

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
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. 240546 (ver1)

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to modify the redistricting process for Board of Supervisors districts by creating an independent redistricting task force responsible for adopting supervisorial district boundaries; specifying the qualifications to serve on the independent redistricting task force and restrictions on members’ activities during and after service; creating a process for selecting members of the independent redistricting task force; modifying the processes the City must follow when adopting supervisorial district boundaries; and creating a division of the Department of Elections to support the redistricting process; 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

LEGISLATIVE DIGEST

(First Draft, 05/21/24)

[Charter Amendment - Independent Redistricting Task Force]

Describing and setting forth a proposal to the voters at an election to be held on November 5, 2024, to amend the Charter of the City and County of San Francisco to modify the redistricting process for Board of Supervisors districts by creating an independent redistricting task force responsible for adopting supervisorial district boundaries; specifying the qualifications to serve on the independent redistricting task force and restrictions on members' activities during and after service; creating a process for selecting members of the independent redistricting task force; modifying the processes the City must follow when adopting supervisorial district boundaries; and creating a division of the Department of Elections to support the redistricting process.

Existing Law

The Board of Supervisors consists of eleven supervisors, each representing a geographically defined district. Each supervisorial district must contain approximately equal population. Every ten years, following the decennial census, the City must reexamine the districts and make necessary adjustments to the district boundaries to account for changes in population and to satisfy other legal requirements. Within 60 days of the publication of the decennial census, the Director of Elections must report to the Board of Supervisors whether the existing district lines meet legal requirements.

Within 60 days of the Director's report, the Charter requires the Board of Supervisors to approve an ordinance convening a nine-member task force that will review the district boundaries and adopt a new map. The Board of Supervisors, the Mayor, and the Elections Commission each appoint three members of the redistricting task force. The task force must ensure the districts comply with the legal requirements of the U.S. Constitution, the federal Voting Rights Act, and factors laid out in the Charter, including that the districts are generally equal in population, that the district lines do not dilute the voting power of racial or language minorities, and that the districts reflect the City's communities of interest.

The Charter requires the task force to adopt a new map no later than April 15 of the year in which the City will hold an election using the new map. For the next redistricting cycle, the task force is required to adopt a map by April 15, 2032 for the November 2032 general municipal election.

Under state law, the City must hold one workshop before the task force draws a draft map. A workshop is a meeting facilitated by staff, consultants, or members of a redistricting body

where the City provides the public information on the redistricting process and how the public may participate. State law also requires the redistricting task force to hold at least two public meetings before drawing a draft map and then at least three public meetings after drawing a map before the task force may adopt a final map.

Amendments to Current Law

The proposed measure would amend the Charter to make the following changes to the City's redistricting process:

Independent Redistricting Task Force

The measure would establish an Independent Redistricting Task Force ("Task Force") consisting of 14 members and two alternates and set the qualifications for such members. Members must have resided in San Francisco for at least one year and must possess a history of civic engagement and participation, knowledge of the City's demographics and neighborhoods, and other relevant skills.

A person is ineligible to be a member of the Task Force if during the prior eight years the person or their spouse or registered domestic partner has done any of the following: been a City elected official or candidate; been a member of a City political party central committee or council; worked for a City elected official including in the official's City office; worked for the campaign of a person seeking City elective office or a candidate; worked for a City political party; registered to lobby the City; or contributed \$500 or more to any candidate for City elective office (except Board of Education or City College Board of Trustees) or a candidate for a City political party central committee or council.

While serving on the Task Force, members may not participate in any campaign supporting or opposing a candidate for City elective office, including making campaign contributions, and may not be a lobbyist or campaign consultant registered with the Ethics Commission. For four years after the Task Force adopts a final map, Task Force members may not work for a person serving in City elective office or for a candidate for City elective office, receive a non-competitively bid City contract, or register with the Ethics Commission to lobby any City department. Members would be ineligible to run for City elective office for five years after the Task Force adopts a final map and would be ineligible to serve as Supervisor if the election will be conducted using the district boundaries adopted by the Task Force on which the member served.

At the request of any member of the Task Force, the Task Force would have authority to remove one of its members for specified reasons.

Task Force Selection Process

The measure would specify a process for selecting members of the Task Force. The measure would create the Independent Redistricting Task Force Office (“Office”), a division of the Department of Elections that would support the Task Force and redistricting process, headed by an Administrator appointed by the Director of Elections. The Office would exist only during the redistricting process. In advance of the census, the Office would begin the process of recruiting members of the Task Force through an open application process.

The Office would provide all eligible applications to a selection panel consisting of one staff member appointed by each of the following department heads: the Clerk of the Board of Supervisors, the Executive Director of the Ethics Commission, the Controller, the City Attorney, and the Executive Director of the Office of Civic Engagement and Immigrant Affairs (the “Panel”). The Panel would be responsible for reviewing the eligible applicants and selecting 50 of the most qualified applicants for a subpool. From the subpool, the Panel would conduct a random drawing to select eight members of the Task Force, with each of the eight residing in a different supervisorial district.

The initial eight Task Force members would then hold a public meeting where they select the six remaining members of the Task Force and the two alternates based on the applicants’ qualifications and to produce a body that reasonably reflects the City’s diversity, and other factors.

The measure provides that this recruitment and selection process would occur over a fifteen-month period.

Task Force Mapping Process

The measure would require the Task Force to hold meetings at least each month beginning approximately eighteen months prior to adopting a final map. The Task Force must hold six workshops across the City. At least 180 days prior to the deadline to adopt a final map, the Task Force must publish preliminary visualizations of a map that highlight areas of the City with significant population changes and may show the City’s communities of interest. The Task Force must then publish at least two draft maps 90 days prior to the final map deadline. After publishing the two draft maps, the Task Force must hold at least six hearings at locations across the City. The Task Force must adopt a final map no later than March 12 in the year the City will hold an election using the new districts.

In adopting a map, the Task Force must take into consideration the prioritized criteria set forth in Section 21130 of the California Elections Code and must comply with other relevant state and federal laws. The Task Force may only act by the affirmative vote of nine of the fourteen members.

Funding

Subject to the budgetary and fiscal provisions of the Charter, the measure provides that the City shall appropriate sufficient funding to the Department of Elections to pay for staffing of the Office, recruitment and training of Task Force members, consultants and vendors the Task Force will need, public meetings and workshops, stipends for Task Force members for each meeting, and for other operational and administrative needs.

Communications Outside Meetings

The measure restricts communications in the following way: (1) the department heads who select members of the Panel may not communicate with anyone outside of their department concerning the selection of a staff member to serve on the Panel except at a public meeting or by receiving written public comment; (2) members of the Panel may not communicate with anyone outside of a public meeting concerning the process of selecting Task Force members or the applicants except with other members of the Panel, the Office's staff, consultants, vendors, legal counsel, or City staff regarding administrative matters; and (3) members of the Task Force may not communicate with anyone outside of a public meeting regarding redistricting matters, except for communications with other members, the Office's staff, consultants, vendors, legal counsel, City staff regarding administrative matters, or communications in connection with public education and outreach.

Members of the Task Force may not use personal email accounts, phone calls, text messages, or other personal means of communication to conduct Task Force business.

n:\legana\as2024\2400252\01759305.docx

1 [Charter Amendment - Independent Redistricting Task Force]

2
3 **Describing and setting forth a proposal to the voters at an election to be held on November**
4 **5, 2024, to amend the Charter of the City and County of San Francisco to modify the**
5 **redistricting process for Board of Supervisors districts by creating an independent**
6 **redistricting task force responsible for adopting supervisorial district boundaries;**
7 **specifying the qualifications to serve on the independent redistricting task force and**
8 **restrictions on members’ activities during and after service; creating a process for selecting**
9 **members of the independent redistricting task force; modifying the processes the City must**
10 **follow when adopting supervisorial district boundaries; and creating a division of the**
11 **Department of Elections to support the redistricting process.**

12
13 Section 1. PURPOSE AND FINDINGS. The People of the City and County of San
14 Francisco hereby find as follows:

15 (a) To maintain a healthy democracy in San Francisco, it is important that communities
16 are fairly and equitably represented in local government.

17 (b) San Francisco is committed to the integrity of elections. A fair and equitable process
18 for drawing the boundaries of supervisorial districts ensures the integrity of elections and the
19 representation of communities and also respects the geographic integrity of local neighborhoods
20 and communities of interest.

21 (c) According to “The Promise of Fair Maps – California’s 2020 Local Redistricting
22 Cycle: Lessons Learned and Future Reforms,” a 2023 report by Nicholas Heidorn sponsored by
23 the ACLU of Northern California, the ACLU of Southern California, Asian Americans
24 Advancing Justice California-Asian Law Caucus, California Common Cause, and the League of
25 Women Voters of California, when elected officials do not directly appoint members of a

1 redistricting body, the body is more likely to: draw maps that keep communities whole,
2 especially marginalized or underrepresented communities; encourage and be responsive to
3 community feedback; utilize transparent and high-integrity processes; and not attempt to protect
4 incumbents or draw maps that advance the interests of one political party over another.

5 (d) In the 2020 redistricting cycle and historically, California jurisdictions where the
6 redistricting process has been conducted by independent redistricting bodies have produced
7 better outcomes in terms of fairness, transparency, public engagement, and representation. In
8 addition, experience teaches that independent redistricting bodies help thwart threats of minority
9 vote dilution.

10
11 Section 2. CHARTER AMENDMENT.

