

1 [Charter Amendment - Children and Youth Fund, Public Education Enrichment Fund, Children
2 and Families Council]

3 **Describing and setting forth a proposal to the voters to amend the Charter of the City and**
4 **County of San Francisco to: 1) extend the Children's Fund for 25 years and increase the**
5 **set-aside from three cents to four cents over a four-year period; 2) extend the Public**
6 **Education Enrichment Fund for 25 years; 3) create a Children and Families Council and**
7 **require preparation of a Children and Families Plan; and 4) make various technical and**
8 **administrative changes to the Funds, at an election to be held on November 4, 2014.**

9
10 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City
11 and County, at an election to be held on November 4, 2014, a proposal to amend the Charter of
12 the City and County by revising Sections 16.108, 16.123-1, 16.123-2, 16.123-4, 16.123-5,
13 16.123-6, 16.123-8, and 16.123-10, by adding Sections 16.108-1 and 16.127-1 through 16.127-7,
14 and by deleting Sections 16.123-7 and 4.133, to read as follows:

15 NOTE: **Unchanged Charter text and uncodified text** are in plain font.
16 **Additions** are *single-underline italics Times New Roman font*.
17 **Deletions** are ~~*strike-through italics Times New Roman font*~~.
18 **Asterisks (* * * *)** indicate the omission of unchanged Charter
19 subsections.

20 Section 2. **Children and Families First Initiative; General Preamble.**

21 (a) We introduce this “Children and Families First Initiative” as an integrated effort to
22 reauthorize both the Children and Youth Fund and the Public Education Enrichment Fund
23 (“PEEF”), and establish the Our Children, Our Families Council.

24 (b) To ensure the health and success of every San Francisco child, it is imperative for
25 San Francisco to invest further in the children and families of our city.

1 (c) In order to advance a citywide vision and long-term set of goals to support the
2 growing needs of children and families, City leaders, departments, the San Francisco Unified
3 School District (“SFUSD”), and community partners must come together to align practices;
4 strengthen access to services; coordinate across agencies; and develop a unified strategy.

5 (d) The people of the City and County of San Francisco previously supported the
6 passage of the Children’s Amendment in 1991 and 2001 in addition to overwhelmingly
7 approving PEEF in 2004 with over 71 percent of the vote. While these initiatives have
8 dedicated funding for vital services, the State of California remains 49th in per pupil spending
9 and addressing the level of unmet need remains a significant challenge.

10 (e) Without PEEF, SFUSD would fall to fifth place in per pupil spending among
11 comparable California school districts.

12 (f) SFUSD schools are one of the City’s most valuable public assets and every San
13 Francisco student has the right to a quality public education that prepares them to pursue higher
14 education, be competitive in a diversity of job markets and ultimately contribute to the future
15 health and vitality of San Francisco.

16 (g) San Francisco is facing a renaissance with a budding technology sector, however,
17 economic inequity continues to grow while displacing the families with the most need. In 2009,
18 income inequality was at 12 percent and continues to grow.

19 (h) The percentage of children under the age of 18 in San Francisco has steadily
20 declined. As of 2010, 13.4 percent of our total population was under the age of 18, the lowest of
21 any major city nationwide. Additionally, over 10 percent of 1-4 year olds leave the city in any
22 given year with far fewer children of that age bracket moving in;

23 (i) The loss of children and families amounts to lost revenue from less money spent on
24 the local economy and a declining workforce.

1 (j) The decline in children also impacts the cultural and ethnic diversity that once made
2 San Francisco a sanctuary for all, regardless of race or economic background.

3 (k) With the Children’s Fund and PEEF scheduled for reauthorization through the
4 unified Children and Families First Initiative, the City must seize this opportunity to build on the
5 previous success of these funds and strengthen their capacity for the future.

6 (l) The previous investment of the Children’s Fund allowed for the Department of
7 Children, Youth, and Their Families to serve over 56,000 youth in FY 2011-2013, focusing on
8 the children with the most need.

9 (m) In the last decade, critical PEEF Sports, Libraries, Arts and Music funding has
10 ensured that every San Francisco public school has a librarian, regular professional development
11 training occurs for Visual Arts and Performance instructors where before there was none and the
12 number of professional training classes for Athletics instructors has more than tripled.

13 (n) PEEF has enabled the Human Capital Support program to recruit and retain a
14 diversity of quality teachers to SFUSD. In the year the program began, there were
15 approximately 46 teacher vacancies on the first day of school, whereas there were only three
16 teacher vacancies on the first day of school in FY 2012-2013. The reauthorization of the
17 Children’s Fund and PEEF through the unified Children and Families First Initiative is a first
18 step in pushing for a cultural and priority shift in our City.

19 (o) We have seen the demonstrated results of how increased investment and efficiency
20 can maximize results. This Initiative will also establish the “Our Children, Our Families
21 Council” to bring together department heads from the City and the School District, and
22 community stakeholders in order to build a platform that will place the needs of children and
23 families first in every policy decision.

1 (p) Collectively, we aim to put the needs and success of our children and families at the
2 center of our City’s growth and ensure that those with the most need are given the best
3 opportunity to thrive.
4

5 Section 3. The Charter is hereby amended by revising Sections 16.108, 16.123-1,
6 16.123-2, 16.123-4, 16.123-5, 16.123-6, 16.123-8, and 16.123-10, by adding Sections 16.108-1
7 and 16.127-1 through 16.127-7, and by deleting Sections 16.123-7 and 4.133, to read as follows:

8 **SEC. 16.108. CHILDREN AND YOUTH FUND ~~CHILDREN'S FUND~~.**

9 (a) **Fund for Children and Youth ~~Children's~~ Services.** Operative July 1, 2001, there is
10 hereby established a fund to expand children's services, which shall be called the Children and
11 Youth Fund ~~Children's Fund~~ ("Fund"). Monies in the Fund shall be expended or used only to
12 provide services for children and youth as provided in this section.

13 (b) **Goals.** ~~The goals of expenditures from the Fund shall be:~~ The goals of expenditures
14 from the Fund and the planning process created in this section of the Charter shall be:

15 (1) To ensure that San Francisco’s children are healthy, ready to learn, succeed
16 in school and live in stable, safe and supported families and communities;

17 (2) To ensure that San Francisco is a family-friendly city and to support families
18 as an important part of the city population and civic culture;

19 (3) To focus on the prevention of problems and on supporting and enhancing the
20 strengths of children, youth and their families;

21 (4) To complement the City’s community development efforts;

22 (5) To strengthen a community-based network of services in all neighborhoods;

23 (6) To ensure that children and youth with the highest needs receive maximum
24 benefit from the Fund and that equity is a guiding principle of the funding process;
25

1 (7) To distribute funds based on best practices and successful and innovative
2 models in order to ensure maximum impact;

3 (8) To the maximum extent feasible, distribute funds equitably among services for
4 all age groups – from infancy to transitional-aged youth;

5 (9) To ensure children are provided with gender-responsive and culturally-
6 competent services;

7 (10) To strengthen collaboration around shared outcomes among all service
8 providers for children, youth and their families, including collaboration among public agencies
9 and non-profit organizations; and,

10 (11) To fill gaps in services and leverage other resources whenever feasible.

11 ~~(1) To ensure that San Francisco's children are healthy, ready to learn, succeed~~
12 ~~in school and live in stable, safe, and supported families and communities;~~

13 ~~(2) To reach children in all neighborhoods;~~

14 ~~(3) To the maximum extent reasonable, to distribute funds equitably among~~
15 ~~services for infants and preschoolers, elementary school age children and adolescents;~~

16 ~~(4) To focus on the prevention of problems and on supporting and enhancing the~~
17 ~~strengths of children, youth and their families;~~

18 ~~(5) To strengthen collaboration between the City and County of San Francisco~~
19 ~~and the San Francisco Unified School District;~~

20 ~~(6) To fill gaps in services and to leverage other resources whenever feasible;~~

21 ~~and~~

22 ~~(7) To foster projects initiated by San Francisco youth.~~

23 (c) **Amount.** There is hereby set aside for the Fund, from the revenues of the property
24 tax levy, revenues in an amount equivalent to an annual tax of three cents (\$.03) per one hundred
25

1 dollars (\$100) of assessed valuation for each fiscal year beginning with July 1, 2001-June 30,
2 2002, and ending with July 1, 2014-June 30, 2015 July 1, 2015-June 30, 2016.

3 For Fiscal Year 2015-2016, there is hereby set aside for the Fund, from the revenues of
4 the property tax levy, revenues in an amount equivalent to an annual tax of three and one-
5 quarter cents (\$.0325) per one hundred dollars (\$100) of assessed valuation for each fiscal year.

6 For Fiscal Year 2016-2017, there is hereby set aside for the Fund, from the revenues of
7 the property tax levy, revenues in an amount equivalent to an annual tax of three and one half
8 cents (\$.035) per one hundred dollars (\$100) of assessed valuation for each fiscal year.

9 For Fiscal Year 2017-2018, there is hereby set aside for the Fund, from the revenues of
10 the property tax levy, revenues in an amount equivalent to an annual tax of three and three
11 quarters cents (\$.0375) per one hundred dollars (\$100) of assessed valuation for each fiscal
12 year.

13 For Fiscal Year 2018-2019, and every fiscal year thereafter through Fiscal
14 Year 2040-2041, there is hereby set aside for the Fund, from the revenues of the property tax
15 levy, revenues in an amount equivalent to an annual tax of four cents (\$.04) per one hundred
16 dollars (\$100) of assessed valuation for each fiscal year.

17 ~~If the 2010 U. S. Census shows that children make up a percentage of the population of~~
18 ~~the City and County that is at least two percentage points more than their percentage as shown~~
19 ~~in the 2000 U. S. Census, then the amount of the property tax levy set aside under this section~~
20 ~~shall be increased for each fiscal year beginning after publication of the 2010 Census. The~~
21 ~~increase shall be in an amount equal to: one-quarter cent (\$.0025) per one hundred dollars of~~
22 ~~assessed valuation, for each two full percentage points of increase in the percentage of the City~~
23 ~~and County population that is made up of children.~~ The Fund shall be maintained separate and
24 apart from all other City and County funds and appropriated by annual or supplemental
25 appropriation.

1 (d) **New Services.** Monies in the Fund shall be used exclusively for the costs of services
2 to children less than 18 years old provided as part of programs that predominantly serve children
3 less than 18 years old and for Disconnected Transitional-Aged Youth 18 through 24 years old.
4 “Disconnected Transitional-Aged Youth” are those who: are homeless or in danger of
5 homelessness; have dropped out of high school; have a disability or other special needs,
6 including substance abuse; are low-income parents; are undocumented; are new immigrants
7 and/or English Learners; are Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning
8 (“LGBTQQ”); and/or are transitioning from the foster care, juvenile justice, criminal justice or
9 special education systems. ~~above and beyond services funded from sources other than the~~
10 previous Children's Fund prior to July 1, 2001. To this end, monies Monies from the Fund shall
11 not be appropriated or expended for services that received any of the funds included in the higher
12 of the Controller's baseline budget covering July 1, 2000-June 30, 2001 appropriations, or the
13 Controller's baseline budget covering July 1, 1999-June 30, 2000 appropriations, whether or not
14 the cost of such services increases. Nor shall monies from the Fund be appropriated or expended
15 for services that substitute for or replace services included or partially included in the higher of
16 the two baseline budgets, except and solely to the extent that the City ceases to receive federal,
17 state or private agency funds that the funding agency required to be spent only on those services.
18 The Controller's baseline budget shall mean the Controller's calculation of the actual amount of
19 City appropriations for services for children that would have been eligible to be paid from the
20 Fund but are paid from other sources.

21 (e) **Eligible Uses Services.** The City shall only use monies from the Fund for the
22 following purposes: ~~Services for children eligible for Fund assistance shall include only:~~

23 (1) Services for children up to 18 years old and Disconnected Transitional-Aged
24 Youth up to and including 24 years old, including:

25 (A) ~~(+)~~ Affordable child care and early education;

1 (B) (2) Recreation, cultural and after-school programs, including without
2 limitation, arts programs;

3 (C) (3) Health services, including prevention, education, and behavioral
4 and mental health services, and pre-natal services to pregnant women;

5 (D) (4) Training, employment and job placement;

6 (E) (5) Youth empowerment and leadership development;

7 (F) (6) Youth violence prevention programs;

8 (G) (7) Youth tutoring and educational enrichment programs; ~~and~~

9 (H) (8) Family and parent support services;

10 (I) Support for collaboration among grantees to enhance service delivery
11 and provider capacity building, and for community development efforts; and,

12 (J) Services responsive to issues of gender, sexual orientation, and gender
13 identification, including, but not limited to, services to address the needs of girls and LGBTQQ
14 communities.

