

File No. 200452

Committee Item No. 1

Board Item No. 8

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date June 8, 2020

Board of Supervisors Meeting

Date June 23 2020

### Cmte Board

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- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- Memorandum of Understanding (MOU)
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### OTHER (Use back side if additional space is needed)

- Charter Amendment
- \_\_\_\_\_
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Completed by: Victor Young

Date June 4, 2020

Completed by: \_\_\_\_\_

Date \_\_\_\_\_

1 [Charter Amendment - Requirements for Commission Membership]

2  
3 **Describing and setting forth a proposal to the voters at an election to be held on November**  
4 **3, 2020, to amend the Charter of the City and County of San Francisco to require that**  
5 **members of boards, commissions, and advisory bodies be residents of the City and of legal**  
6 **voting age, replacing the requirement that members of boards, commissions, and advisory**  
7 **bodies be United States citizens and registered voters.**

8  
9 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City  
10 and County, at an election to be held on November 3, 2020, a proposal to amend the Charter of  
11 the City and County by revising Section 4.101, to read as follows:

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

17 **SEC. 4.101. BOARDS AND COMMISSIONS – COMPOSITION**

18 (a) Unless otherwise provided in this Charter, the composition of each appointive  
19 board, commission, or advisory body of any kind established by this Charter or legislative act of  
20 the United States of America, the State of California, or the Board of Supervisors shall:

21 ~~1. Be~~ be broadly representative of the communities of interest,  
22 neighborhoods, and the diversity ~~of the City and County~~ in ethnicity, race, age, sex, gender  
23 identity, and sexual orientation, and types of disabilities. ~~of the City and County and have~~  
24 ~~representation of both sexes; and~~

25 (b) ~~2. Consist of electors~~ All members of such bodies as described in subsection  
(a) shall be residents of the City and County and the minimum age required to vote in municipal

1 elections in the City and County, at all times during the term of their respective offices, unless  
2 otherwise specifically provided in this Charter; ~~or in the case of Either or both of the~~  
3 requirements set forth in the first sentence of this subsection (b) shall not apply to boards,  
4 commissions, or advisory bodies established by legislative act if the legislation specifically  
5 exempts the position is (a) designated by ordinance for a person under legal voting age, or (b)  
6 ~~unless specifically exempt from either or both requirements the provisions, or waived by~~ if the  
7 appointing officer or entity ~~upon a finding that an elector~~ makes a finding that a person meeting  
8 both requirements with specific experience, skills or qualifications, and willing to serve, could  
9 not be located ~~within the City and County~~.

10 (c) It shall be the official City policy that the composition of each appointive board,  
11 commission, or advisory body of any kind established by this Charter or legislative act of the  
12 United States of America, the State of California, or the Board of Supervisors shall reflect the  
13 interests and contributions of ~~both men and women~~ people of all races, ethnicities, ages, sexes,  
14 gender identities, sexual orientations, and types of disabilities. The voters therefore urge in the  
15 strongest terms all City officers and agencies involved in nominating, appointing, or confirming  
16 members of those appointive boards, commissions, or advisory bodies to consider and as  
17 appropriate support the nomination, appointment, or confirmation of ~~female, minority, and~~  
18 ~~disabled candidates~~ women, people of color, seniors, people with disabilities, and people that  
19 reflect a range of sexual orientations and gender identities to fill seats on those bodies.

20 (d) The Commission on the Status of Women shall conduct an analysis of  
21 appointments to appointive boards, commissions, and advisory bodies established in the Charter  
22 or by legislative act, in the second and fourth year of each mayoral ~~administration~~ term to track  
23 the diversity of appointments to such bodies. This analysis, to be based only on voluntary  
24 disclosures, shall include ~~gender~~, ethnicity, sex, gender identity, sexual orientation, disability  
25 status, and any other relevant demographic qualities.



## LEGISLATIVE DIGEST

[Charter Amendment - Requirements for Commission Membership]

**Describing and setting forth a proposal to the voters at an election to be held on November 3, 2020, to amend the Charter of the City and County of San Francisco to require that members of boards, commissions, and advisory bodies be residents of the City and of legal voting age, replacing the requirement that members of boards, commissions, and advisory bodies be United States citizens and registered voters.**

### Existing Law

City government includes many boards, commissions, and advisory bodies (“Policy Bodies”). The Charter establishes many Policy Bodies, and the Board of Supervisors and the voters have also established other Policy Bodies in legislation.

Under the Charter, members of Policy Bodies must be registered to vote in San Francisco. This means they must be voting age (currently 18 years old), U.S. citizens, and San Francisco residents. There are three exceptions to this rule:

- If the Policy Body was established in the Charter, the Charter may include exceptions to the age, citizenship, and residency requirements. For example, the Charter allows people under voting age to serve on the Youth Commission. But the Charter does not allow non-citizens to serve on any Policy Body.
- If the Policy Body was established by legislation, the legislation can create exceptions to the age and residency requirements but not the U.S. citizenship requirement.
- If the Policy Body was established by legislation, the appointing officer or entity may waive the residency requirement based on a finding that a qualified resident could not be located. But appointing officers or entities cannot waive the age or U.S. citizenship requirement.

### Amendments to Current Law

The proposed Charter amendment would allow non-citizens to serve on Policy Bodies. The proposed Charter amendment would require members of Policy Bodies to be City residents and voting age, with three exceptions:

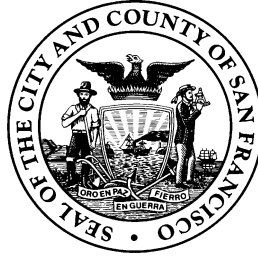
- If the Policy Body was established in the Charter, the Charter could include exceptions to the age and residency requirements.

FILE NO. 200452

- If the Policy Body was established by legislation, the legislation could create exceptions to the age and residency requirements.
- If the Policy Body was established by legislation, the appointing officer or entity could waive the age or residency requirements based on a finding that a qualified person could not be located.

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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

May 18, 2020

**File No. 200452**

Lisa Gibson  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On May 5, 2020, the following proposed Charter Amendment for the November 3, 2020, Election was received by the Board of Supervisors' Rules Committee:

**File No. 200452**

**Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to require that members of boards, commissions, and advisory bodies be residents of the City and of legal voting age, replacing the requirement that members of boards, commissions, and advisory bodies be United States citizens and registered voters; at an election to be held on November 3, 2020.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink that reads "Victor Young".

By: Victor Young, Assistant Clerk  
Rules Committee

Attachment

c: Devyani Jain, Deputy Environmental Review Officer  
Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning  
Laura Lynch, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

05/27/2020

A handwritten signature in black ink that reads "Joy Navarrete".



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

Ben Rosenfield  
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 5, 2020

RE: File 200452 – Charter Amendment to define requirements for commission membership

Dear Ms. Calvillo,

Should the proposed charter amendment be approved by the voters, in my opinion, it would have a minimal impact on the cost of government.

The amendment would allow non-citizens to serve on policy bodies, such as boards, commissions, and advisory bodies. Members of these policy bodies would be required to be residents of San Francisco and of voting age, except in certain circumstances.

Sincerely,

For *Natasha Mihal*  
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.





## Aspiring Citizens Charter Amendment: San Francisco

*WE ARE ALL SAN FRANCISCANS...However...Existing law prohibits aspiring citizens from serving on appointed boards and commissions in the City and County of San Francisco. IT'S ABOUT TIME we uplift the Voices of All San Franciscans.*

**WHAT:** This proposed charter amendment would expand access to local boards, commissions, and advisory bodies to all San Francisco residents of legal voting age, regardless of immigration status, thus expanding the pool of those who can contribute their life and educational experiences to these regulatory bodies.

**WE NEED EQUAL RIGHTS TO ACHIEVE EQUITY:** People of color comprise 62% of San Francisco's population, but just 50% of appointees identify as a race other than white. As much as 35% of our population was born in another country. Our City never has, and never will, achieve equity without widespread equal rights to serve.

