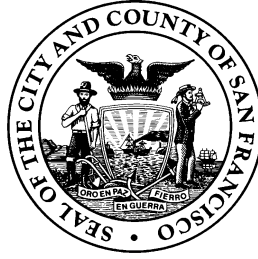


BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
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MEMORANDUM

TO: Kiely Hosmon, Director
Youth Commission

FROM: Angela Calvillo, Clerk of the Board Victor Young

DATE: November 1, 2019

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following proposed legislation which is being referred to the Youth Commission as per Charter, Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 191072

Ordinance amending the Administrative Code to modify the process for the City's adoption of the annual budget by requiring City agencies to hold at least two public hearings prior to submission of their proposed budgets to the Controller and the Mayor; requiring the Mayor to submit to the Board of Supervisors a description of the Mayor's budget priorities after holding a public hearing regarding those priorities; and requiring the Controller to maintain a public website with information about the City's budget process.

Please return this cover sheet with the Commission's response to Victor Young, Assistant Clerk, Rules Committee.

\*\*\*\*\*

RESPONSE FROM YOUTH COMMISSION Date: \_\_\_\_\_

\_\_\_ No Comment

\_\_\_ Recommendation Attached

Chairperson, Youth Commission

1 [Administrative Code - Budget Approval Process]

2

3 **Ordinance amending the Administrative Code to modify the process for the City's**  
 4 **adoption of the annual budget by requiring City agencies to hold at least two public**  
 5 **hearings prior to submission of their proposed budgets to the Controller and the**  
 6 **Mayor; requiring the Mayor to submit to the Board of Supervisors a description of the**  
 7 **Mayor's budget priorities after holding a public hearing regarding those priorities; and**  
 8 **requiring the Controller to maintain a public website with information about the City's**  
 9 **budget process.**

10 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
 11 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
 12 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
 13 **Board amendment additions** are in double-underlined Arial font.  
 14 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
 15 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
 16 subsections or parts of tables.

14

15 Be it ordained by the People of the City and County of San Francisco:

16

17 Section 1. Chapter 3 of the Administrative Code is hereby amended by revising  
 18 Sections 3.2, 3.3, 3.4, 3.5, 3.7, 3.10, 3.11, 3.14, 3.15, and 3.16, and deleting Section 3.8, to  
 19 read as follows:

20

21 **SEC. 3.2. DEFINITIONS.**

22 As used in this Chapter 3, names and titles shall have the following meaning:

23 ~~AGENCY~~Agency. A City department, office, or other unit of government subject to the  
 24 appropriation powers of the Board ~~of Supervisors such as the Parking Authority and the~~  
 25 ~~Redevelopment Agency. Also, a grouping of employees with a similar purpose or function or a portion~~

1 ~~of a department. For example, a subdivision of the Administrative Services Department could be~~  
2 ~~designated as an agency for budget or fiscal control purposes.~~

3 Annual Salary Ordinance. *An ordinance showing the number and rates of compensation for all*  
4 *positions continued or created in each annual budget and each annual and supplemental appropriation*  
5 *ordinance for all agencies. The Annual Salary Ordinance shall constitute the legal basis for check by*  
6 *the Department of Human Resources or Controller as to legality of the creation of any position in the*  
7 *City service and the rate of compensation fixed therefor in an approved Memorandum of*  
8 *Understanding with a recognized employee group.*

9 ~~APPOINTING OFFICER~~Appointing Officer. *The ~~executive or elected~~ head of an department*  
10 *~~or~~ agency with the power to appoint, discipline or terminate employees under ~~his or her~~ the*  
11 *supervision or control of that agency head.*

12 ~~APPROPRIATION~~Appropriation. *Resources or expenditure authority made available by*  
13 *the Mayor and the Board ~~of Supervisors~~ by ordinance to an department, ~~agency, board or~~*  
14 *~~commission~~ in furtherance of a public or statutory purpose.*

