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MEMORANDUM

TO: John Arntz, Director of Elections
Angela Calvillo, Clerk of the Board

FROM: Ana Flores
Bradley Russi
Deputy City Attorneys

DATE: December 7, 2022

RE: Election Results and Effective Dates of Approved Ballot Measures

In this public memorandum, consistent with our past practice, we summarize the process for the City to declare election results for local ballot measures in the November 8, 2022 election and the effective dates of those measures that the voters approved. As we explain further below, we also identify any later date that any of those measures become operational where that date differs from the effective date. In many instances, the effective dates that we provide in this memorandum are estimates; further action that the Board of Supervisors (the "Board") and the Secretary of State must take will determine the actual effective dates of those measures. Interested third parties should not rely on this memorandum as a substitute for consulting with their own attorneys.

Final Election Results

- California Elections Code section 15372 requires the Department of Elections (the "Department") to complete the final official canvass of votes and to certify the election within 30 days after the election. Cal. Elec. Code § 15372. The Department submits the certified results to the Board, which must then adopt a resolution declaring the results of the election. *Id.* at §§ 9269, 15400. On December 1, 2022, the Department certified the results of the November 8, 2022 election. We anticipate that the Board will approve a resolution declaring the results of this election at its meeting on December 13, 2022.

Effective Date of Ballot Measures

- Charter amendments* – After the Board declares the election results, the Director of Elections must submit to the Secretary of State a copy of any Charter amendment adopted by the voters. Cal. Elec. Code § 9269. The amendment becomes effective when the Secretary of State accepts and files it. S.F. Mun. Elec. Code § 380; Cal. Gov. Code §§ 34459, 34460. In the past, the Secretary of State has accepted and filed adopted Charter amendments within approximately 30 days of submission by the City.
- Local initiative ordinances* – Unless the text of the measure provides otherwise, local ordinances adopted by the voters go into effect 10 days after the Board declares the

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results of the election. S.F. Mun. Elec. Code § 380; Cal. Elec. Code §§ 9122, 9217. Assuming the Board declares the results of this election on December 13, 2022, the local initiative ordinances adopted at this election will become effective on December 23, 2022.

November 8, 2022 Local Measures

We list below the date each local measure will become effective. Except where specifically noted, a measure becomes operative on the date it becomes effective. For some measures, the operative date is different from the effective date. In those instances, the operative date is the date the City may actually implement the measure as provided in the text of the measure, and the effective date is the date when the measure becomes law.

Charter Amendment

A: Retiree Supplemental Cost of Living Adjustment; Retirement Board Contract with Executive Director

- Effective when the Secretary of State files the Charter Amendment.

B: Public Works Department and Commission, Sanitation and Streets Department and Commission

- Effective when the Secretary of State files the Charter Amendment.

C: Homeless Oversight Commission

- Effective when the Secretary of State files the Charter Amendment.
- Operative on the effective date, but the measure sets forth later deadlines regarding the establishment of the commission.

F: Library Preservation Fund

- Effective when the Secretary of State files the Charter Amendment.

G: Student Success Fund – Grants to the San Francisco Unified School District

- Effective when the Secretary of State files the Charter Amendment.

H: City Elections in Even-Numbered Years

- Effective when the Secretary of State files the Charter Amendment.

Ordinances

J: Recreational Use of JFK Drive in Golden Gate Park

- Effective 10 days after the Board declares the results of the election (effective date estimated to be December 23, 2022).

L: Sales Tax for Transportation Projects

- As provided by Section 6 of the measure, the amendments to the Business and Tax Regulations Code in Section 2 of the measure became effective at the close of the polls on November 8, 2022. The remainder of the measure will be effective 10 days after the

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Board declares the results of the election (effective date estimated to be December 23, 2022).

- The amendments to the Business and Tax Regulations Code in Section 2 of the measure and the 2022 Transportation Expenditure Plan in Section 3 of the measure become operative on April 1, 2023, if the Transportation Authority has executed a contract with the California Department of Tax and Fee Administration for administration and operation of the tax before April 1, 2023; if the Transportation Authority has not executed the contract before April 1, 2023, Sections 2 and 3 of the measure will become operative the first day of the calendar quarter after the Transportation Authority executes the contract.

M: Tax on Keeping Residential Units Vacant

- Effective 10 days after the Board declares the results of the election (effective date estimated to be December 23, 2022).
- The new tax created by the ordinance becomes operative on January 1, 2024.

N: Golden Gate Park Underground Parking Facility; Golden Gate Park Concourse Authority

- Effective 10 days after the Board declares the results of the election (effective date estimated to be December 23, 2022).
- Some sections of ordinance become operative on the effective date and others become operative upon dissolution of the Golden Gate Park Concourse Authority.