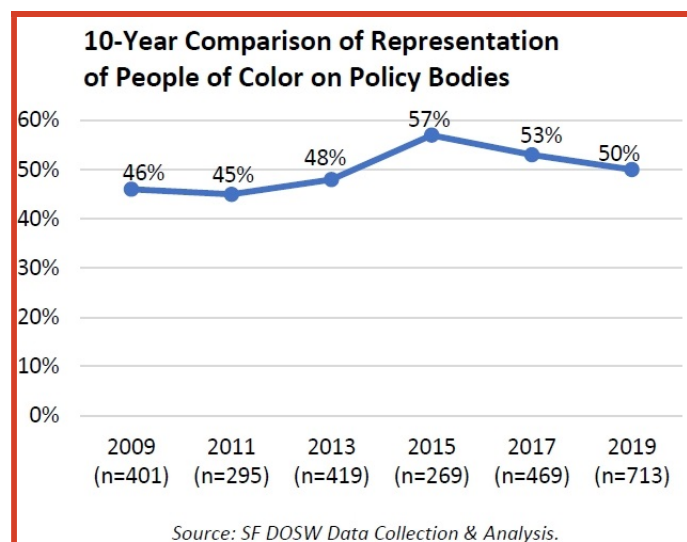
**CALIFORNIA HAS LED, NOW IT'S OUR TURN:** In 2019, Governor Newsom signed SB 225 (Durazo), allowing all Californians, including aspiring citizens, to serve on state commissions, boards, and advisory bodies. Our State does not succeed despite diversity, but because of it. Inclusion creates new opportunities aspiring citizens to contribute to our society.

**FUTURE YOUTH EMPOWERMENT:** San Francisco residents that are 16 and 17 years old would also be eligible to serve on all boards and commissions if we pass Vote 16 and this amendment in November.

**BROADER LGBT INCLUSION:** More Inclusive language fosters more inclusive representation. Diverse genders and sexual orientations are now included. Our City charter should reflect our City values.

**IMPROVE GOVERNMENT SERVICE DELIVERY:** As we face one of the most challenging times for immigrants and people of color, it will be our most vulnerable voices that can best improve the capability of our City government to provide strategic, innovative policy advice. Full participation ensures full delivery of services.

**MOVING BACKWARDS, NOT AHEAD:** The percentage of appointees of color decreased from 53% in 2017 to 49% in 2019. We can/must make progress again.



For further information, please contact Sarah Souza (415) 933-5075, [S.SOUZASARAH@Gmail.com](mailto:S.SOUZASARAH@Gmail.com) or Gabriel Medina at (415) 690-6992, [GABRIELMEDINA5@Gmail.com](mailto:GABRIELMEDINA5@Gmail.com), [www.Commissions4All.com](http://www.Commissions4All.com)

Paid for by the San Francisco Commissions for All. 60 - 29th Street #619, San Francisco, CA 94110

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# Aspiring Citizens Charter Amendment

June 8, 2020

# We are All San Franciscans...

However, existing law prohibits aspiring citizens from serving on appointed boards and commissions in the City and County of San Francisco.

Commission applicants deserve to be considered on their merits, rather than their immigration status.



# This Charter Amendment would ...

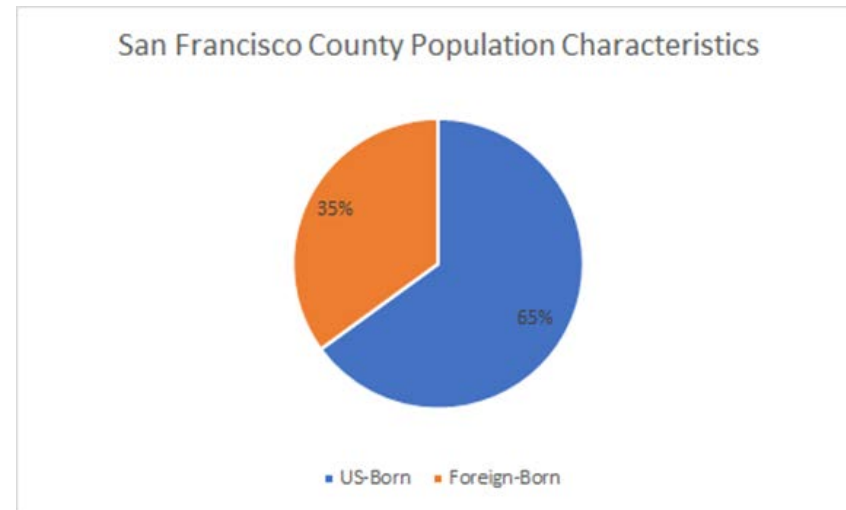
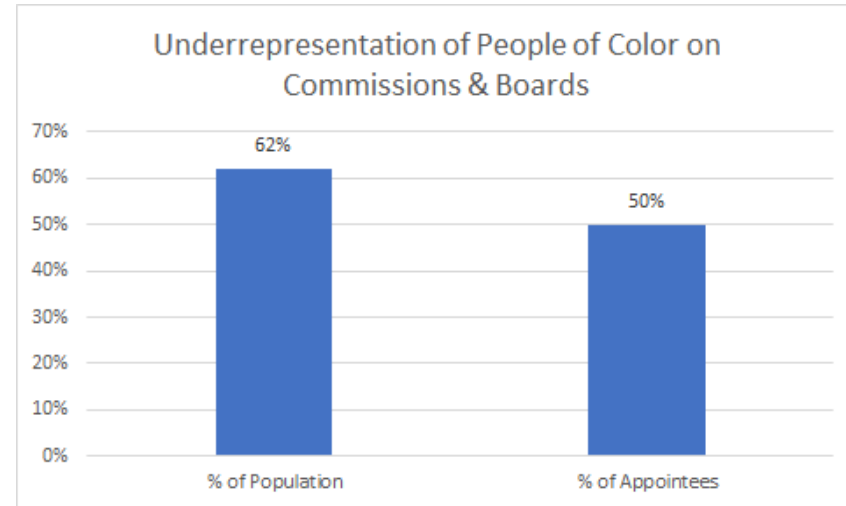
**Expand access to local boards, commissions, and advisory bodies to all San Francisco residents of municipal voting age, regardless of immigration status, thus expanding the pool of those who can contribute their life and educational experiences to these regulatory bodies.**



# Who is being left out?

**People of color comprise 62% of San Francisco's population, but just 50% of appointees identify as a race other than white.**

**As much as 35% of our population was born in another country.**





# Future Youth Empowerment



- Amy Graff / SFGATE – June 3, 2020

**San Francisco residents that are 16 and 17 years old would also be eligible to serve on all boards and commissions if we pass Vote 16 and this amendment in November.**

# Widespread Empowerment

The measure would also extend the diversity of appointments to such bodies to people of all races, ethnicities, ages, sexes, gender identities, sexual orientations, and types of disabilities.

YOU BELONG  
YOU BELONG  
YOU BELONG

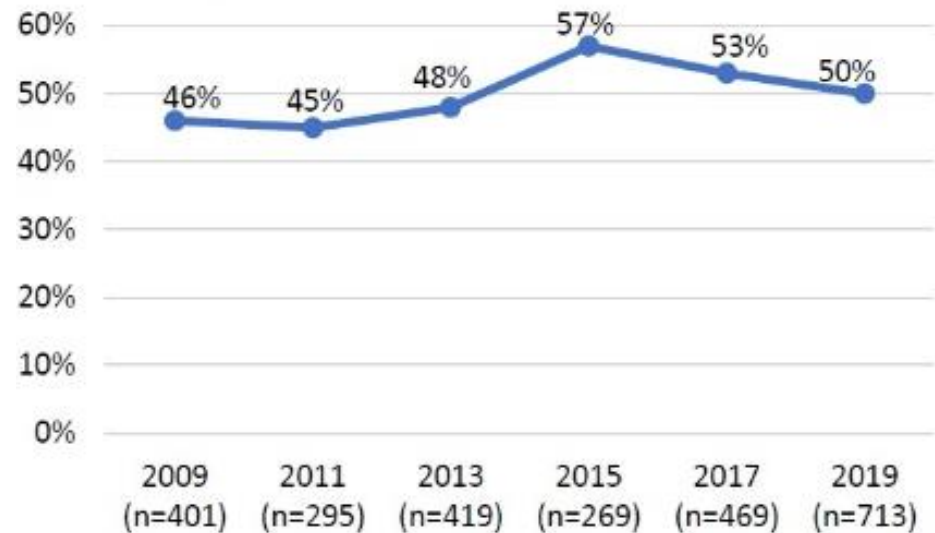


# Moving Backward, Not Forward

The percentage of appointees of color decreased from 53% in 2017 to 49% in 2019.

