

File No. 180059

Committee Item No. _____

Board Item No. 46

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: January 23, 2018

Cmte Board

- | | | |
|--------------------------|-------------------------------------|----------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input 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 type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | 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"/> | Public Correspondence |

OTHER

- | | | |
|--------------------------|-------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Board Motion No. M10-178 - November 23, 2010</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"/> | _____ |

Prepared by: Brent Jalipa

Date: January 18, 2018

Prepared by: _____

Date: _____

1 [Process for Nominating and Selecting a Successor Mayor]

2
3 **Motion directing the Clerk of the Board of Supervisors to propose a process for**
4 **nominating and selecting a successor Mayor.**

5
6 WHEREAS, On December 12, 2017, the sudden and unexpected passing of Mayor
7 Edwin Lee created a vacancy in the Office of the Mayor; and

8 WHEREAS, San Francisco Charter, Section 13.101.5(b), provides that when a vacancy
9 occurs in the Office of the Mayor, the President of the Board of Supervisors shall become
10 Acting Mayor and shall serve until a successor is appointed by the Board of Supervisors; and

11 WHEREAS, On December 12, 2017, President of the Board of Supervisors London
12 Breed assumed the role of Acting Mayor of the City and County of San Francisco; and

13 WHEREAS, The San Francisco Charter and the San Francisco Administrative Code
14 are silent on the process for the selection of a successor Mayor, but the Board of Supervisors
15 has considerable discretion in creating such a process; and

16 WHEREAS, It is in the best interest of the City and County of San Francisco that the
17 Board of Supervisors utilize a fair and orderly process to be used for the selection of a
18 successor Mayor; and

19 WHEREAS, On November 23, 2010, in order to consider the appointment of a
20 successor Mayor during the last vacancy in the Office of the Mayor, the Board of Supervisors
21 approved a process to appoint a successor Mayor after public hearings and in consultation
22 with outside legal counsel from Santa Clara County, by Motion No. M10-178 contained in
23 Board of Supervisors File No. 101457; now, therefore, be it

24 MOVED, That the Clerk of the Board of Supervisors for the City and County of San
25 Francisco be directed to prepare and provide a process, that is modeled after the process

1 utilized in 2010, to govern the Board of Supervisors' nomination and appointment of a
2 successor Mayor; and, be it

3 FURTHER MOVED, That said process shall be presented for review and approval by
4 the Board of Supervisors at the Special/Regular meeting on _____, 2018.

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11/23/10

FILE NO. 101457

MOTION NO. *M10-178*

1 [Creating a Process for the Appointment of a Successor Mayor]

2
3 **Motion to consider and approve a one-time process to appoint a successor Mayor, if a**
4 **vacancy occurs and create said process.**
5

6 WHEREAS, On November 16, 2010, the San Francisco Board of Supervisors
7 approved Motion No. 10-173 contained in File No. 101139; directing the Clerk of the Board to
8 prepare and provide a process to govern the Board of Supervisors nomination and
9 appointment of a successor Mayor; and
10

11 WHEREAS, The Clerk of the Board has prepared a process incorporating all local and
12 state provisions for the nomination and appointment of a successor Mayor; now, therefore, be
13 it

14 MOVED, That the Board of Supervisors consider and approve the proposed process
15 contained in File No. 101457 as "Exhibit A."
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AMENDED EXHIBIT A

PROPOSED PROCESS FOR SUCCESSOR MAYOR NOMINATION AND APPOINTMENT

A. Introduction of a Motion for Action Before the Board of Supervisors (Board)

A Board Member(s) may introduce to the Clerk of the Board two motions to 1) sit as a Committee of the Whole, and 2) Consider Appointment of a Successor Mayor. The Clerk of the Board shall open a hearing file for a Committee of the Whole and place a Special Order before the full Board, at the next available meeting, to take public comment, receive nominations and make an appointment by a majority vote of all Board Members.

B. Meeting Organization and Public Comment

The President will open the hearing to receive comments from the Board Members. The President will then open for public comment. Once all public comment has been heard, the President will close public comment. The President will then open the floor for nominations and accept up to one nomination from each Board Member. Once all nominations have been received, the President will bring the matter back to the Board Members to begin voting on the nominations, which will be voted upon in the order received. Once a nominee has been selected by the Committee of the Whole by a at least six votes, the President will adjourn as the Committee of the Whole and reconvene as the Board of Supervisors to consider the Motion to Appoint a Successor Mayor.

