

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: All City Department Heads via Sophia Kittler, Mayor's Office
Ben Ronsenfield, City Controller

FROM: Victor Young, Assistant Clerk *Victor Young*
Rules Committee

DATE: November 26, 2019

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed substitute legislation on November 19, 2019:

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 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.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: victor.young@sfgov.org.

c: Andres Power, Mayors, Office
Todd Rydstrom, Controller's Office

[Administrative Code - Budget Approval Process]

Ordinance amending the Administrative Code to modify the process for the City's adoption of the annual budget by requiring City agencies to hold 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.

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

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

Section 1. Chapter 3 of the Administrative Code is hereby amended by revising 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 read as follows:

SEC. 3.2. DEFINITIONS.

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

~~AGENCY~~ Agency. A City department, office, or other unit of government subject to the appropriation powers of the Board ~~of Supervisors such as the Parking Authority and the 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 Designated Agency. Each of the following agencies: Assessor/Recorder's Office; City
2 Attorney's Office; District Attorney's Office; Mayor's Office; Public Defender's Office; Sheriff's
3 Office; Treasurer-Tax Collector's Office; City Administrator's Office, including Department of Public
4 Works, Department of Technology, and other agencies under the City Administrator's control; Adult
5 Probation Department; Controller's Office; Department of Child Support Services; Department of
6 Emergency Management; and Department of Human Resources.

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

14 15 **SEC. 3.3. BUDGET TIMETABLE.**

16 (a) Each year, the Mayor shall provide instructions to all City agencies regarding the
17 Mayor's requests for the contents of all agencies' proposed budget submissions for the subsequent
18 fiscal year(s) ("Budget Instructions"). On the same date the Mayor transmits the Budget Instructions
19 to all other agencies, the Mayor shall transmit those instructions to the Clerk of the Board.

20 (b) After the agencies receive Budget Instructions from the Mayor, there shall be a public
21 meeting, as specified in subsections (b)(1) and (2), concerning each agency's budget priorities,
22 excluding Designated Agencies, at which members of the public may provide input regarding the
23 budget priorities. The purpose of the meeting shall be to allow for public input into the agency's
24 budget for the upcoming fiscal year(s) prior to the agency's preparing and finalizing a proposed
25 budget. Designated Agencies are not required to hold a public meeting under this subsection (b), but

1 each such agency shall provide an alternative method for the public to provide input on its proposed
2 budget priorities, and shall provide a written description of the agency's proposed budget priorities
3 and a format for public input on the agency's website.

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

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

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

20 (c) By no later than February 14 each year, there shall be a public meeting, as specified in
21 subsections (c)(1) and (2), concerning each agency's proposed budget. The proposed budget that the
22 agency presents at this meeting shall provide the following information, if applicable to the agency: all
23 agency divisions; budget totals and major changes including new or reduced initiatives and staffing
24 changes; changes in service levels; projected salary savings; and how the agency is meeting budget
25 instruction targets. The purpose of this meeting shall be to allow for public input into the agency's

1 budget for the upcoming fiscal year(s) prior to the agency's submission of a proposed budget to the
2 Controller. For agencies required to hold a public meeting under subsection (b), the meeting required
3 under this subsection (c) shall occur at least 15 days after the public meeting required under subsection
4 (b).

5 (1) For agencies subject to the oversight of a commission under the Charter or the
6 Municipal Code, the commission may satisfy this subsection (c) at a regular or special meeting at
7 which it considers final approval of the agency's proposed budget. Meetings held under this subsection
8 (c)(1) are subject to the Brown Act and Sunshine Ordinance.

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

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

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

1 (d) After the issuance of Budget Instructions, but no later than April 1 each year, the Office
2 of the Mayor shall hold at least one meeting open to the public, at which members of the public may
3 provide input on the Mayor's budget priorities. The Mayor shall provide notice of the meeting and a
4 copy of the Budget Instructions on the Mayor's website at least 72 hours in advance. Members of the
5 public attending the meeting shall have the opportunity to provide public comment during the meeting
6 and to provide written comments before, during, or after the meeting. Meetings held under this
7 subsection (d) are not subject to the Brown Act or the Sunshine Ordinance.

