

File No. 230987

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date June 27, 2024

Board of Supervisors Meeting

Date _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
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OTHER (Use back side if additional space is needed)

- Charter Amendment
- _____
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- _____
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Completed by: Victor Young Date June 14, 2024

Completed by: _____ Date _____

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

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

7
8 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City
9 and County, at an election to be held on November 5, 2024, a proposal to amend the Charter of
10 the City and County by adding Section 4.130, to read as follows:

11 NOTE: **Unchanged Charter text and uncodified text** are in plain font.
12 **Additions** are *single-underline italics Times New Roman font*.
13 **Deletions** are ~~*strike-through italics Times New Roman font*~~.
Asterisks (* * * *) indicate the omission of unchanged Charter
subsections.

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

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

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

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

5
6 APPROVED AS TO FORM:
7 DAVID CHIU, City Attorney

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

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LEGISLATIVE DIGEST
(Amended 11/13/2023)

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

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

Background Information

The second draft of the Charter Amendment has been updated to change the election date from March 5, 2024 to November 5, 2024.

Existing Law and Amendments to Current Law

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

Amendments to Current Law

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

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


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: Tom Paulino, Liaison to the Board of Supervisors, Mayor's Office
Anne Pearson, Deputy City Attorney, Office of the City Attorney
John Arntz, Director, Department of Elections
Gayathri Thaikkendiyil, Acting Executive Director, Ethics Commission
Mary Ellen Carroll, Executive Director, Department of Emergency Management

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

DATE: September 26, 2023

SUBJECT: CHARTER AMENDMENT INTRODUCED
March 5, 2024

The Board of Supervisors' Rules Committee has received following Charter Amendment for the March 5, 2024, Election. This matter is being **referred** to you in accordance with Rules of Order 2.22.4.

File No. 230987 (ver1)

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

Please review and submit any reports or comments you wish to be included with the legislative file.

If you have any questions or concerns, please call me at (415) 554-7723 or email: victor.young@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: Andres Power, Mayor's Office
Michael Canning, Ethics Commission
Francis Zamora, Department of Emergency Management
Olivia Scanlon, Department of Emergency Management

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MEMORANDUM

Date: September 26, 2023
To: Planning Department / Commission
From: Victor Young, Clerk of the Rules Committee
Subject: Board of Supervisors Legislation Referral - File No. 230987
Charter Amendment - Establishing the Department of Emergency Management in the Charter

- California Environmental Quality Act (CEQA) Determination
Ordinance / Resolution
Ballot Measure
Amendment to the Planning Code, including the following Findings:
Amendment to the Administrative Code, involving Land Use/Planning
General Plan Referral for Non-Planning Code Amendments
Historic Preservation Commission

Please send the Planning Department/Commission recommendation/determination to Victor Young at Victor.Young@sfgov.org.



OFFICE OF THE CONTROLLER
CITY AND COUNTY OF SAN FRANCISCO

Greg Wagner
Controller
Todd Rydstrom
Deputy Controller

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

June 20, 2024

RE: File 230987 – Charter amendment establishing the Department of Emergency Management in the City Charter

Dear Ms. Calvillo,

Should the proposed Charter amendment be approved by the voters, in my opinion, it would have no cost to government.

Sincerely,

Natasha Mihal

For
Greg Wagner
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.