15 ~~BOARD.~~ *Public body created by Charter or ordinance of the Board of Supervisors with the*  
16 *ability to recommend the appointment of a chief executive for the function over which it exerts*  
17 *guidance. (See also, "Commission.")*

18 Board. *The Board of Supervisors.*

19 ~~BUDGET~~Budget. *The City's and County's plan of financial operation for a given period of*  
20 *time embodying an estimate of all proposed expenditures and the proposed means of*  
21 *financing them.*

22 ~~COMMISSION~~Commission. *Public body created by Charter or ordinance ~~of the Board of~~*  
23 *~~Supervisors~~ with the ~~ability~~ legal authority to appoint or recommend the appointment of a chief*  
24 *executive of the function over which it exerts guidance. (See also "Board.")*

1            ~~SALARY ORDINANCE. An ordinance showing the number and rates of compensation for all~~  
2 ~~positions continued or created by the Supervisors in adopting each annual budget and each annual and~~  
3 ~~supplemental appropriation ordinance for all departments, agencies, boards and commissions of the~~  
4 ~~City and County. The Salary Ordinance shall constitute the legal basis for check by the Human~~  
5 ~~Resources Department or Controller as to legality of the creation of any position in the City and~~  
6 ~~County service and the rate of compensation fixed therefor in an approved Memorandum of~~  
7 ~~Understanding with a recognized employee group.~~

8  
9            **SEC. 3.3. BUDGET TIMETABLE.**

10            (a) Each year, the Mayor shall provide instructions to all City agencies regarding the  
11 Mayor’s requests for the contents of all agencies’ proposed budget submissions for the subsequent  
12 fiscal year(s) (“Budget Instructions”). On the same date the Mayor transmits the Budget Instructions  
13 to all other agencies, the Mayor shall transmit those instructions to the Clerk of the Board.

14            (b) After the agencies receive Budget Instructions from the Mayor, there shall be a public  
15 meeting, as specified in subsections (b)(1) and (2), concerning each agency’s budget priorities, at  
16 which members of the public may provide input regarding the budget priorities. The purpose of the  
17 meeting shall be to allow for public input into the agency’s budget for the upcoming fiscal year(s) prior  
18 to the agency’s preparing and finalizing a proposed budget.

19            (1) For agencies subject to the oversight of a commission under the Charter or the  
20 Municipal Code, the commission may satisfy this subsection (b) by holding a hearing regarding budget  
21 priorities at a regular or special meeting of the commission at least 15 days prior to the commission’s  
22 final approval of the agency’s proposed budget. Meetings held under this subsection (b)(1) are subject  
23 to the Brown Act and the Sunshine Ordinance.

24            (2) Agencies that are not subject to the oversight of a commission under the Charter  
25 or the Municipal Code shall provide notice of the meeting on the agency’s website, and on the

1 Controller's budget web page required by Section 3.4, at least 72 hours in advance. The meeting shall  
2 be open to the public. All members of the public attending the meeting shall have the opportunity to  
3 provide at least two minutes of oral public comments during the meeting and to provide written  
4 comments before, during, or after the meeting. Meetings held under this subsection (b)(2) are not  
5 subject to the Brown Act or the Sunshine Ordinance.

6 (3) The City Administrator shall hold a separate public meeting under subsection  
7 (b)(2) regarding the budget of the Department of Public Works and a separate public meeting under  
8 subsection (b)(2) regarding the budget of the Department of Technology. For all other agencies under  
9 the direction of the City Administrator, the City Administrator may hold a single public meeting under  
10 subsection (b)(2) to receive input on all such agencies or, in the City Administrator's discretion, may  
11 hold separate public meetings to receive input on one or more specific agencies.

12 (4) If the Board or any of its committees holds a hearing regarding an agency's  
13 budget priorities during the period set forth in this subsection (b) and presenting the content required  
14 by this subsection, the agency shall be deemed to have satisfied the meeting requirement in this  
15 subsection.