12 The Board of Supervisors hereby submits to the qualified voters of the City and County,
13 at an election to be held on November 5, 2024, a proposal to amend the Charter of the City and
14 County as follows:

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

20 The Charter of the City and County of San Francisco shall be amended by revising
21 Section 13.110 and adding Section 13.110.5, to read as follows:

22 **SEC. 13.110. ELECTION OF SUPERVISORS.**

23 (a) The members of the ~~B~~oard of ~~S~~upervisors shall be elected by district as set forth in
24 this ~~S~~ection 13.110.
25

1 (b) The City and County shall be divided into 11 supervisorial districts ~~as set forth in~~
2 ~~this section. The boundaries of the supervisorial districts are identified in Appendix E of this~~
3 ~~Charter. Such boundaries shall be adjusted according to the process specified in Section~~
4 ~~13.110.5 of this Charter. Following each redrawing of the district lines, the City Attorney shall~~
5 ~~cause the redrawn district lines to be published in Appendix E to this Charter.~~ ~~Beginning with~~
6 ~~the general municipal election in 2000, and until new districts are established pursuant to this~~
7 ~~section, these districts shall be used for the election or recall of the members of the board of~~
8 ~~supervisors, and for filling any vacancy in the office of member of the board of supervisors by~~
9 ~~appointment. Once new districts are established, those districts shall be used for the same~~
10 ~~purposes.~~ No change in the boundary or location of any district shall operate to abolish or
11 terminate the term of office of any member of the ~~B~~board of ~~S~~supervisors prior to the expiration
12 of the term of office for which such member was elected or appointed.

13 (c)

14 ~~—(d) Within 60 days following publication of the decennial federal census in the year~~
15 ~~2000 and every decennial federal census after that, the Director of Elections shall report to the~~
16 ~~Board of Supervisors on whether the existing districts continue to meet the requirements of~~
17 ~~federal and state law and the criteria for drawing districts lines set in the Charter.~~

18 ~~—The criteria for drawing districts lines are:~~

19 ~~—Districts must conform to all legal requirements, including the requirement that they~~
20 ~~be equal in population. Population variations between districts should be limited to 1 percent~~
21 ~~from the statistical mean unless additional variations, limited to 5 percent of the statistical mean,~~
22 ~~are necessary to prevent dividing or diluting the voting power of minorities and/or to keep~~
23 ~~recognized neighborhoods intact; provided, however, that the redistricting provided for herein~~
24 ~~shall conform to the rule of one person, one vote, and shall reflect communities of interest within~~
25 ~~the City and County. Census data, at the census block level, as released by the United States~~

1 ~~Census Bureau, statistically adjusted by the Bureau to correct the unadjusted census counts for~~
2 ~~any measured undercount or overcount of any subset of the population according to the bureau's~~
3 ~~Accuracy and Coverage Evaluation or other sampling method, shall be used in any analysis of~~
4 ~~population requirements and application of the rule of one person one vote. In the event such~~
5 ~~adjusted census data, at the census block level, are not released by the Bureau, population data,~~
6 ~~at the census block level, adjusted by the California Department of Finance for any measured~~
7 ~~undercount or overcount may be used.~~

8 ~~—If it is determined that the districts are in compliance with all legal requirements,~~
9 ~~including the requirement that they be equal in population, the current districts as drawn will be~~
10 ~~valid for the next decade. If it is determined that any of the districts are not in compliance, the~~
11 ~~Board of Supervisors by ordinance shall convene and fund a nine member elections task force.~~
12 ~~Three members shall be appointed by the Board of Supervisors, three members shall be~~
13 ~~appointed by the Mayor, and three members shall be appointed by the Director of Elections~~
14 ~~unless an Elections Commission is created in which case the appointments designated to the~~
15 ~~Director of Elections shall be made by the Elections Commission. Task Force shall be appointed~~
16 ~~by January 8, 2002 and following the publication of each decennial federal census thereafter,~~
17 ~~shall be appointed within sixty days after issuance of a report by the Director of Elections to the~~
18 ~~Board of Supervisors that the districts are not in compliance, pursuant to this subsection.~~

19 ~~—Members of the Task Force previously appointed by the Director of Elections shall~~
20 ~~serve on the Task Force until the Elections Commission, if established, appoints three members~~
21 ~~to the Task Force, whereupon the terms of the members appointed by the Director of Elections~~
22 ~~shall expire.~~

23 ~~—The Director of Elections shall serve ex officio as a non voting member. The task~~
24 ~~force shall be responsible for redrawing the district lines in accordance with the law and the~~

1 ~~criteria established in this Section, and shall make such adjustments as appropriate based on~~
2 ~~public input at public hearings.~~

3 ~~—The Task Force shall complete redrawing district lines before the fifteenth day of~~
4 ~~April of the year in which the first election using the redrawn lines will be conducted. The Board~~
5 ~~of Supervisors may not revise the district boundaries established by the Task Force.~~

6 ~~—If the Task Force determines that the adjusted population data to which this~~
7 ~~subsection refers are not available a sufficient period of time before the fifteenth day of April in~~
8 ~~order to use the adjusted population data in redrawing the district lines for the following~~
9 ~~supervisory election, and the adjusted population data demonstrate more than a five percent~~
10 ~~variance from the figures used in redrawing the district lines for the [sic] that supervisory~~
11 ~~election, the Task Force shall by the fifteenth day of April immediately preceding the next~~
12 ~~supervisory election redraw the district lines for that supervisory election in accordance with~~
13 ~~the provisions of this section. The procedures for redrawing supervisory lines following the~~
14 ~~publication of every subsequent decennial federal census shall follow the procedures established~~
15 ~~by this Section.~~

16 ~~—The City Attorney shall remove the description of district lines found in this~~
17 ~~subsection from the Charter after the Elections Task Force has completed redrawing the district~~
18 ~~lines as set forth above. Following each redrawing of the district lines thereafter, the City~~
19 ~~Attorney shall cause the redrawn district lines to be published in an appendix to this Charter.~~

