 554-4447 or email: [alisa.miller@sfgov.org](mailto:alisa.miller@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: AnMarie Rodgers, Planning Department  
Aaron Starr, Planning Department  
Jeanie Poling, Planning Department  
Debra Newman, Office of the Budget and Legislative Analyst  
Severin Campbell, Office of the Budget and Legislative Analyst  
Gabriela Loeza, Office of the Budget and Legislative Analyst  
Trisha Prashad, Office of the Assessor/Recorder  
Sharon Woo, Office of the District Attorney  
Katherine Gorwood, Sheriff's Department  
Susan Fahey, Sheriff's Department  
Greg Kato, Office of the Treasurer/Tax Collector  
Esther Casco, Board of Education

Print Form

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date \_\_\_\_\_

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. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. 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**

**Sponsor(s):**

Supervisors John Avalos, David Campos, Eric Mar

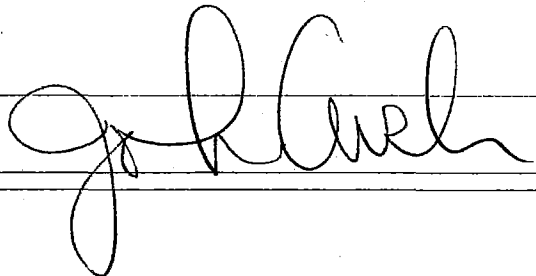
**Subject:**

Charter Amendment - Democratic Special Elections to Fill Vacancies in City Elected Offices and Appointments to Fill Vacancies on the School Board and Community College District Board.

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

[Empty box for text listing]

Signature of Sponsoring Supervisor: \_\_\_\_\_



For Clerk's Use Only:

