

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
LeeAnn Pelham, Executive Director, Ethics Commission

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

DATE: May 31, 2022

SUBJECT: CHARTER AMENDMENT INTRODUCED
November 8, 2022 Election

The Board of Supervisors' Rules Committee has received following Charter Amendment for the November 8, 2022, Election. This matter is being **referred** to you in accordance with Rules of Order 2.22.4.

File No. 220638 Charter Amendment - City Elections in Even-Numbered Years

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; to provide that the current term for the aforementioned offices will end on January 8, 2025 rather than January 8, 2024; to amend the definition of general municipal election so that such elections occur only in even-numbered years; and to change the signature threshold for initiative ordinances to two percent of the number of registered voters in San Francisco; at an election to be held on November 8, 2022.

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

Patrick Ford, Ethics Commission
Michael Canning, Ethics Commission



City and County of San Francisco

Master Report

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

File Number: 220638 **File Type:** Charter Amendment **Status:** 30 Day Rule

Enacted: _____ **Effective:** _____

Version: 1 **In Control:** Rules Committee

File Name: Charter Amendment - City Elections in Even-Numbered Years **Date Introduced:** 05/24/2022

Requester: _____ **Cost:** _____ **Final Action:** _____

Comment: _____ **Title:** Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; to provide that the current term for the aforementioned offices will end on January 8, 2025 rather than January 8, 2024; to amend the definition of general municipal election so that such elections occur only in even-numbered years; and to change the signature threshold for initiative ordinances to two percent of the number of registered voters in San Francisco; at an election to be held on November 8, 2022.

Sponsors: Preston; Peskin

History of Legislative File 220638

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	President	05/24/2022	ASSIGNED UNDER 30 DAY RULE	Rules Committee	06/23/2022	

1 [Charter Amendment - City Elections in Even-Numbered Years]

2

3 **Describing and setting forth a proposal to the voters at an election to be held on November**
4 **8, 2022, to amend the Charter of the City and County of San Francisco to change the**
5 **election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and**
6 **Treasurer so that these offices will be elected in even-numbered years; to provide that the**
7 **current term for the aforementioned offices will end on January 8, 2025 rather than**
8 **January 8, 2024; to amend the definition of general municipal election so that such**
9 **elections occur only in even-numbered years; and to change the signature threshold for**
10 **initiative ordinances to two percent of the number of registered voters in San Francisco.**

11

12

13 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City
14 and County, at an election to be held on November 8, 2022, a proposal to amend the Charter of
15 the City and County by revising Sections 13.101, 14.101, and Article XVII, to read as follows:

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

19

20

21 **SEC. 13.101. TERMS OF ELECTIVE OFFICE.**

22 (a) Except in the case of an appointment or election to fill a vacancy, the term of office
23 of each elected officer shall commence at ~~12:00~~-noon on the eighth day of January following the
24 date of the election.

25

1 (b) Subject to the applicable provisions of Section 13.102, the elected officers of the City
2 and County, and members of the Board of Education and of the Governing Body of the
3 Community College District, shall be elected as follows:

4 (1) ~~At the general municipal election in 1995 and every fourth year thereafter, a~~
5 The following officials shall be elected at the general municipal election in 2024 and every
6 fourth year thereafter: Mayor, a Sheriff, and a District Attorney, City Attorney, Treasurer, four
7 members of the Board of Education, and four members of the Governing Board of the
8 Community College District.

9 ~~(2) Four members of the Board of Education and four members of the Governing~~
10 ~~Board of the Community College District shall be elected at the general municipal election in~~
11 ~~1996 and every fourth year thereafter, four members of the Board of Education and four~~
12 ~~members of the Governing Board of the Community College District shall be elected.~~

13 ~~(3) At the general municipal election in 2013, and at the general municipal~~
14 ~~election in 2015 and every fourth year thereafter, a City Attorney and a Treasurer shall be~~
15 ~~elected. Notwithstanding any other provision of this Charter including Section 6.100, the term of~~
16 ~~office for the person elected City Attorney or Treasurer at the general municipal election in 2013~~
17 ~~shall be two years.~~

18 (42) The following officials shall be elected at the general municipal election in
19 2022 and every fourth year thereafter:~~At the general municipal election in 2006 and every fourth~~
20 ~~year thereafter, an~~ Assessor-Recorder, ~~and~~ Public Defender, three members of the Board of
21 Education, and three members of the Governing Board of the Community College District.