20 ~~(e) Each member of the Bboard of Ssupervisors, commencing with the general municipal~~
21 ~~election in November, 2000, shall be elected by the electors within a supervisory district, and~~
22 ~~must have resided in the that district in which he or she elected for a period of not less than 30~~
23 ~~days immediately preceding the date he or she files a of filing their declaration of candidacy for~~
24 ~~the office of sSupervisor, and must continue to reside therein during their his or her incumbency,~~
25 ~~and upon ceasing to be such resident shall be removed from office.~~

1 ~~(df) Notwithstanding any provisions of this section or any other section of the charter to~~
2 ~~the contrary, the respective terms of office of the members of the board of supervisors who shall~~
3 ~~hold office on the eighth day of January, 2001, shall expire at 12 o'clock noon on said date and~~
4 ~~the 11 persons elected as members of the board of supervisors at the general election in 2000~~
5 ~~shall succeed to said offices on said eighth day of January, 2001. At that time, the clerk of the~~
6 ~~board of supervisors shall determine by lot whether the supervisors elected from the even or~~
7 ~~odd numbered supervisorial districts at the general municipal election in 2000 shall have terms~~
8 ~~of office expiring at noon on the eighth day of January, 2003, and which shall have terms of~~
9 ~~office expiring at noon on the eighth day of January, 2005; commencing, however, with the~~
10 ~~general municipal election in November, 2002, the terms of office of the supervisors elected from~~
11 ~~the even or odd numbered supervisorial districts, as the case may be, shall be for a term of four~~
12 ~~years and shall continue as such thereafter. Those members of the board of supervisors elected~~
13 ~~at the general election in 1998, and those elected at the general election in 2000 who only serve~~
14 ~~an initial two year term, shall not be deemed to have served a full term for purposes of the term~~
15 ~~limit established in Section 2.101. As provided in Section 2.101 of this Charter, the term of office~~
16 ~~for members of the Board of Supervisors is four years. The elections for members of the Board~~
17 ~~of Supervisors shall be staggered every two years to occur at the general municipal election in~~
18 ~~November such that the elections for members representing even-numbered districts shall occur~~
19 ~~in one year, and the elections for members representing odd-numbered districts shall occur two~~
20 ~~years later. Following the general municipal elections of November 2022 and November 2024,~~
21 ~~the next regular election for members of the Board of Supervisors representing even-numbered~~
22 ~~districts shall occur at the general municipal election in November 2026 and the next regular~~
23 ~~election for members of the Board of Supervisors representing odd-numbered districts shall~~
24 ~~occur at the general municipal election in November 2028. This subsection (d) shall not operate~~

25

1 to abolish or terminate the term of office of any member of the Board of Supervisors prior to the
2 expiration of the term of office for which such member was elected or appointed.

3
4 **SEC. 13.110.5. ADJUSTMENT OF SUPERVISORIAL DISTRICT BOUNDARIES;**
5 **INDEPENDENT REDISTRICTING TASK FORCE.**

6 The adjustment of the boundaries of districts for members of the Board of Supervisors
7 shall be conducted under this Section 13.110.5.

8 (a) There is hereby established an Independent Redistricting Task Force (“Task
9 Force”). The Task Force shall adopt the supervisorial district boundaries (“map”) after each
10 decennial census following the process specified in subsection (f) of this Section 13.110.5.

11 Notwithstanding any other provision of this Charter, the Task Force shall only have the powers
12 and duties specified in this Section 13.110.5.

13 (b) Membership, Term of Office, and Organization of the Task Force.

14 (1) The Task Force shall consist of 14 voting members (“members”) and two
15 alternate members (“alternates”). Alternates may participate in Task Force deliberations but
16 shall not vote and shall not be counted toward the establishment of a quorum.

17 (2) The term of office of each member begins when they assume office and ends
18 60 days after the Task Force adopts a final map. Notwithstanding the prior sentence, the term of
19 office of each member shall be temporarily revived, and the Task Force shall reconvene, if
20 ordered to meet by a court of competent jurisdiction, or at the direction of the City Attorney,
21 either to consider settlement options if the final map is legally challenged, or if, in the City
22 Attorney’s judgment, actual or potential litigation warrants a meeting of the Task Force.

23 (3) Nine members of the Task Force shall constitute a quorum. The Task Force
24 shall come into existence when at least nine members have assumed office.

25 (4) Nine affirmative votes shall be required for any action.

1 (5) The Task Force shall remove a member upon a finding that: (A) the member
2 no longer resides in San Francisco as required by Section 13.110.5(e)(1)(A); (B) the member has
3 become ineligible to serve under Section 13.110.5(e)(2); (C) the member has engaged in conduct
4 prohibited by Section 13.110.5(e)(3)(A) or (B); (D) the member has three or more absences from
5 Task Force meetings that were not excused by the affirmative vote of the Task Force; (E) the
6 member has engaged in official misconduct, as defined in Section 15.105(e) of this Charter; or
7 (F) the member has been charged with a felony. Any member of the Task Force may file a
8 written request for removal that explains the basis for removal and serve a copy on the member
9 subject to the request. The Task Force must provide the member an opportunity to respond in
10 writing. The Task Force shall hold a hearing and decide on the request for removal within 20
11 days of the date of the request. The Task Force shall provide the member subject to removal the
12 opportunity to appear at the hearing.