15 (2) Funding for the Department of Children, Youth and Their Families
16 ("DCYF") and the Children, Youth and Their Families Oversight Committee created in
17 Section 16.108-1 ("Oversight Committee").

18 (3) Administration of the Fund and evaluation of Fund goals and services.

19 (4) Technical assistance and capacity-building for service providers and
20 community-based partners.

21 (f) **Excluded Services.** Notwithstanding subsection (e), services for children and
22 disconnected transitional-aged youth paid for by the Fund shall not include:

23 (1) Services provided by the Police Department or other law enforcement
24 agencies, courts, the District Attorney, Public Defender, City Attorney; or the Fire Department;
25 detention or probation services mandated by state or federal law; or public transportation;

1 (2) Any service that benefits children incidentally or as members of a larger
2 population including adults;

3 (3) Any service for which a fixed or minimum level of expenditure is mandated
4 by state or federal law, to the extent of the fixed or minimum level of expenditure;

5 (4) Acquisition of any capital item not for primary and direct use by children;

6 (5) Acquisition (other than by lease for a term of ten years or less) of any real
7 property; ~~or~~

8 (6) Maintenance, utilities or any similar operating costs of any facility not used
9 primarily and directly by children, or of any recreation or park facility (including a zoo), library,
10 or hospital;

11 (7) Capital expenditures for housing or rent subsidies;

12 (8) Medical health services, excluding prevention, education, and behavioral and
13 mental health support services;

14 (9) Income supports;

15 (10) Post-secondary tuition assistance or similar aid; or,

16 (11) Administration of funds other than the Fund.

17 (g) **Baseline.** The Fund shall be used exclusively to increase the aggregate City
18 appropriations and expenditures for those services for children and Disconnected
19 Transitional-Aged Youth that are eligible to be paid from the Fund (exclusive of expenditures
20 mandated by state or federal law). To this end, the City shall not reduce the amount of such City
21 appropriations for eligible services (not including appropriations from the Fund and exclusive of
22 expenditures mandated by state or federal law) ~~in any of the fifteen years during which funds are~~
23 ~~required to be set aside~~ under this section below the amount so appropriated for the fiscal year
24 2000-2001 ("the base year") as set forth in the Controller's baseline budget, as adjusted ("the
25 base amount").

1 The Controller shall calculate City appropriations made in fiscal year 2014-2015 for
2 services for Disconnected Transitional-Aged Youth aged 18 through 24 years. Beginning with
3 fiscal year 2015-2016, that amount shall be added to the base amount and adjusted as provided
4 below. The City shall not reduce the amount of such City appropriations for services for
5 Disconnected Transitional-Aged Youth (not including appropriations from the Fund and
6 exclusive of expenditures mandated by state or federal law) under this section below the amount
7 so appropriated for fiscal year 2014-2015, as adjusted.

8 The base amount shall be adjusted for each year after the base year by the Controller
9 based on calculations consistent from year to year by the percentage increase or decrease in
10 aggregate City and County discretionary revenues. In determining aggregate City and County
11 discretionary revenue, the Controller shall only include revenues received by the City and
12 County that are unrestricted and may be used at the option of the Mayor and the Board of
13 Supervisors for any lawful City purpose. The method used by the Controller to determine
14 discretionary revenues shall be consistent with method used by the Controller to determine the
15 Library and Children's Baseline Calculations dated June 20, 2000, which the Controller shall
16 place on file with the Clerk of the Board in File No. 000952. Errors in the Controller's estimate
17 of discretionary revenues for a fiscal year shall be corrected by an adjustment in the next year's
18 estimate. Within 90 days following the end of each fiscal year throughout the term of this
19 measure through 2014-2015, the Controller shall calculate and publish the actual amount of City
20 appropriations for services for children that would have been eligible to be paid from the Fund
21 but are paid from other sources, separately identifying expenditures mandated by state or federal
22 law.

23 (h) Five-Year Planning Cycle. The City shall appropriate monies from the Fund
24 according to a five-year planning process. This process is intended to: (1) increase
25 transparency, accountability, and public engagement; (2) provide time and opportunities for

1 community participation and planning; (3) ensure program stability; and (4) maximize the
2 effectiveness of the services funded.

3 (1) Year 1 - Community Needs Assessment. During every fifth fiscal year
4 beginning with Fiscal Year 2015-2016, DCYF shall conduct a Community Needs Assessment
5 (CNA) to identify services to receive monies from the Fund. DCYF shall undertake a robust
6 community process in every supervisorial district, soliciting input from a diverse cross-section of
7 parents, youth and non-profit stakeholders to develop the CNA:

8 (A) By August 15, DCYF shall develop a plan for how to conduct the
9 CNA.

10 (i) Opportunities for parents, youth, nonprofit agencies, and other
11 members of the public, to provide input; and,

12 (ii) Public notice and outreach to places where parents, children,
13 and youth regularly go, such as recreation centers, bus stops, pediatrician offices, and schools,
14 as well as online resources.

15 (B) The CNA shall include an equity analysis of services and resources
16 for parents, children and youth. DCYF shall develop a set of equity metrics to be used to
17 establish a baseline of existing services and resources in low-income neighborhoods and
18 disadvantaged communities, compared to services and resources available to the City as a
19 whole.

20 (C) By September 1, DCYF shall provide its plan for conducting the CNA
21 to the Oversight Committee, the Service Provider Working Group created in subsection (m), and
22 the Board of Supervisors. The plan shall be a public document.

23 (D) By February 1, DCYF shall complete the CNA and provide a draft
24 report on the results to the Oversight Committee.

1 (E) By May 15, DCYF shall submit a final report on the CNA to the
2 Oversight Committee and the Board of Supervisors. The final report may incorporate any
3 comments or suggestions made by the public or by the agencies that received copies of the draft
4 report.

5 (F) By June 1, the Oversight Committee shall consider and approve or
6 disapprove the report on the CNA. If the Oversight Committee disapproves the report, DCYF
7 may modify and resubmit the report.

8 (G) By July 1, the Board of Supervisors shall consider and approve or
9 disapprove, or modify, the report on the CNA. If the Board disapproves the report, DCYF may
10 modify and, with the approval of the Oversight Committee, resubmit the report, provided,
11 however, that the City may not expend monies from the Fund until the Board of Supervisors has
12 approved a final report on the CNA.

13 (2) Year 2 – Services and Allocation Plan. During every fifth fiscal year
14 beginning with Fiscal Year 2016-2017, DCYF shall prepare a SAP to determine services eligible
15 to receive monies from the Fund. DCYF shall use the following process to prepare the SAP:

16 (A) By January 31, DCYF shall prepare a draft SAP in consultation with
17 interested City departments, including the First Five Commission, the Office of Early Care and
18 Education (or any successor entity), Recreation and Parks, Health, Human Services, Youth,
19 Juvenile Probation, Status of Women, Police, Library, and Arts Commission, as well as
20 community-based service providers, parents, children, youth, and other members of the public.

21 The SAP must:

22 (i) Demonstrate consistency with the CNA and with citywide
23 vision and goals for children and families;

24 (ii) Include all services for children and disconnected
25 transitional-aged youth;

1 (iii) Be outcome-oriented and include goals, measurable and
2 verifiable objectives and measurable and verifiable outcomes;

3 (iv) Include evaluation of services, including service delivery and
4 service coordination among providers and the City, and capacity building as separate funding
5 areas;

6 (v) State how services will be coordinated and have specific
7 amounts allocated towards specific goals, service models, populations and neighborhoods

8 (vi) Include funding for youth-initiated projects totaling at least
9 3 percent of the total proposed expenditures from the Fund for the cycle;

10 (vii) Include evaluation data from the previous funding cycle and
11 the details of the Children and Youth Baseline; and,

12 (viii) Reflect and incorporate strategies to coordinate and align
13 all services for children furnished or funded by all governmental or private entities and
14 administered by the City, whether or not those services are eligible to receive monies from the
15 Fund.

16 (B) The SAP shall include an equity analysis of services and resources for
17 parents, children and youth. Using the equity metrics developed for preparation of the CNA, the
18 SAP shall compare proposed new, augmented, and coordinated services and resources for low-
19 income neighborhoods and disadvantaged communities with services and resources available to
20 the City as a whole.

21 (C) By February 1, DCYF shall present the draft SAP to the Oversight
22 Committee and the Service Provider Working Group. By March 31, DCYF shall present the
23 draft SAP to the Recreation and Parks, Health, Human Services, Youth, Arts, and Juvenile
24 Probation Commissions.

1 (D) By May 15, DCYF shall submit a final version of SAP to the
2 Oversight Committee and the Board of Supervisors. The final version may incorporate any
3 comments or suggestions made by the public or by the agencies that received copies of the draft
4 SAP.

5 (E) By June 1, the Oversight Committee shall consider and approve or
6 disapprove the SAP. If the Oversight Committee disapproves the SAP, DCYF may modify and
7 resubmit the SAP.

8 (F) By July 1, the Board of Supervisors shall consider and approve or
9 disapprove, or modify, the SAP. If the Board disapproves the SAP, DCYF may modify and, with
10 the approval of the Oversight Committee, resubmit the SAP, provided, however, that the City
11 may not expend monies from the Fund until a SAP has been approved by the Board of
12 Supervisors.

13 (G) During subsequent years of the planning cycle, DCYF, with the
14 approval of the Oversight Committee and the Board of Supervisors, may amend the SAP to
15 address emerging needs.

16 (3) Year 3 – Selection of Contractors. During every fifth fiscal year beginning in
17 2017-2018, DCYF shall conduct competitive solicitations for services to be funded from the
18 Fund.

19 (4) Year 4 – Service Cycle Begins. Contracts for services shall start on July 1 of
20 Year 4 of the planning cycle. During subsequent years of the planning cycle, DCYF, with the
21 approval of the Oversight Committee, may issue supplemental competitive solicitations to
22 address amendments to the SAP and emerging needs. All expenditures for services from the
23 Fund must be consistent with the most recent CNA and SAP.

1 (5) DCYF may recommend, and the Oversight Committee and the Board of
2 Supervisors may approve, changes to the due dates and timelines provided in this subsection (h).
3 The Board of Supervisors shall approve such changes by ordinance.

4 ~~(h) **Three-Year Planning Cycle.** To provide time for community participation and~~
5 ~~planning, and to ensure program stability, appropriations from the Fund for all fiscal years~~
6 ~~beginning after June 30, 2004 shall be made pursuant to a three year planning cycle as set forth~~
7 ~~in subsections (h) through (l). During every third fiscal year beginning with the 2001-2002~~
8 ~~fiscal year, the City shall prepare a Community Needs Assessment to determine services eligible~~
9 ~~to receive moneys from the Fund. During every third fiscal year beginning with the 2002-2003~~
10 ~~fiscal year, the City shall prepare a Children's Services and Allocation Plan ("the Plan"), based~~
11 ~~on the Community Needs Assessment approved during the previous year. The Board of~~
12 ~~Supervisors may modify an existing Community Needs Assessment or Plan, provided that any~~
13 ~~modification shall occur only after a noticed public hearing. All appropriations from the Fund~~
14 ~~shall be consistent with the most recent Plan, provided that the Board of Supervisors may~~
15 ~~approve an amendment to the Plan at the same time it approves an appropriation.~~

16 ~~(i) **Community Needs Assessment and Children's Services and Allocation Plan.**~~

17 ~~(1) The Community Needs Assessment and the Plan shall be in writing, shall be~~
18 ~~made available to the public in draft form not later than January 31 of each fiscal year in which~~
19 ~~they are required, shall be presented by March 31 of each such fiscal year to the commissions~~
20 ~~listed in subsection (m)(3) for review and comment, and by April 30 of each such fiscal year~~
21 ~~shall be presented to the Board of Supervisors for approval.~~

22 ~~(2) Prior to preparation of each draft Community Needs Assessment, the City~~
23 ~~shall hold at least one public hearing in each geographical area defined in Charter~~
24 ~~Section 13.110. The City shall also make available opportunities for parents, youth, and~~
25 ~~agencies receiving monies from the Fund to provide information for the Community Needs~~

1 ~~Assessment. The Community Needs Assessment shall include the results of a Citywide survey of~~
2 ~~parents and youth to be conducted by the Controller every three years.~~