We can and must make progress again.

10-Year Comparison of Representation of People of Color on Policy Bodies

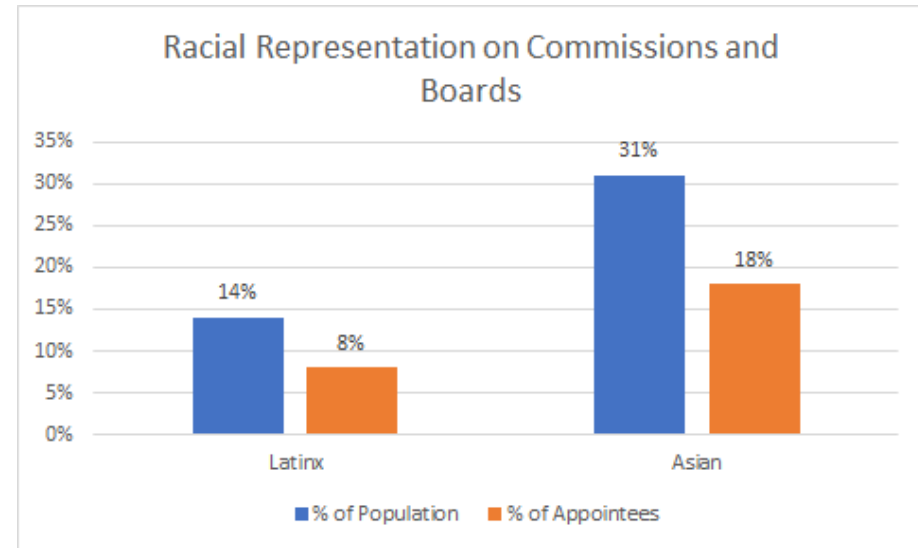


Source: SF DOSW Data Collection & Analysis.



# Improve Government Service Delivery

As we face one of the most challenging times for immigrants and people of color, it will be our most vulnerable voices that can best improve the capability of our City government with strategic, innovative policy advice. Full participation ensures full delivery of services.



# Track Record



*California*  
LEGISLATIVE INFORMATION

SB 225, Durazo.  
Citizens of the state.

**“It is the intent of the Legislature to remove barriers to service and authorize all California residents, including those without lawful immigration status, to serve on California’s diverse local and state boards and commissions so that their perspectives and voices are heard.”** - Signed by Governor Gavin Newsom on October 12, 2019



