

LEGISLATIVE DIGEST

[City Elections In Even-Numbered Years.]

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII 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; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

Existing Law

The Mayor, Sheriff, District Attorney, City Attorney and Treasurer are elected at general municipal elections held every four years. The last election for the offices of Mayor, Sheriff and District Attorney was held at the general municipal election in November 2007. The last election for the offices of City Attorney and Treasurer was held in 2005, and the next election for these offices will occur at the general municipal election in November 2009. A general municipal election is defined as the election held in the City and County on the Tuesday immediately following the first Monday in November in odd-numbered years.

The Charter limits the terms of office for the Mayor and members of the Board of Supervisors to two successive four-year terms. For the office of Mayor, a part of a term that exceeds two years counts as a full term. For members of the Board of Supervisors, the Charter provides, under specified circumstances, for "rounding up" a term that is less than four years to a full, four-year term for purposes of the "two successive four-year terms" limitation. Specifically, if a Supervisor is "appointed . . . to complete" more than two years of a four-year term, the appointed term counts as a full four-year term, for the purposes of applying the Charter's term limits, whenever an individual serves more than two years of the remaining term following appointment, regardless of whether the individual stands for election before the expiration of the term.

Amendments to Current Law

The proposed Charter Amendment would eliminate municipal elections in even years by changing the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer to require these offices to be elected in even-numbered years. To do so, the Charter Amendment would require the person elected to the office of Mayor, Sheriff or District Attorney in 2011 and the person elected to the office of City Attorney or Treasurer in 2009 to serve a five-year term. As a result, the next election for the offices of Mayor, Sheriff and District Attorney after the 2011 election will occur in 2016, and the next election for the offices of City Attorney and Treasurer after the 2009 election will occur in 2014. Thereafter, elections for these offices will occur every four years in even-numbered years.

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The proposed Charter Amendment would also amend the definition of "general municipal election" so that after the November 2011 election, general municipal elections would only occur on the Tuesday immediately following the first Monday in November in even-numbered years.

If this Charter Amendment is approved, the City will no longer have general municipal elections in odd-numbered years after the November 2011 election. Instead all elections for local office will occur at the same time as the statewide general elections in even-numbered years. Accordingly, if this Charter Amendment is approved, at the statewide general election in 2016, voters would elect: four members of the Board of Education; four members of the Governing Board of the Community College District; six members of the Board of Supervisors, the Mayor; the Sheriff; and the District Attorney; and at the statewide general election in 2014, voters would elect: three members of the Board of Education, three members of the Governing Board of the Community College District, five members of the Board of Supervisors, the Assessor, the Public Defender, the City Attorney and the Treasurer.

The Charter Amendment expressly provides that notwithstanding any other provision of the Charter, including sections 3.101 and 6.100, the term of office for the person elected Mayor, Sheriff or District Attorney at the general municipal election in 2011 and the term of office for the person elected City Attorney or Treasurer at the general municipal election in 2009 shall be five years.

The Amendment also provides that the five-year term for the person elected to the office of Mayor in 2007 shall be deemed a single term for the purposes of term limits under section 3.101. The Amendment clarifies existing law on the term limits for members of the Board of Supervisors to make explicit that the "rounding up" of a term that is less than four years to a full, four-year term for purposes of the "two successive four-year terms" limitation, includes the appointment, election or any combination thereof to complete in excess of two years of a four-year term.

Background Information

According to the Sponsor, the purpose of this Charter Amendment is to provide the City and County of San Francisco with cost savings resulting from fewer elections per election cycle and to maximize voter turnout for local elections currently held in odd years.