13 (6) If a seat on the Task Force becomes vacant, the Task Force shall conduct a
14 random drawing to choose which one of the alternates will fill the vacancy. If there is no
15 alternate remaining, the Task Force shall select a qualified applicant from the subpool of the
16 most qualified applicants identified in subsection (d)(10) of this Section 13.110.5. If no alternate
17 remains, and no qualified applicant remains in the subpool, the Director of Elections shall
18 appoint a qualified person to fill the vacancy.

19 (c) Independent Redistricting Task Force Office; Administrator.

20 The Independent Redistricting Task Force Office (“Office”) shall be a division of the
21 Department of Elections. The Office shall have the duties specified in this Section 13.110.5,
22 including recruiting members of the Task Force and providing administrative support to the
23 Task Force and the Panel identified in subsection (d)(9) of this Section 13.110.5. The Director
24 of Elections shall appoint an Administrator to manage the Office and other staff as needed for
25 the duration of the redistricting process. The Office shall be dormant between redistricting

1 cycles. The Director of Elections shall propose sufficient funding in the Department of Elections
2 budget under subsection (g) of this Section 13.110.5 for each fiscal year in which the Office is
3 active.

4 (d) Selection of Members of the Task Force.

5 (1) The selection process described in this subsection (d) is intended to produce a
6 Task Force that is impartial, independent, and reasonably reflective of the City's diversity.

7 (2) The Administrator of the Office or the Administrator's designee (also
8 "Administrator") shall create and widely publicize an open, competitive application process in a
9 manner that promotes the recruitment of a large, diverse, and representative pool of eligible San
10 Francisco residents to apply to serve on the Task Force.

11 (3) The Administrator shall adopt and initiate an applicant recruitment plan by
12 July 1 of each year ending in the number nine, starting with 2029. The Administrator shall
13 publicly post a draft applicant recruitment plan for at least 30 days before the plan may be
14 adopted. During that period, the Office shall hold at least one public meeting for the public to
15 provide comment about the draft plan.

16 (4) The Administrator shall request the assistance of a broad range of
17 community-based organizations, community groups, civic organizations, and civil rights
18 organizations in recruitment and outreach efforts to identify potential members of the Task
19 Force.

20 (5) The application period shall open by November 1 of each year ending in the
21 number nine, and shall remain open until at least February 1 of each year ending in the number
22 zero, starting with 2030. Applicants shall certify under penalty of perjury that the information
23 provided in the application is true and correct. Separate from the application, the Office may
24 request that applicants voluntarily provide the demographic data identified in subsection
25 (d)(6)(B) of this Section 13.110.5.

1 (6) During the application period, the Administrator shall:

2 (A) Regularly review the applications and eliminate applicants who do
3 not meet the qualifications in subsection (e) of this Section 13.110.5, and retain records of the
4 reasons why each ineligible application was determined to not be qualified.

5 (B) At least once per month starting in December in each year ending in
6 the number nine, publicly publish the number of total applicants, the number of eligible
7 applicants, the number of eligible applicants residing in each supervisorial district, and
8 deidentified self-reported demographic data about the eligible applicants by aggregated
9 percentages. Demographic data shall include, but not be limited to gender, race, ethnicity,
10 sexual orientation, age, disability, income bracket, homeowner versus renter or other status,
11 level of educational attainment, and occupation.

12 (7) Approximately one month prior to the close of the application period, the
13 Administrator shall report to the Board of Supervisors and the Mayor on applications received
14 up to that point and any additional recruitment and outreach efforts planned to ensure that, in
15 the Administrator's judgment, the applicant pool has a sufficient number of qualified applicants
16 and reasonably reflects the City's diversity.

17 (8) By the close of the application period, if the Administrator determines that the
18 applicant pool does not have a sufficient number of qualified applicants or does not reasonably
19 reflect the City's diversity, the Administrator shall reopen the application period for at least 30
20 days and conduct additional recruitment and outreach.

21 (9) Within 15 days after the close of the application period, the Administrator
22 shall publish and transmit to the applicant review panel identified in this subsection (d)(9) (the
23 "Panel") the names and applications of eligible applicants.

24 (A) The Panel shall consist of five members. The department head for
25 each of the following departments, or in the case of the Office of Civic Engagement and

1 Immigrant Affairs the head of that office, shall select one staff member to serve on the Panel: the
2 Office of the Clerk of the Board of Supervisors, the Ethics Commission, the Controller's Office,
3 the Office of the City Attorney, and the Office of Civic Engagement and Immigrant Affairs, or
4 their successors, if applicable; and if a successor department does not exist, the Board of
5 Supervisors shall by ordinance designate a department to serve on the panel. Except for the City
6 Attorney, the department heads may select themselves to serve on the Panel. People serving in
7 elective office or those who have filed a declaration of candidacy to seek elective office may not
8 serve on the Panel.

9 (B) The Office shall provide administrative support to the Panel.