# Endorsements



**UNITED EDUCATORS  
OF SAN FRANCISCO**

AFT/CFT #61, AFL-CIO, NEA/CTA



**Assembly  
Member  
David Chiu**



**Assembly  
Member  
Phil Ting**



**President  
Norman Yee**



**Supervisor  
Shamann  
Walton**



**Supervisor  
Hillary Ronen**

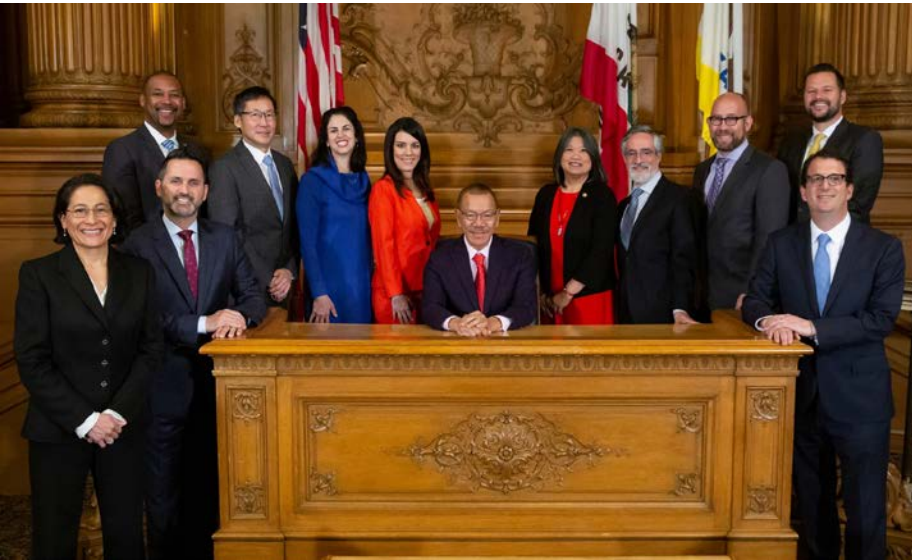


# Time to Push Back for Immigrant Rights!



## It's Time!

Thank You 谢谢 Gracias  
Salamat ありがとう Asante



**From the SF Commissions for All Committee**

**For further information, please contact :**

**Sarah Souza, Co-Chair, [S.SOUZASARAH@Gmail.com](mailto:S.SOUZASARAH@Gmail.com)**

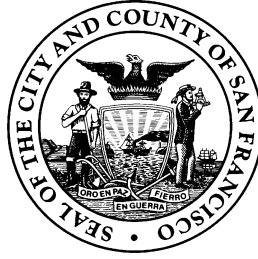
**Gabriel Medina, Co-Chair, [GABRIELMEDINA5@Gmail.com](mailto:GABRIELMEDINA5@Gmail.com)**

**[www.CommissionsForAll.com](http://www.CommissionsForAll.com)**

**60 - 29th Street #619, San Francisco, CA 94110**



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May 18, 2020

**File No. 200452**

Lisa Gibson  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On May 5, 2020, the following proposed Charter Amendment for the November 3, 2020, Election was received by the Board of Supervisors' Rules Committee:

**File No. 200452**

**Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to require that members of boards, commissions, and advisory bodies be residents of the City and of legal voting age, replacing the requirement that members of boards, commissions, and advisory bodies be United States citizens and registered voters; at an election to be held on November 3, 2020.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink that reads "Victor Young".

By: Victor Young, Assistant Clerk  
Rules Committee

Attachment

c: Devyani Jain, Deputy Environmental Review Officer  
Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning  
Laura Lynch, Environmental Planning

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## MEMORANDUM

TO: Ben Rosenfield, City Controller, Office of the Controller

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

A handwritten signature in cursive script that reads "Victor Young".

DATE: May 18, 2020

SUBJECT: CHARTER AMENDMENT INTRODUCED  
November 3, 2020 Election

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The Board of Supervisors' Rules Committee has received the following Charter Amendment for the November 3, 2020, Election. This matter is being referred to you in accordance with Rules of Order 2.22.3.

**File No. 200452**

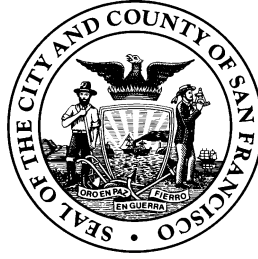
**Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to require that members of boards, commissions, and advisory bodies be residents of the City and of legal voting age, replacing the requirement that members of boards, commissions, and advisory bodies be United States citizens and registered voters; at an election to be held on November 3, 2020.**

Please review 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) 554-7723 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.

c: Todd Rydstrom, Deputy City Controller  
Peg Stevenson, City Performance Director  
Natasha Mihal, City Services Auditor

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## MEMORANDUM

TO: Sophia Kittler, 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  
LeeAnn Pelham, Executive Director, Ethics Commission  
Emily Murase, Director, Department on the Status of Women

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

DATE: May 18, 2020

SUBJECT: CHARTER AMENDMENT INTRODUCED  
November 3, 2020 Election

---

The Board of Supervisors' Rules Committee has received the following Charter Amendment for the November 3, 2020, Election. This matter is being referred to you in accordance with Rules of Order 2.22.4.

**File No. 200452**

**Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to require that members of boards, commissions, and advisory bodies be residents of the City and of legal voting age, replacing the requirement that members of boards, commissions, and advisory bodies be United States citizens and registered voters; at an election to be held on November 3, 2020.**

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  
Rebecca Peacock, Mayor's Office  
Kanishka Cheng, Mayor's Office



Patrick Ford, Ethics Commission

Minouche Kandel, Department on the Status of Women

Elizabeth Newman, Department on the Status of Women

Natalie Alvarez, Department on the Status of Women