16 (c) At least 15 days after holding the public meeting required under subsection (b), but no  
17 later than February 14 each year, there shall be a public meeting, as specified in subsections (c)(1) and  
18 (2), concerning each agency's proposed budget. The proposed budget that the agency presents at this  
19 meeting shall provide the following information, if applicable to the agency: all agency divisions;  
20 budget totals and major changes including new or reduced initiatives and staffing changes; changes in  
21 service levels; projected salary savings; and how the agency is meeting budget instruction targets. The  
22 purpose of this meeting shall be to allow for public input into the agency's budget for the upcoming  
23 fiscal year(s) prior to the agency's submission of a proposed budget to the Controller.

24 (1) For agencies subject to the oversight of a commission under the Charter or the  
25 Municipal Code, the commission may satisfy this subsection (c) at a regular or special meeting at

1 which it considers final approval of the agency's proposed budget. Meetings held under this subsection  
2 (c)(1) are subject to the Brown Act and Sunshine Ordinance.

3 (2) Agencies that are not subject to the oversight of a commission under the Charter  
4 or the Municipal Code shall provide notice of the meeting and a draft of the agency's proposed budget  
5 on the agency's website, and on the Controller's budget web page required by Section 3.4, at least 72  
6 hours in advance. The meeting shall be open to the public. All members of the public attending the  
7 meeting shall have the opportunity to provide at least two minutes of oral public comments during the  
8 meeting and to provide written comments before, during, or after the meeting. Meetings held under this  
9 subsection (c)(2) are not subject to the Brown Act or the Sunshine Ordinance.

10 (3) The City Administrator shall hold a separate public meeting under subsection  
11 (c)(2) regarding the budget of the Department of Public Works and a separate public meeting under  
12 subsection (c)(2) regarding the budget of the Department of Technology. For all other agencies under  
13 the direction of the City Administrator, the City Administrator may hold a single public meeting under  
14 subsection (c)(2) to receive input on all such agencies or, in the City Administrator's discretion, may  
15 hold separate public meetings to receive input on one or more specific agencies.

16 (4) If the Board of Supervisors or any of its committees holds a hearing regarding  
17 an agency's proposed budget during the period set forth in this subsection (c) and presenting the  
18 content required by this subsection, the agency shall be deemed to have satisfied the meeting  
19 requirement in this subsection.

20 (d) After the issuance of Budget Instructions, but no later than April 15 each year, the Office  
21 of the Mayor shall hold at least one meeting open to the public, at which members of the public may  
22 provide input on the Mayor's budget priorities. The Mayor shall provide notice of the meeting and a  
23 copy of the Budget Instructions on the Mayor's website at least 72 hours in advance. All members of  
24 the public attending the meeting shall have the opportunity to provide at least two minutes of oral  
25 public comments during the meeting and to provide written comments before, during, or after the

1 meeting. Meetings held under this subsection (d) are not subject to the Brown Act or the Sunshine  
2 Ordinance.

3 ~~(ae)~~ No later than February 21 each year, ~~E~~each elected and appointing officer, agency,  
4 ~~board or commission,~~ shall, ~~not later than the twenty first day of February of each year,~~ file with the  
5 Controller, for check as to form and completeness, copies of ~~his, her or~~ its budget estimate  
6 approved in accordance with the provisions of the Charter. The Mayor's Budget Office shall  
7 prescribe a format for all agency budget submissions under this subsection (e).

8 ~~(bf)~~ No later than March 1 each year, ~~t~~The Controller shall, ~~not later than the first working~~  
9 ~~day of March of each year,~~ consolidate such budget estimates and transmit the same to the  
10 Mayor and the Clerk of the Board, together with such other material as the Controller determines  
11 is appropriate~~is required~~.

12 ~~(g)~~ No later than April 30 each year, the Mayor shall prepare and transmit to the Clerk of  
13 the Board a detailed description of the Mayor's budget priorities that the Mayor intends will guide the  
14 content of the proposed budgets for the next two fiscal years.