10 (10) From the pool of eligible applicants, the Panel shall, no later than May 1 of
11 each year ending in zero, create a subpool of 50 of the most qualified applicants, using a vetting
12 and selection process that takes into account the qualifications and requirements in subsection
13 (e)(1) of this Section 13.110.5.

14 (A) The Panel shall make public the names and applications of the
15 applicants in the subpool for at least 30 days. During this period, the Panel or the Administrator
16 shall remove applicants from consideration if the Panel or Administrator becomes aware that
17 the applicant does not meet the qualifications and requirements in subsection (e) of this Section
18 13.110.5. During this period if the subpool falls below 40 applicants, the Panel shall select
19 additional qualified applicants to maintain at least 40 applicants in the subpool.

20 (B) Within 15 days of being selected, each applicant in the subpool shall
21 file with the Office a Statement of Economic Interests – Form 700, or its successor equivalent, if
22 any. The Panel or Administrator shall remove any applicant from the subpool who fails to file
23 by this deadline.

24 (11) By July 1 of each year ending in zero, the Panel shall conduct a random
25 drawing from the subpool to select eight members of the Task Force. Of those eight members,

1 not more than one member shall reside in each existing supervisorial district. If an applicant
2 whose name is drawn resides in the same district as a person whose name has already been
3 drawn, that applicant shall not be seated, and the Panel shall draw another name from the
4 subpool. An applicant whose name is drawn but who is not seated shall be eligible to be
5 appointed to the Task Force pursuant to subsection (d)(12) of this Section 13.110.5. If the
6 subpool does not contain applicants who reside in eight different existing districts, there shall be
7 at least one member selected who resides in each district represented in the subpool.

8 (12) By September 1 of each year ending in zero, the Task Force members
9 selected pursuant to subsection (d)(11) of this Section 13.110.5 shall at a public meeting appoint
10 six additional members and two alternates from the subpool of the most qualified applicants.
11 The affirmative vote of five of the members selected under subsection (d)(11) is required for
12 appointments made under this subsection (d)(12). In making these appointments, members must
13 consider the applicant's qualifications identified in subsection (e)(1). To the extent practicable,
14 members shall also ensure that the Task Force is broadly representative of the City's
15 communities of interest, neighborhoods, and diversity, including gender, race, ethnicity, sexual
16 orientation, age, disability, residence location, income bracket, homeowner versus renter or
17 other status, level of educational attainment, and occupation, but members may not use formulas
18 or specific ratios or quotas to achieve this purpose.

19 (13) To achieve diversity of residence location, the Task Force members
20 selecting six additional members and two alternates under subsection (d)(12) of this Section
21 13.110.5 shall consider appointing applicants who reside in areas of the City not already
22 represented. But diversity of residence location shall not solely be based on supervisorial
23 districts. Nor is the Task Force required to have representation from every supervisorial
24 district. Seats on the Task Force shall not be labeled or described using numbers or other
25 language related to the supervisorial districts.

1 (e) Task Force Members' Qualifications, Ineligibility, and Restrictions on Activities.

2 (1) Qualifications. Each member of the Task Force shall:

3 (A) Have been a San Francisco resident for at least one year immediately
4 preceding February 1 in the year ending in zero, and if selected, shall continue to reside in San
5 Francisco throughout the term of office;

6 (B) Possess a history of civic engagement and participation;

7 (C) Possess experience that demonstrates analytical skills, an ability to be
8 impartial, and other relevant skills, such as listening, collaboration, participating in or running
9 meetings, critical thinking, community outreach and engagement, communications, and public
10 speaking; and

11 (D) Possess experience that demonstrates knowledge of and appreciation
12 for the diverse demographics, neighborhoods, and geography of the City.

13 (2) Ineligibility based on past conduct. A person shall be ineligible to serve on
14 the Task Force if the person or their spouse or registered domestic partner has done any of the
15 following in the eight years preceding February 1 of the year ending in zero:

16 (A) Been elected to, appointed to, or a candidate for City elective office;

17 (B) Served as (i) an officer of, employee of, or paid consultant to:
18 someone serving in City elective office including as an employee of an elective officer's City
19 office; a candidate for City elective office; a City campaign committee; or a City political party;
20 or (ii) a member of a San Francisco political party central committee or council;

21 (C) Been registered to lobby any City department; or

22 (D) Contributed \$500 or more in a year to any individual candidate for
23 City elective office or for a San Francisco central committee or council of a political party. This
24 subsection (e)(2)(D) of this Section 13.110.5 shall not apply to contributions to candidates for
25 Board of Education or City College Board of Trustees.

1 (3) Restrictions on Task Force members' and alternates' activities during and
2 after service.

3 (A) While serving on the Task Force, members shall not participate in any
4 campaign supporting or opposing a candidate for City elective office.

5 (B) While serving on the Task Force, members shall not be a campaign
6 consultant or lobbyist registered with the Ethics Commission, or be employed by or receive gifts
7 or other compensation from a campaign consultant or lobbyist registered with the Ethics
8 Commission.

