

Date: July 19, 2023
From: Commissioner Jerdonek
To: Elections Commission

Subject: File No. 230663 (Ordinance to opt out of AB 1416 for Local Measures)

The purpose of this memo is to provide a public timeline of the events around File No. 230663: <https://sfgov.legistar.com/LegislationDetail.aspx?ID=6249099&GUID=985F6146-944D-44C5-8ED7-A94556FF0B37>

leading up to its first-reading passage. The Board of Supervisors passed the file's ordinance in an amended form on first reading at its meeting on Tuesday, July 18, 2023.

File No. 230663 contained the ordinance that was sponsored by the Mayor on behalf of the Department to permanently opt out of AB 1416 (2021-22) for local measures. AB 1416 is the state bill that requires a short list of the supporters and opponents of each ballot measure (both state and local) to be listed directly on the ballot along with the measure text: https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB1416

Here is the timeline:

- **Thursday, June 1.** Ordinance received by the Clerk of the Board. The ordinance was one of 34 pieces of legislation sponsored by the Mayor as “trailing legislation” to the proposed two-year budget, i.e. resolutions or ordinances to help balance the two-year budget. The Mayor requested from the Board President what is called a 30-day hold waiver for these pieces of legislation. A 30-day hold waiver waives the normally required waiting period and permits a faster timeline for discussion and adoption.
- **Monday, June 5.** Board President granted the 30-day hold waiver.
- **Tuesday, June 6.** Board President assigned the ordinance to the Budget & Appropriations Committee.
- **Wednesday, June 14.** The Budget & Appropriations Committee discussed the ordinance in the context of the Department's proposed budget and passed it 5-0. The committee hearing had two public commenters: one in favor (Eileen Boken) and one against (David Pilpel). The agenda item can be watched at the following link between the times 4:09:40 and 4:35:11: https://sanfrancisco.granicus.com/player/clip/43914?view_id=207&redirect=true&h=a8df3ce4ed1951cb00587fefdcc8aba4
- **Wednesday, June 28.** The Elections Commission had its regular June meeting. The June Director's Report mentioned the ordinance and its passage at the Budget Committee. I also wrote and included a memo about File No. 230663 in the agenda packet of the meeting, under item #5 Commissioners' Reports: <https://sf.gov/meeting/june-28-2023/elections-commission-regular-meeting>

- **Sunday, July 9.** *48 Hills* wrote a short piece about the ordinance in its weekly column, “The Agenda” covering the upcoming Board meeting, as the ordinance was on the agenda of the Board’s July 11 meeting:
<https://48hills.org/2023/07/does-sf-need-24-7-robot-taxis-that-dont-pay-any-fee-to-be-taxis/>
- **Tuesday, July 11.** For what I believe was a technical reason, the Board couldn’t discuss any of the budget items on the agenda, so they were all postponed one week, including the opt-out ordinance.
- **Thursday, July 13.** *48 Hills* published at the end of their “Letters” section a short note I wrote to them about their July 9 piece (even though I didn’t intend for my note to be a public letter to the editor):
<https://48hills.org/2023/07/letters-criminalizing-sf-youth-selling-out-cab-drivers/>
- **Thursday, July 13.** I wrote a letter to the Board about the proposed ordinance (as an individual), asking if they could make the opt-out apply only to the elections covered by the proposed budget, as opposed to being permanent. The letter can be found here under “10. Public Correspondence”:
<https://sfgov.legistar.com/LegislationDetail.aspx?ID=6249099&GUID=985F6146-944D-44C5-8ED7-A94556FF0B37>
- **Monday, July 17.** Three more letters to the Board were posted, as listed below. The three letters can all be found here under “12. Post-Pkt Pub Correspondence”:
<https://sfgov.legistar.com/LegislationDetail.aspx?ID=6249099&GUID=985F6146-944D-44C5-8ED7-A94556FF0B37>
 - California Clean Money Campaign wrote a letter opposing the ordinance. California Clean Money Campaign was also the original sponsor of AB 1416.
 - The League of Women Voters of San Francisco wrote a letter opposing the ordinance. The League of Women Voters of California was one of the organizations listed as a supporter of AB 1416 in the bill’s analyses.
 - Peter Gallotta, Vice Chair of the San Francisco Democratic Party (SF DCCC), wrote a letter requesting that the ordinance be amended to apply only to the fiscal years covered by the proposed budget. Mr. Gallotta was also the lead sponsor of a resolution that the SF DCCC adopted in January 2022 in support of AB 1416. The January 2022 resolution was sponsored by 9 DCCC members in all:
<https://static1.squarespace.com/static/5c73920c9d41495645130c78/t/6209f4bd6d10ea045aa06a48/1644819645972/012022+Resolutions.pdf>
- **Tuesday, July 18.** At the Board meeting, President Peskin introduced an amendment to the ordinance that made the opt-out apply only to FY 2023-24, which is the first of the two fiscal years covered by the proposed budget. The amendment was seconded by Supervisor Ronen. The amendment was adopted unanimously, and the budget passed

immediately thereafter. The video can be watched here, with President Peskin's remarks starting around 38:45 into the video:

https://sanfrancisco.granicus.com/player/clip/44111?view_id=10&redirect=true&h=818ae3d65b29c0ac45119bc9031a0e34

The amended text can be found here under "Leg Ver 2":

<https://sfgov.legistar.com/LegislationDetail.aspx?ID=6249099&GUID=985F6146-944D-44C5-8ED7-A94556FF0B37>