

Gosiengfiao, Rachel (BOS)

From: Gosiengfiao, Rachel (BOS) [rachel.gosiengfiao@sfgov.org]
Sent: Tuesday, November 18, 2014 11:07 AM
To: BOS-Supervisors
Cc: Carroll, John (BOS); Lamug, Joy; Calvillo, Angela (BOS); Somera, Alisa (BOS); Caldeira, Rick (BOS)
Subject: File # 141165 - Committee of the Whole - Receive Public Comment on Possible Nominations and Open Election of Board President
Attachments: November 18.pdf

Dear Supervisors,

Please see attached letter which was received in our office. Thank you.

Rachel Gosiengfiao
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Board of Supervisors
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November 18, 2014

San Francisco Board of Supervisors
City Hall, Room 244
One Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Supervisors,

As past Presidents of the San Francisco Board of Supervisors over the last 30 years, the five of us represent varied experiences, political perspectives and constituencies. Yet, we are united on the protocols, standards, rules and traditions of San Francisco's legislative body, and are deeply concerned about the unprecedented motion to prospectively vote on the position of Board President, agendized for Tuesday, November 18, 2014, *before* the sitting President has vacated his presidency or his seat on the Board.

It is widely understood and recognized that the Board of Supervisors will in all likelihood need to fill the vacant post sometime soon, as President of the Board, David Chiu, will as early as December 1, take the oath of office in Sacramento as the Assemblyman from Assembly District 17. However, the prospect of the outgoing President casting a vote – perhaps the deciding vote -- to fill the post he is required to vacate is disturbing and connotes a fundamental disservice to the body upon which he has served.

The Rules of Order of the Board of Supervisors, Sections 6.1 and 6.1.1 respectively, lay out the processes for selection of a President in the ordinary course of business at the beginning of each odd-numbered year following the election of a new Board, and for filling an extraordinary vacancy in the office of the President should such a vacancy occur. Nowhere do they anticipate or countenance a circumstance in which a sitting Board President would exercise a vote in choosing his or her permanent successor in advance, all while retaining the powers of the President's office, nor one in which he or she would create a vacancy to arrogate to himself or herself a vote in choosing an interim successor.

This harmful action mustn't occur without the strongest possible objection from those of us that value the tenants of democracy, fairness and understand the

duties and obligations of elected representation in San Francisco and our country. In the history of this legislative body, we are not aware of any President attempting to vote to secure their successor immediately prior to vacating their seat as Supervisor and impending departure from the Board.

In 1996, when President Kevin Shelly was elected to the Assembly, the Board elected the person with the highest number of votes in the previous election pursuant to the at-large Charter provisions. Even in this case, President Shelly tendered his resignation and was not present for the vote.

As political leaders, we've disagreed on numerous issues over the years, but individually, we each have a separate and distinct record of defending the Board of Supervisors and upholding the dignity of the City's charter and constitution – we took an oath to do so.

President Chiu has not tendered a resignation from either the post of President (which per Robert's Rules of Order would have to be accepted at a meeting of the Board to be effective) or his office as Supervisor. In other words, there is no vacancy yet to fill. Given this fact, the motion on the calendar is improper and we strongly urge you not to adopt it or take action unless and until as there is a vacancy on the Board in that position.

It is simply wrong for a member who will not be part of the next Board of Supervisors to participate in election of that Board's President.

Sincerely,

Quentin Kopp
Harry Britt
Tom Ammiano
Matt Gonzalez
Aaron Peskin