15 ~~(eh)~~ No later than May 1 each year, ~~the~~The Mayor shall, ~~not later than the first working day~~  
16 ~~of May of each year,~~ transmit to the Board ~~of Supervisors~~ proposed budgets for selected  
17 departments, as determined by the Controller, in consultation with the President of the Board,  
18 the chair of the committee having jurisdiction over the budget under the Board's Rules of Order, ~~of~~  
19 ~~Supervisors~~ and the Mayor's Budget Director. The criteria used by the Controller to determine  
20 which budgets will be submitted to the Board ~~of Supervisors~~ by the first working day of May 1  
21 should include: ~~departments~~ agencies that are not supported by the City's general fund or  
22 departments that do not rely on the State's budget submission in May for their revenue  
23 sources. The Mayor shall, not later than ~~the first working day of~~ June 1 ~~of~~ each year, transmit to  
24 the Board ~~of Supervisors~~ the complete City budget, ~~including.~~ The complete City budget shall  
25 include the proposed Annual Appropriations Ordinance, including ~~the remaining departments'~~

1 budgets of agencies whose budgets the Mayor did not submit on May 1, and estimates of amounts  
2 required to meet bond interest and fixed charges, the proposed Annual Salary Ordinance, together  
3 with his or her and the Mayor's budget message and a draft of the annual appropriation ordinance,  
4 prepared by the Controller.

5 (di) The Controller shall, as provided in Section 9.102 of the Charter, review the  
6 estimated revenues and assumptions contained in the Mayor's submission of the budget and  
7 provide an opinion regarding the accuracy and reasonableness of the economic assumptions  
8 and revenue estimates on or before the tenth working day following submission of the Mayor's  
9 budget to the Board. In addition, the Controller may also recommend to the Board such  
10 reserves as ~~he or she~~ the Controller considers prudent given the proposed resources and  
11 expenditures contained in the Mayor's budget.

12 (ej) The ~~Committee of the Board of Supervisors~~ then having jurisdiction over the  
13 budget according to the Board's Rules of Order ~~the Board~~ shall review the Mayor's proposed  
14 budget and recommend to the Board an Interim Appropriation and Salary Ordinance which  
15 shall reflect the budget transmitted by the Mayor; provided, however, that any funds for  
16 equipment, capital improvements, new positions of employment, or any other proposed  
17 expenditures may be placed in reserve until released by the Board ~~of Supervisors~~; and  
18 provided, further, that said ordinances shall reflect the rates of compensation established  
19 pursuant to Charter Sections A8.403, A8.404, A8.409 and A8.590-1 through A8.590-5.

20 (fk) The Board ~~of Supervisors~~ shall not later than ~~the thirtieth day of June~~ 30 each year,  
21 finally pass the interim appropriation and salary ordinances.

22 (gl) The Board ~~of Supervisors~~ shall not later than ~~the last working day of July~~ 31 each  
23 year, adopt the Annual Appropriations Ordinance and Annual Salary Ordinance ~~budget as proposed~~  
24 ~~by the Mayor, or as amended by the Board of Supervisors.~~



1           (hm) Not later than ~~the last working day of~~ September 30 each year, the Board of  
2 ~~Supervisors~~ shall adopt by ~~ordinance~~ resolution the property tax rate for the City, ~~and County~~  
3 including amounts required for debt service.

4           (in) This Section 3.3 shall not apply to departments entering the second year of a fixed  
5 two-year budgetary cycle as provided in Charter Section 9.101(g).

6           (jo) If any date shown in this Section 3.3 falls on a nonbusiness day, the due date shall  
7 be the next succeeding business day.

8  
9           **SEC. 3.4. ~~INTRODUCTION AND~~ PUBLICATION OF BUDGET AND RELATED**  
10 **DOCUMENTS.**

11           (a) Beginning March 1, 2020, the Controller shall maintain a website to facilitate public  
12 access to documents and schedules related to the budget. The Controller shall provide a mechanism  
13 for agencies to post documents and information on the website, including the Mayor's Budget  
14 Instructions; all agencies' budget submissions; the Mayor's proposed budget and all accompanying  
15 documents; schedules of agency or commission meetings required under Section 3.3; and all  
16 documents submitted to the Board by the Mayor, Controller, Budget and Legislative Analyst, or any  
17 agency in connection with the Board's consideration of the budget under Section 3.3 or in connection  
18 with the Board's consideration of supplemental appropriation ordinances. The website shall also  
19 include a calendar of deadlines, scheduled public meetings related to the budget, and other important  
20 dates related to the consideration and adoption of the budget.