3 ~~(3) The Plan shall include all services for children furnished or funded by the~~
4 ~~City or funded by another governmental or private entity and administered by the City, whether~~
5 ~~or not they received or may receive monies from the Fund. The Plan shall be outcome-oriented~~
6 ~~and include goals, measurable and verifiable objectives and measurable and verifiable~~
7 ~~outcomes.~~

8 ~~(4) The Plan shall state how all services receiving money from the Fund will be~~
9 ~~coordinated with other children's services. The Plan shall specify amounts of funding to be~~
10 ~~allocated: (i) toward achieving specified goals, measurable and verifiable objectives and~~
11 ~~measurable and verifiable outcomes, (ii) to specified service models; and (iii) for specific~~
12 ~~populations and neighborhoods. The Plan shall also state the reasons for the allocations and~~
13 ~~demonstrate how the allocations are consistent with the Community Needs Assessment. A~~
14 ~~minimum of three percent of the funding allocated under the Plan shall be for youth-initiated~~
15 ~~projects.~~

16 ~~(i) **(j) Evaluation.** DCYF shall provide for the evaluation on a regular basis of all~~
17 ~~services funded through the Fund, and shall prepare on a regular basis an Evaluation and Data~~
18 ~~Report for the Oversight Committee. The Plan shall include an evaluation of services that~~
19 ~~received money from the Fund at any time during the last three fiscal years. The evaluation~~
20 ~~shall involve those who use the funded services and other parents and youth.~~

21 ~~(k) **Failure of Board to Act.** If the Board of Supervisors has not approved a Community~~
22 ~~Needs Assessment before the first day of the fiscal year during which the Plan is to be prepared,~~
23 ~~the Plan shall be based on the Community Needs Assessment as originally submitted to the~~
24 ~~Board of Supervisors.~~

1 (j) ~~(h)~~ **Selection of Contractors.** The Oversight Committee shall recommend standards
2 and procedures for the selection of contractors to be funded from the Fund. It shall be the policy
3 of the City to use competitive solicitation processes where appropriate and to give priority to the
4 participation of non-profit agencies. Except for services provided by City employees, the Fund
5 shall be expended through contractors selected based on their responses to one or more requests
6 for proposals issued by the City. The City shall award contracts to coincide with the City's fiscal
7 year starting July 1.

8 (k) ~~(m)~~ **Implementation.**

9 (1) In implementation of this section, facilitating public participation and
10 maximizing availability of information to the public shall be primary goals.

11 (2) ~~So long as there exists within the executive branch of City government a~~
12 ~~Department of Children, Youth and Their Families, or an equivalent department or agency as its~~
13 ~~successor, that department DCYF shall administer the ~~Children's~~ Fund and prepare the~~
14 Community Needs Assessment and the Services and Allocation Plan pursuant to this section. ~~If~~
15 ~~no such department or agency exists, the Mayor shall designate a department or other City body~~
16 ~~to administer the Children's Fund pursuant to this section.~~

17 (3) ~~In addition to all other hearings otherwise required, the Recreation and Park,~~
18 ~~Juvenile Probation, Youth, Health and Human Services Commissions shall each hold at least~~
19 ~~one separate or joint hearing each fiscal year to discuss issues relating to this section. The~~
20 ~~Department of Children, Youth and Their Families, or other agency as described above in~~
21 ~~section (m)(2), DCYF shall consult with the Recreation and Park Department, Arts Commission,~~
22 Juvenile Probation Department, Unified School District, Health Department, Department of
23 Human Services, Commission on the Status of Women, Police Department, Library Department
24 and Municipal Transportation Agency in preparation of portions of the Community Needs
25

1 Assessment and the Services and Allocation Plan that relate to ~~the their~~ respective activities or
2 areas of responsibility of those agencies.

3 (4) The Board of Supervisors may by ordinance implement this section.

4 (l) Service Provider Working Group. The Oversight Committee shall create a Service
5 Provider Working Group (“SP Working Group”) to advise the Director and the Oversight
6 Committee on funding priorities, policy development, the planning cycle, evaluation design and
7 plans, and any other issues of concern to the Working Group related to the Fund or the
8 responsibilities of DCYF or other departments receiving monies from the Fund.