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

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

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

20 (eh) No later than May 1 each year, the ~~The~~ Mayor shall, not later than the first working day
21 of May of each year, transmit to the Board of Supervisors proposed budgets for selected
22 departments, as determined by the Controller, in consultation with the President of the Board,
23 the chair of the committee having jurisdiction over the budget under the Board's Rules of Order, of
24 Supervisors and the Mayor's Budget Director. The criteria used by the Controller to determine
25 which budgets will be submitted to the Board of Supervisors by the first working day of May 1

1 should include: ~~departments~~ agencies that are not supported by the City's general fund or
2 departments that do not rely on the State's budget submission in May for their revenue
3 sources. The Mayor shall, not later than ~~the first working day of~~ June 1 of each year, transmit to
4 the Board ~~of Supervisors~~ the complete City budget, ~~including~~. The complete City budget shall
5 include the proposed Annual Appropriations Ordinance, including the remaining departments'
6 budgets of agencies whose budgets the Mayor did not submit on May 1, and estimates of amounts
7 required to meet bond interest and fixed charges, the proposed Annual Salary Ordinance, together
8 with his or her and the Mayor's budget message ~~and a draft of the annual appropriation ordinance,~~
9 ~~prepared by the Controller.~~

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

17 (ej) The ~~C~~committee of the Board ~~of Supervisors~~ then having jurisdiction over the
18 budget according to the Board's Rules of Order ~~the Board~~ shall review the Mayor's proposed
19 budget and recommend to the Board an Interim Appropriation and Salary Ordinance which
20 shall reflect the budget transmitted by the Mayor; provided, however, that any funds for
21 equipment, capital improvements, new positions of employment, or any other proposed
22 expenditures may be placed in reserve until released by the Board ~~of Supervisors~~; and
23 provided, further, that said ordinances shall reflect the rates of compensation established
24 pursuant to Charter Sections A8.403, A8.404, A8.409 and A8.590-1 through A8.590-5.
25

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

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

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

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

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

13
14 **SEC. 3.4. ~~INTRODUCTION AND~~ PUBLICATION OF BUDGET AND RELATED**
15 **DOCUMENTS.**

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

1 (b) The Controller shall make available the proposed budget and appropriation
2 ordinance for all departments and offices for each ensuing fiscal year, upon transmission to the Board
3 of Supervisors transmitted by the Mayor under Section 3.3(g) in by the first working day in June of
4 each year, shall be deemed to have been regularly introduced and shall be published in a format
5 which allows for the widest possible public understanding of the resources, uses and
6 proposed programs.

7 (c) Each agency shall include on the home page of the agency's website a link to the page
8 on the Controller's website that contains budget documents related to that agency.
9

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

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

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

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

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

23 (B) Strategic plans that provide direction towards achieving the
24 ~~department's agency's~~ mission and goals;
25

1 (Ciii) Identification of policy outcome measures that reflect the mission
2 and goals of the ~~department~~agency and which can be used to gauge progress towards
3 attaining these goals;

4 (Div) The specific programs and activities conducted by the ~~department~~
5 agency to accomplish its mission and goals and the customers or clients served;

6 (Ev) The total cost of carrying out each program or activity; and

7 (viF) The ~~department head~~ appointing officer shall certify the extent to
8 which the ~~department~~agency achieved, exceeded, or failed to meet its missions, goals,
9 productivity and service objectives, during the prior fiscal year.

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

20 ~~The committee of the Board of Supervisors having jurisdiction over the budget may waive any~~
21 ~~particular requirement of this Section upon the request of the Mayor.~~

22
23 **SEC. 3.7. BUDGET TO BE ACCOMPANIED BY LEGISLATION CONTAINING ALL**
24 **PROPOSED FEE AND REVENUE INCREASES ANTICIPATED IN THE PROPOSED**
25 **BUDGET; COMPLETE SCHEDULE OF EXISTING FEES.**

1 (a) No later than June 1 each year, the Mayor shall transmit to the Board any ~~Legislation~~
2 which, if approved, would enact or submit to the voters, ~~if necessary, all of the~~ fee or revenue
3 increases anticipated in the proposed budget ~~shall also be transmitted to the Board of Supervisors~~
4 ~~by the Office of the Mayor by June 1st of each year.~~ When a proposed fee or revenue increase
5 requires, by law or ~~by~~ agreement, hearings, review or approval by other agencies or parties,
6 and this supplemental review and approval process will not allow the submission of the
7 required legislation in final form by June 1~~st~~, then the Mayor shall submit the proposed fee or
8 revenue increase ~~shall be submitted~~ to the Board ~~of Supervisors~~ in draft form by June 1~~st~~, ~~and~~
9 ~~shall be~~ subject to possible modification after June 1~~st~~ and after the completion of the
10 supplemental review and approval process.