22 ~~(5) At the general municipal election in 1998 and every fourth year thereafter,~~
23 ~~three members of the Board of Education and three members of the Governing Board of the~~
24 ~~Community College District shall be elected.~~

1 (63) The election and terms of office of members of the Board of Supervisors
2 shall be governed by Section 13.110.

3 (c) Notwithstanding any other provision of this Charter, including Section 3.101, the
4 term of office for Mayor, City Attorney, District Attorney, Sheriff, and Treasurer that began at
5 noon on January 8, 2020 shall end at noon on January 8, 2025. This five-year term for the office
6 of Mayor shall be deemed a single term for the purposes of term limits under Section 3.101.

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9 **SEC. 14.101. INITIATIVES.**

10 An initiative may be proposed by presenting to the Director of Elections a petition
11 containing the initiative and signed by voters in a number equal to at least ~~five~~ two percent of the
12 number of registered voters in the City and County ~~votes cast for all candidates for mayor in the~~
13 ~~last preceding general municipal election for Mayor~~. Such initiative shall be submitted to the
14 voters by the Director of Elections upon certification of the sufficiency of the petition's
15 signatures.

16 * * * *

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18 **ARTICLE XVII: DEFINITIONS**

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

21 * * * *

22 "General municipal election" shall mean the election for local officials or measures to be
23 held in the City and County on the Tuesday immediately following the first Monday in
24 November in every year until and including ~~2022~~ 2025. Thereafter, "general municipal election"
25 shall mean the election for local officials or measures to be held in the City and County on the

1 Tuesday immediately following the first Monday in November in all even-numbered years ~~and~~
2 ~~in every fourth year following 2015.~~

3 * * * *

4 APPROVED AS TO FORM:
5 DAVID CHIU, City Attorney

6 By: /s/Ana Flores
7 ANA FLORES
8 Deputy City Attorney

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LEGISLATIVE DIGEST

(First Draft, 5/24/2022)

[City Elections in Even-Numbered Years]

Describing and setting forth a proposal to the voters at an election to be held on November 8, 2022, to amend the Charter of the City and County of San Francisco to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; to provide that the current term for the aforementioned offices will end on January 8, 2025 rather than January 8, 2024; to amend the definition of general municipal election so that such elections occur only in even-numbered years; and to change the signature threshold for initiative ordinances to two percent of the number of registered voters in San Francisco.

Existing Law

The Mayor, Sheriff, District Attorney, City Attorney and Treasurer are elected at general municipal elections held every four years, in odd-numbered years. The last election for the offices of Mayor, Sheriff, Treasurer, and District Attorney was held at the general municipal election in November 2019, and the next election for these offices will be held in November 2023. The last regularly scheduled election for City Attorney was also held in November 2019, but a vacancy election for this office will be held on June 7, 2022. Thereafter, the next election for City Attorney would also be held in November 2023. The persons elected to these offices serve four-year terms.

To qualify an ordinance for the ballot, the initiative petitions supporting that measure must include signatures from San Francisco voters in a number equal to at least five percent of the votes cast for all mayoral candidates in the preceding general municipal election for Mayor.

Amendments to Current Law

The proposed Charter Amendment would require elections for Mayor, Sheriff, District Attorney, City Attorney and Treasurer to be held in even-numbered years. To do so, the proposal would provide the person elected to the office of Mayor, Sheriff, District Attorney, City Attorney and Treasurer in 2019 to serve a five-year term. The next regularly scheduled election for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer would be held in November 2024 instead of November 2023. Thereafter, elections for these offices will occur every four years in even-numbered years. As a consequence of these changes, the definition of “general municipal election” is being amended to reflect that the City would hold regularly scheduled elections only in even-numbered years.