C. Receive and Consider Nominations for Successor Mayor

Nomination Principles

1. During the hearing, Board Members shall only nominate San Francisco electors.
2. A Board Member may not nominate him/herself.
3. A nominee does not have to accept a nomination and can withdraw his/her name from consideration without a second. If a nominee withdraws his/her nomination, nominations may be reopened by motion, seconded, and a majority vote.

Nomination Procedures

1. Nominations shall be made from the floor and can be made up until the time that Board Members are ready to vote. As is the custom in the Board Chamber, the Crestron system roster will be used to facilitate the order of nominations.

2. A second for a nomination is not necessary.
3. The nomination process continues until Board Members stop making nominations.
4. If a Board Member accepts a nomination, he/she must leave the Chamber and be sequestered until voting on his/her nomination is concluded. During this period, communications between the sequestered Board Members and the Board Members in the Chamber may not take place. To ensure the integrity of the process, laptops will be closed, cell phones turned off, and written or verbal messages to the sequestered Board Member will not be allowed. While sequestered, a nominee may watch the hearing on television.

D. Discussion and Voting for Successor Mayor

1. After nominations are closed, Board Members have the opportunity to discuss the nomination. The Clerk shall conduct a roll call vote of the eligible Board Members. Voting will be conducted on nominations in the order in which they were received. The selection is determined by majority vote of all members. No selection shall be made with fewer than six votes regardless of the number of Board Members nominated.
2. A Board Member shall not speak more than twice on any particular nomination and only after each Board Member has had an opportunity to speak. After obtaining the floor, a Board Member shall not be allowed to speak more than 10 minutes, except by permission of a majority of the Board Members present.
3. Once a nominee has been selected by the Committee of the Whole, the President/President Pro Tempore shall adjourn the Committee of the Whole and reconvene the Board of Supervisors to consider the motion to appoint.
4. Once the Board is reconvened, any nominee who is a member of the Board must remain sequestered until final action on the motion to appoint the successor Mayor.
5. The motion to appoint should be amended to include the selected nominee and is voted on by the Board as amended.
6. An appointment is not final until there is a vacancy, and the Board must ratify any prospective appointment when the vacancy arises.
7. The appointment cannot be reconsidered after it is final unless the nominee declines to serve.

E. Appointment of Successor Mayor

1. After successful Call of the Roll to appoint a successor mayor:
 - a) if the appointment is prospective, it will become effective when a vacancy occurs and after ratification by the Board;

- b) if the vacancy has occurred, two members of the Board shall escort the new Mayor to the Chamber where the oath of office will be administered by the Presiding Judge;
- c) thereafter, the new Mayor may express appreciation to the Board Members for entrusting him/her the responsibility of Mayor.

F. Other Considerations

The President or President Pro Tempore

The President presides over the hearing unless or until he/she is nominated. If nominated, the President shall appoint a President Pro Tempore and withdraw from the meeting pursuant to Board Rule 6.11 and the Political Reform Act Cal. Gov't Code §§87100 et seq. The appointment shall not extend beyond consideration of his or her nomination or adjournment of the meeting.



City and County of San Francisco
Tails
Motion: M10-178

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101457

Date Passed: November 23, 2010

Motion to consider and approve a one-time process to appoint a successor Mayor, if a vacancy occurs and create said process.

November 23, 2010 Board of Supervisors - AMENDED

Ayes: 6 - Avalos, Campos, Chiu, Daly, Mar and Mirkarimi

Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd and Maxwell

November 23, 2010 Board of Supervisors - NOT APPROVED AS AMENDED

Ayes: 6 - Avalos, Campos, Chiu, Daly, Mar and Mirkarimi

Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd and Maxwell

November 23, 2010 Board of Supervisors - AMENDED

Ayes: 6 - Avalos, Campos, Chiu, Daly, Mar and Mirkarimi

Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd and Maxwell

November 23, 2010 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

November 23, 2010 Board of Supervisors - APPROVED AS AMENDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101457

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 11/23/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2010 JAN -9 PM 2:51
Time stamp

BY RZ
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 inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached 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 the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only