9 (C) For four years after the date the Task Force adopts a final map, the
10 member shall not:

11 (i) Accept employment as a staff member of, or consultant to,
12 someone serving in City elective office including an employee of the elective officer's City office,
13 or a candidate for City elective office or their campaign;

14 (ii) Receive a noncompetitively bid contract with the City as an
15 individual or through an entity over which the member exercises management or control; or

16 (iii) Register to lobby any City department.

17 (iv) The Ethics Commission shall have authority to investigate and
18 enforce this subsection (e)(3)(C) under Charter Section C3.699-13.

19 (D) Members shall be ineligible to serve in a City elective office if any of
20 the following is true:

21 (i) Less than five years have elapsed since the date the Task Force
22 adopted a final map; or

23 (ii) The election is for the office of Supervisor and it will be
24 conducted using district boundaries that were adopted by the Task Force on which the person
25

1 served, and those district boundaries have not been subsequently readopted by a Task Force
2 after the end of the person’s term on the Task Force.

3 (E) Definitions.

4 (i) For purposes of subsections (e)(2) and (3) of this Section
5 13.110.5, “City elective office” shall mean the offices identified in Section 13.101 of this
6 Charter.

7 (ii) For purposes of subsection (e)(3) of this Section 13.110.5,
8 “participation in a campaign” includes but is not limited to: working for; volunteering for;
9 making contributions or soliciting contributions to a candidate or any candidate committee,
10 including general purpose committees; publicly supporting or opposing or urging support for or
11 opposition to any candidate; or participating in a decision by an organization to support or
12 oppose a candidate.

13 (f) Task Force’s Mapping Procedures.

14 (1) In adopting the map, the Task Force shall comply with Section 21130 of the
15 California Elections Code, as amended from time to time, specifying the requirements a
16 redistricting body must meet in adopting a map and the criteria that a redistricting body must
17 consider in adopting district boundaries, or such other applicable provision of state law. If no
18 such state law exists, the City shall by ordinance specify the criteria that the Task Force must
19 consider in adopting a map. In adopting a map, the Task Force must also comply with any
20 applicable provision of federal law, including but not limited to the United States Constitution
21 and the Voting Rights Act of 1965, as may be amended from time to time. The Task Force may
22 adopt additional prioritized criteria to consider when adopting a map, so long as those criteria
23 are prioritized lower than and do not conflict with relevant City, state, and federal laws.

24 (2) The Task Force shall elect from among its members a Chair and a Vice
25 Chair. The Chair shall preside over meetings of the Task Force. In the Chair’s absence, the

1 Vice Chair shall preside over meetings of the Task Force. The Chair and Vice Chair may have
2 such other powers and duties not inconsistent with this Section 13.110.5 as provided by the Task
3 Force through the adoption of rules governing the Task Force’s operation and procedures.

4 (3) The Task Force shall hold public meetings and publish and adopt maps in
5 accordance with the following:

6 (A) By October 1 of each year ending in zero, the Task Force shall hold
7 its first meeting.

8 (B) Following the first meeting, the Task Force shall hold a regular
9 meeting not less than once each month. The Chair shall have discretion to cancel a regular
10 meeting for lack of quorum or other good cause.

11 (C) By May 1 of each year ending in the number one, the Task Force
12 shall receive trainings about relevant laws, practices, and concepts, including but not limited to:
13 ethics, conflicts of interest, and other requirements during and after service; open meetings;
14 records retention and disclosure; language access and disability access; the census;
15 redistricting requirements and laws, including communities of interest and prioritized mapping
16 criteria; redistricting software and tools; communications and media relations; and public
17 outreach and engagement, including with historically excluded, underserved, and
18 underrepresented communities.

19 (D) At least four weeks prior to the first workshop held under subsection
20 (f)(3)(E) of this Section 13.110.5, the Task Force shall adopt a redistricting public education and
21 outreach plan to inform residents about the redistricting process and how to participate.

22 (E) Before the Task Force draws a draft map or publishes a visualization
23 under subsection (f)(3)(F), the Task Force shall conduct at least six workshops in locations
24 geographically distributed throughout the City to the extent feasible. A workshop is a meeting
25 which is conducted by either staff assigned to support the Task Force, a consultant, or by one or

1 more but fewer than a majority of Task Force members. At each workshop, a facilitator shall
2 provide the public with information on the redistricting process, information on how the public
3 may provide public comment, and instructions on how to use an online mapping tool to create
4 draft maps or community of interest maps, if applicable. The facilitator may assist the public in
5 drawing and submitting draft maps at the workshop. All submitted draft maps and an oral
6 summary that characterizes the number and nature of the public comments received at the
7 workshop concerning the proposed boundaries of a neighborhood, community of interest, or
8 election district shall be presented to the Task Force at its next meeting.

9 (F) No later than 180 days before the final map deadline, the Task Force
10 shall publish preliminary map visualizations, which may depict boundaries of communities of
11 interest, highlight areas of the City that have had significant changes in population, and provide
12 other renderings to support the Task Force’s discussions and help the public evaluate whether
13 the Task Force has understood public comments and communities of interest submissions.

14 (G) No later than 90 days before the final map deadline, the Task Force
15 shall publish an initial set of at least two draft maps of proposed district boundaries to help the
16 public understand, evaluate, and comment on different options.