FILE NO. 220638

The proposal would change the signature threshold for initiative ordinances to two percent of the number of registered voters in San Francisco, instead of five percent of the turnout in the last mayoral election.

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor 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. Topic 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:

From: [Preston, Dean \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#); [Hernandez, Melissa G \(BOS\)](#)
Cc: [FLORES, ANA \(CAT\)](#); [PEARSON, ANNE \(CAT\)](#)
Subject: RE: For introduction: Charter Amendment - City Elections In Even-Numbered Years
Date: Wednesday, May 25, 2022 11:53:04 AM
Attachments: [image001.png](#)

Approved, thank you.

Dean Preston
Supervisor, District 5

From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Sent: Wednesday, May 25, 2022 10:56 AM
To: Hernandez, Melissa G (BOS) <melissa.g.hernandez@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Cc: FLORES, ANA (CAT) <Ana.Flores@sfcityatty.org>; PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>
Subject: RE: For introduction: Charter Amendment - City Elections In Even-Numbered Years

Hello,

Please find attached proof with slight clerical edits to the short title. Kindly review and confirm that these changes are acceptable. Thank you.

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



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From: Hernandez, Melissa G (BOS) <melissa.g.hernandez@sfgov.org>

Sent: Tuesday, May 24, 2022 3:11 PM

To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>

Cc: FLORES, ANA (CAT) <Ana.Flores@sfcityatty.org>; PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>

Subject: For introduction: Charter Amendment - City Elections In Even-Numbered Years

Good afternoon,

Attached please find the attached draft, digest, and associated Introduction Form for Supervisor Preston's charter amendment:

[Charter Amendment - City Elections In Even-Numbered Years.]

Describing and setting forth a proposal to the voters at an election to be held on November 8, 2022, to amend the Charter of the City and County of San Francisco to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; to provide that the current term for the aforementioned offices will end on January 8, 2025 rather than January 8, 2024; to amend the definition of general municipal election so that such elections occur only in even-numbered years; and to change the signature threshold for initiative ordinances to two percent of the number of registered voters in San Francisco.

Ana Flores is CC'd to confirm the draft has been approved. Supervisor Preston is copied here to indicate his approval of the Introduction Form.

Please let me know if you need anything else.

Best,

Melissa G. Hernandez

Legislative Aide, District 5 Supervisor Dean Preston

Cell: 210.323.7695

Pronouns: She / They

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From: [Flores, Ana \(CAT\)](#)
To: [Hernandez, Melissa G \(BOS\)](#); [BOS Legislation. \(BOS\)](#)
Cc: [PEARSON, ANNE \(CAT\)](#); [Preston, Dean \(BOS\)](#)
Subject: RE: For introduction: Charter Amendment - City Elections In Even-Numbered Years
Date: Tuesday, May 24, 2022 3:24:25 PM

I can confirm approval as to form.

Thanks,

Ana Flores (she/her)
Deputy City Attorney
Office of City Attorney David Chiu
(415) 554-4661 Direct
Ana.flores@sfcityatty.org

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

From: Hernandez, Melissa G (BOS) <melissa.g.hernandez@sfgov.org>
Sent: Tuesday, May 24, 2022 3:11 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Cc: Flores, Ana (CAT) <Ana.Flores@sfcityatty.org>; Pearson, Anne (CAT) <Anne.Pearson@sfcityatty.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>
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Cell: 210.323.7695

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[Charter Amendment - City Elections ~~in~~ Even-Numbered Years:]

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16 * * * *

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1 Tuesday immediately following the first Monday in November in all even-numbered years *and*
2 *in every fourth year following 2015.*

3 * * * *

4 APPROVED AS TO FORM:
5 DAVID CHIU, City Attorney

6 By: /s/Ana Flores
7 ANA FLORES
8 Deputy City Attorney

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