21           (b) The Controller shall make available the proposed budget and appropriation  
22 ordinance for all departments and offices for each ensuing fiscal year, upon transmission to the Board  
23 of Supervisors transmitted by the Mayor under Section 3.3(g) in by the first working day in June of  
24 each year, shall be deemed to have been regularly introduced and shall be published in a format  
25

1 which allows for the widest possible public understanding of the resources, uses and  
2 proposed programs.

3 (c) Each agency shall include on the home page of the agency's website a link to the page  
4 on the Controller's website that contains budget documents related to that agency.

5  
6 **SEC. 3.5. LONG-TERM DEPARTMENTAL AND AGENCY BUDGET PLANNING –**  
7 **SETTING GOALS AND STRATEGIES, DEVELOPING STRATEGIC PLANS.**

8 The policies resulting from this Section 3.5 are intended to help the Mayor, the Board ~~of~~  
9 ~~Supervisors~~, the City's ~~boards, agencies and~~ commissions, ~~and departments~~, the ~~Redevelopment~~  
10 ~~Agency Office of Community Investment and Infrastructure~~, and the courts, to develop and effect  
11 clear policies that will promote the City's long-term prosperity. So intended, these policies and  
12 documents shall not legally bind the Mayor, the Board ~~of Supervisors~~, or any board,  
13 commission, or department to any specific action or course of action beyond their complying  
14 with this Section's requirements.

15 (a) **Mission and Goals Statements.**

16 (1) Each ~~department, board, commission and~~ agency shall submit a budget  
17 containing documentation which provides the following information:

18 (A) The overall mission and goals of the ~~department agency~~;

19 (B) Strategic plans that provide direction towards achieving the  
20 ~~department's agency's~~ mission and goals;

21 (C) Identification of policy outcome measures that reflect the mission  
22 and goals of the ~~department agency~~ and which can be used to gauge progress towards  
23 attaining these goals;

24 (D) The specific programs and activities conducted by the ~~department~~  
25 ~~agency~~ to accomplish its mission and goals and the customers or clients served;

1                                   (~~E~~v) The total cost of carrying out each program or activity; and  
2                                   (~~vi~~F) The ~~department head~~ appointing officer shall certify the extent to  
3 which the ~~department~~ agency achieved, exceeded, or failed to meet its missions, goals,  
4 productivity and service objectives, during the prior fiscal year.

5                   (b) **Development of Strategic Plan.** ~~Commencing with fiscal year 1998-99, e~~Each  
6 ~~department, board, commission and~~ agency shall develop and review a strategic plan which  
7 contains at least a three-year forward plan to reflect policy outcomes from the operations of  
8 the ~~respective department, board, commission or~~ agency, consistent with the then-approved  
9 budget. ~~An~~ City department, board, commission or agency ("department") shall be deemed to  
10 have satisfied the requirements of this subsection (b) if it has cooperated with the preparation  
11 of the City's most recent Five-Year Financial Plan under Charter Section 9.119 and  
12 specifically the preparation of the summary of the ~~department's~~ agency's strategic goals,  
13 resources allocated in the Plan to meet those goals, and changes in service levels expected  
14 given investment levels proposed in the Plan.