17 (H) After publishing the set of draft maps in subsection (f)(3)(G) of this
18 Section 13.110.5 and prior to adopting the final map under subsection (f)(3)(J), the Task Force
19 shall hold a minimum of six public hearings in locations geographically distributed throughout
20 the City to the extent feasible, to ensure diverse communities are given an opportunity to provide
21 feedback on the draft maps.

22 (I) With every draft map published, the Task Force should describe the
23 decisions made, explain how it applied the criteria for drawing district boundaries, and identify
24 which communities of interest were affected and how.

1 (J) The Task Force shall adopt the final map by March 12 of each year
2 ending in the number two or the date established in Section 21140 of the California Elections
3 Code, as amended from time to time, for when a city must adopt new district boundaries
4 following the decennial census, whichever is earlier.

5 (K) Hearings and workshops required under this subsection (f)(3) shall
6 comply with Section 21150 of the California Elections Code, as revised from time to time, or any
7 other applicable provision of state or City law.

8 (g) Funding. Subject to the budgetary and fiscal provisions of this Charter, the City
9 shall, based on expenses from previous redistricting processes and recommendations from City
10 departments involved in redistricting, provide the Department of Elections with sufficient
11 funding for the Task Force and the Office to meet the obligations set forth in this Section
12 13.110.5 and any applicable provision of state law, including for:

13 (1) Recruitment and selection of members of the Task Force;

14 (2) Operational, administrative, and functional needs of the Task Force;

15 (3) Consultants and vendors, if any, retained consistent with the civil service
16 provisions of this Charter, to assist the Task Force in its duties, including but not limited to a
17 mapping specialist, a public outreach specialist, and technical support for archiving documents;
18 and

19 (4) Task Force public meetings, workshops, and hearings; and public outreach
20 and education to solicit broad public participation in the redistricting process; and

21
22 (5) Stipends for each Task Force member, in an amount to be determined by the
23 Board of Supervisors by ordinance at least 60 days before the Task Force application period
24 opens, for each day in which the member attends a public meeting, workshop, or hearing of the
25

1 Task Force, or a Task Force committee of which they are a member. The stipend shall be an
2 amount that may reduce barriers for qualified people to apply and serve.

3 (h) Communications Occurring Outside of Meetings.

4 (1) Department heads who select a member to serve on the Panel shall not
5 communicate with any individual outside of their department, group, or organization regarding
6 the selection of Panel members except for at a public meeting or by receiving public comment.

7 (2) Members of the Panel shall not communicate with any individual, group, or
8 organization concerning the process of selecting members of the Task Force or the applicants to
9 the Task Force while a member of the Panel outside of a public meeting or by receiving public
10 comment. This requirement shall not apply to communications between a Panel member with
11 another Panel member to the extent permitted by state and City open government laws, or with
12 the Office's staff, consultants, vendors, or legal counsel, or communications with City
13 departments and staff regarding administrative matters.

14 (3) Members of the Task Force shall not communicate with any individual,
15 group, or organization regarding redistricting matters outside of a public meeting or by
16 receiving public comment while a member of the Task Force. These requirements shall not
17 apply to the following:

18 (A) A member communicating with another member to the extent
19 permitted by state and City open government laws, the Office's staff, consultants, vendors, or
20 legal counsel, or communications with City departments and staff regarding administrative
21 matters; or

22 (B) Communications occurring in connection with public education and
23 outreach, including explaining how the Task Force functions and encouraging public
24 participation in the redistricting process, but excluding receiving community of interest
25 submissions or feedback on draft maps.

1 (i) Records and Data.

2 (1) The Administrator shall adopt a records management and retention policy
3 and schedule for records of the Panel and the Task Force. The policy and schedule should
4 ensure that records of the Task Force's meetings, maps, and consultant analysis are available as
5 reference materials for future Task Forces.

6 (2) The Office shall ensure that Task Force members are provided City email
7 addresses to use for all Task Force business. Task Force members shall not use personal email,
8 phone calls, text messages, or other personal means of communication to conduct the business of
9 the Task Force. Task Force members shall not reply to any messages received on a personal
10 account or phone call or text messages concerning the business of the Task Force, and shall
11 forward any messages received on a personal account to a City account.

12 (3) The Department of Elections shall serve as custodian of public records for the
13 Panel and the Task Force.

14
15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

1 Section 3. Severability. If any section, subsection, sentence, clause, phrase, or word of
2 this measure, or any application thereof to any person or circumstance, is held to be invalid or
3 unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect
4 the validity of the remaining portions or applications of the measure. The People of the City and
5 County of San Francisco hereby declare that they would have adopted this measure and each and
6 every section, subsection, sentence, clause, phrase, and word not declared invalid or
7 unconstitutional without regard to whether any other portion of this measure or application
8 thereof would be subsequently declared invalid or unconstitutional.

9
10 APPROVED AS TO FORM:
11 DAVID CHIU, City Attorney

12 By: /s/ Bradley A. Russi
13 BRADLEY A. RUSSI
14 Deputy City Attorney

15
16
17
18
19
20
21
22
23
24
25
n:\legana\as2024\2400252\01758687.docx