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

16
17 **SEC. 3.8. PUBLIC HEARINGS.**

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

1 **SEC. 3.10. PREPARATION AND SUBMISSION OF ADMINISTRATIVE**
2 **PROVISIONS OF ANNUAL SALARY ORDINANCE.**

3 (a) _____ The administrative provisions of the Annual Salary Ordinance for each ensuing
4 fiscal year shall be prepared and submitted to the Board ~~of Supervisors~~ not later than ~~the first~~
5 ~~working day in June~~ 1 each year by the Department of Human Resources ~~Department~~. Upon
6 submission thereof these provisions shall be automatically referred to the committee of the
7 Board ~~of Supervisors~~ then having jurisdiction over review of the annual budget, pursuant to the
8 Board's Rules of ~~Order of said Board~~.

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

14
15 **SEC. 3.11. ANNUAL APPROPRIATION ORDINANCE, PREPARATION AND**
16 **FORMAT.**

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

24
25 **SEC. 3.14. DEPARTMENTS TO OPERATE WITHIN AMOUNTS BUDGETED.**

1 It shall be the policy of the Board ~~of Supervisors~~ that all departments and agencies of the
2 City ~~and County~~ be required to conduct their departmental operations with such moneys as are
3 provided in the various departmental and agency budgets. In conformance with Charter
4 Section 9.115, the ~~head~~ appointing officer of each agency shall, within 30 days of the ~~adoption~~
5 enactment of the annual budget ~~by the Board of Supervisors~~, by letter addressed to the Mayor, ~~the~~
6 Board, ~~of Supervisors~~ and ~~the~~ Controller, agree that the funding provided is adequate for ~~his or~~
7 ~~her department, board, commission or that~~ agency unless otherwise specifically noted by the
8 appointing officer ~~and acknowledged in writing by the Board~~.

9
10 **SEC. 3.15. SUPPLEMENTAL APPROPRIATION ORDINANCES BUDGET,**
11 **MODIFICATIONS.**

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

1
2 **SEC. 3.16. INTERIM POSITIONS, SALARY ADJUSTMENTS.**

3 (a) When, in the opinion of the Director of Human Resources, the duties and
4 responsibilities of a proposed new employment requested in any supplemental appropriation
5 or department budget are not appropriate to any existing City and County position
6 classification, the Director of Human Resources is authorized and directed to establish a new
7 interim classification with an appropriate rate of pay for the balance of the then-current fiscal
8 year. The Director and the Clerk of the Board ~~of Supervisors~~ shall take such actions as may be
9 necessary to amend the Annual Salary Ordinance accordingly.

10 (b) The Controller is hereby authorized and directed to amend the appropriation
11 ordinance by transferring from any legally available funds amounts required for approved
12 Memoranda of Understanding ~~(MOU's)~~, arbitration awards and/or judgments which adjust the
13 rate of pay or benefits for any employee or group of employees during any fiscal year. The
14 Controller and the Clerk of the Board ~~of Supervisors~~ shall take such actions as may be
15 necessary to amend the Annual Salary Ordinance accordingly to reflect the revised rates of
16 pay. ~~Provided further that t~~The Controller shall report the total dollar amount of any
17 amendments made in accordance with this subsection (b) annually to the Mayor, the Board ~~of~~
18 ~~Supervisors~~ and the Human Resources Director.

19
20 Section 2. Effective Date. This ordinance shall become effective 30 days after
21 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
22 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
23 of Supervisors overrides the Mayor's veto of the ordinance.

1 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
2 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
3 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
4 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
5 additions, and Board amendment deletions in accordance with the "Note" that appears under
6 the official title of the ordinance.

7
8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By: 

11 JON GIVNER
12 Deputy City Attorney

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