15                   *The committee of the Board of Supervisors having jurisdiction over the budget may waive any*  
16 *particular requirement of this Section upon the request of the Mayor.*

17  
18                   **SEC. 3.7. BUDGET TO BE ACCOMPANIED BY LEGISLATION CONTAINING ALL**  
19 **PROPOSED FEE AND REVENUE INCREASES ANTICIPATED IN THE PROPOSED**  
20 **BUDGET; COMPLETE SCHEDULE OF EXISTING FEES.**

21                   (a) No later than June 1 each year, the Mayor shall transmit to the Board any ~~l~~Legislation  
22 which, if approved, would enact or submit to the voters, ~~if necessary, all of the~~ fee or revenue  
23 increases anticipated in the proposed budget ~~shall also be transmitted to the Board of Supervisors~~  
24 ~~by the Office of the Mayor by June 1st of each year.~~ When a proposed fee or revenue increase  
25 requires, by law or ~~by~~ agreement, hearings, review or approval by other agencies or parties,

1 and this supplemental review and approval process will not allow the submission of the  
2 required legislation in final form by June 1<sup>st</sup>, then the Mayor shall submit the proposed fee or  
3 revenue increase ~~shall be submitted~~ to the Board ~~of Supervisors~~ in draft form by June 1<sup>st</sup>, and  
4 ~~shall be~~ subject to possible modification after June 1<sup>st</sup> and after the completion of the  
5 supplemental review and approval process.

6 (b) In addition to any other information required by the Mayor or the Board of  
7 ~~Supervisors, departments agencies~~ shall submit with their proposed agency budget a schedule  
8 showing each fee charged by said ~~department agency~~, the revenues received from each such  
9 fee, except fees regulated by State or federal law, and the costs incurred in providing the  
10 services for which the fee is assessed.

11  
12 **~~SEC. 3.8. PUBLIC HEARINGS.~~**

13 ~~Agencies, boards and commissions shall make adequate provision for public participation in the~~  
14 ~~budget process. Such public participation must include, at a minimum, a public hearing on the~~  
15 ~~proposed budget before submission to the Controller for consolidation. The Mayor shall provide for~~  
16 ~~public input on the budget before his or her submission to the Board of Supervisors. The Board shall~~  
17 ~~hold at least one public hearing on the budget before adoption; however, said hearing may be held by~~  
18 ~~the Board Committee then having jurisdiction over the budget.~~

19  
20 **SEC. 3.10. PREPARATION AND SUBMISSION OF ADMINISTRATIVE**  
21 **PROVISIONS OF ANNUAL SALARY ORDINANCE.**

22 (a) The administrative provisions of the Annual Salary Ordinance for each ensuing  
23 fiscal year shall be prepared and submitted to the Board ~~of Supervisors~~ not later than ~~the first~~  
24 ~~working day in~~ June 1 each year by the Department of Human Resources ~~Department~~. Upon  
25 submission thereof these provisions shall be automatically referred to the committee of the

1 Board ~~of Supervisors~~ then having jurisdiction over review of the annual budget, pursuant to the  
2 Board's Rules of ~~Order of said Board~~.

3 Said committee shall recommend an Annual Salary Ordinance ~~which ordinance shall that~~  
4 reflect~~s~~ the rates of compensation established pursuant to Charter Sections A8.403, A8.404,  
5 A8.409, A8.590-1 through A8.590-5, and rates of compensation for court personnel, except  
6 judges, and shall follow the organizational format of the ~~Budget and~~ Annual Appropriation  
7 Ordinance.

8  
9 **SEC. 3.11. ANNUAL APPROPRIATION ORDINANCE, PREPARATION AND**  
10 **FORMAT.**

11 The Controller shall prepare the Annual Appropriation Ordinance in a format which, to  
12 the extent possible, provides adequate controls over the various revenue and expenditure  
13 items by programs, departments, and priorities as set forth in the annual budget approved by  
14 the Mayor, and is consistent with generally accepted accounting principles and standards as  
15 well as the provisions of Charter Section 3.105. The Controller shall revise the Annual  
16 Appropriation Ordinance as required to reflect any changes to the budget ~~initiated~~ adopted by  
17 the Board ~~of Supervisors~~ or its committees.

18  
19 **SEC. 3.14. DEPARTMENTS TO OPERATE WITHIN AMOUNTS BUDGETED.**

20 It shall be the policy of the Board ~~of Supervisors~~ that all departments and agencies of the  
21 City ~~and County~~ be required to conduct their departmental operations with such moneys as are  
22 provided in the various departmental and agency budgets. In conformance with Charter  
23 Section 9.115, the ~~head~~ appointing officer of each agency shall, within 30 days of the ~~adoption~~  
24 enactment of the annual budget ~~by the Board of Supervisors~~, by letter addressed to the Mayor, the  
25 Board, ~~of Supervisors~~ and the Controller, agree that the funding provided is adequate for ~~his or~~

1 ~~her department, board, commission or that~~ agency unless otherwise specifically noted by the  
2 appointing officer ~~and acknowledged in writing by the Board.~~

3  
4 **SEC. 3.15. SUPPLEMENTAL APPROPRIATION ORDINANCES BUDGET,**  
5 **MODIFICATIONS.**

6 Supplemental budget requests from any ~~department, agency, board or commission~~  
7 subsequent to adoption of the annual budget for the current fiscal year shall follow the same  
8 process, except for time, as the annual budget process. The ~~appointing authority department,~~  
9 ~~agency, board or commission head~~ shall submit the ~~original copy of the~~ supplemental  
10 appropriation request in such detail as the Controller may prescribe for check as to  
11 completeness and form and simultaneously deliver a copy to the Mayor's Budget Office. If any  
12 supplemental appropriation ordinance, recommended by any ~~department, agency, board,~~  
13 ~~commission or elective officer,~~ subsequent to the adoption of the budget for the current fiscal  
14 year and prior to the close thereof, contains any item which has been rejected or reduced by  
15 the Mayor in ~~his or her~~ the Mayor's review of departmental budget estimates for said current or  
16 prior fiscal years or which had been rejected or reduced by the Board ~~of Supervisors~~ in its  
17 consideration of the Mayor's proposed budget for said current or prior fiscal years, the fact of  
18 such rejection shall be indicated on said supplemental appropriation ordinance, and the  
19 ordinance shall ~~which will~~ require two-thirds vote of the Board ~~of Supervisors~~ for passage.

20  
21 **SEC. 3.16. INTERIM POSITIONS, SALARY ADJUSTMENTS.**

22 (a) When, in the opinion of the Director of Human Resources, the duties and  
23 responsibilities of a proposed new employment requested in any supplemental appropriation  
24 or department budget are not appropriate to any existing City and County position  
25 classification, the Director of Human Resources is authorized and directed to establish a new

1 interim classification with an appropriate rate of pay for the balance of the then-current fiscal  
2 year. The Director and the Clerk of the Board ~~of Supervisors~~ shall take such actions as may be  
3 necessary to amend the Annual Salary Ordinance accordingly.

4 (b) The Controller is hereby authorized and directed to amend the appropriation  
5 ordinance by transferring from any legally available funds amounts required for approved  
6 Memoranda of Understanding ~~(MOU's)~~, arbitration awards and/or judgments which adjust the  
7 rate of pay or benefits for any employee or group of employees during any fiscal year. The  
8 Controller and the Clerk of the Board ~~of Supervisors~~ shall take such actions as may be  
9 necessary to amend the Annual Salary Ordinance accordingly to reflect the revised rates of  
10 pay. ~~Provided further that~~ The Controller shall report the total dollar amount of any  
11 amendments made in accordance with this subsection (b) annually to the Mayor, the Board ~~of~~  
12 ~~Supervisors~~ and the Human Resources Director.

13  
14 Section 2. Effective Date. This ordinance shall become effective 30 days after  
15 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
16 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
17 of Supervisors overrides the Mayor's veto of the ordinance.

18  
19 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
20 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
21 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
22 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
23  
24  
25

1 additions, and Board amendment deletions in accordance with the "Note" that appears under  
2 the official title of the ordinance.

3

4 APPROVED AS TO FORM:  
5 DENNIS J. HERRERA, City Attorney

6 By: \_\_\_\_\_  
7 JON GIVNER  
8 Deputy City Attorney

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