9 The Working Group shall engage a broad cross-section of service providers in providing
10 information, education and consultation to the Oversight Committee and DCYF. All members of
11 the Working Group shall be actively providing services to children, youth and their families.

12 The Working Group shall be staffed by DCYF, and shall meet at least four times a year.

13 The Oversight Committee shall appoint two initial co-chairs of the Working Group, who
14 shall be responsible for developing the structure of the Working Group and facilitating the
15 meetings. The co-chairs shall serve for 2 years (except at the outset when one will serve only
16 one year, in order to stagger the terms.) After the first year, the Working Group shall select its
17 own chairs. Working Group meetings shall be open and encourage widespread participation.

18 ~~(n) Advisory Committee. There shall be a Children's Fund Citizens' Advisory~~
19 ~~Committee ("the Committee") that shall consist of 15 members, each appointed by the Mayor to~~
20 ~~a three-year term, to serve at the Mayor's pleasure. At least three members of the Committee~~
21 ~~shall be parents and at least three members shall be less than 18 years old at the time of~~
22 ~~appointment. For each of the following areas, there shall be at least one Committee member~~
23 ~~with professional expertise in that area: early childhood development, childcare, education,~~
24 ~~health, recreation and youth development. The Committee shall meet at least quarterly, and~~
25 ~~shall advise the department or agency that administers the Children's Fund and the Mayor~~

1 ~~concerning the Children's Fund. The Committee shall convene by July 1, 2001. Each member of~~
2 ~~the Committee shall receive copies of each proposed Community Needs Assessment and each~~
3 ~~Plan (including the evaluation required as part of the Plan). Members of the Committee shall~~
4 ~~serve without pay, but may be reimbursed for expenses actually incurred.~~

5 ~~(o) **Unspent Funds.** All unspent funds in the Children's Fund created by former Charter~~
6 ~~Section 16.108 shall be transferred to the Children's Fund established herein.~~

7 ~~(m) (p)~~ **Effect of Procedural Errors.** No appropriation, contract or other action shall be
8 held invalid or set aside by reason of any error, including without limitation any irregularity,
9 informality, neglect or omission, in carrying out procedures specified in subsections (h) through
10 ~~(l) (n)~~ unless a court finds that the party challenging the action suffered substantial injury from
11 the error and that a different result would have been probable had the error not occurred.

12
13 **SEC. 16.108-1. CHILDREN, YOUTH AND THEIR FAMILIES OVERSIGHT**
14 **COMMITTEE.**

15 ~~(a) **Creation.** There shall be a Children, Youth and Their Families Oversight Committee~~
16 ~~("Oversight Committee") to review the governance and policies of the Department of Children,~~
17 ~~Youth and Their Families ("DCYF"), to monitor and participate in the administration of the~~
18 ~~Children and Youth Fund as provided in Charter Section 16.108 ("Fund"), and to take steps to~~
19 ~~ensure that the Fund is administered in a manner accountable to the community.~~

20 ~~(b) **Responsibilities.**~~

21 ~~(1) The Oversight Committee shall develop and recommend policies for DCYF~~
22 ~~and the Fund regarding outcomes for children and youth services, the evaluation of services, a~~
23 ~~process for making funding decisions, program improvement and capacity building of service~~
24 ~~providers, community engagement in planning and evaluating services, leveraging dollars of the~~

1 Fund and the use of the Fund as a catalyst for innovation. The Oversight Committee shall
2 promote and facilitate transparency in the administration of the Fund.

3 (2) As provided in Section 16.108, the Committee shall review and approve the
4 planning process for the Community Needs Assessment (“CNA”) and the final CNA, the Services
5 and Allocation Plan, and DCYF’s overall spending plan (including the approval of grants as a
6 package), and shall review the annual Data and Evaluation Report.

7 (3) The Oversight Committee shall participate in the evaluation of the Director of
8 DCYF, assist in recruitment for the Director when the position is vacant, and recommend
9 candidates to the Mayor.

10 (4) Establish and maintain a Service Provider Working Group as provided in
11 Section 16.108.

12 (c) **Composition.** The Oversight Committee shall have eleven members. The Mayor
13 shall appoint members for Seats 1 through 6, subject to confirmation by a majority of the Board
14 of Supervisors. The Board of Supervisors shall appoint members for Seats 7 through 11.

15 (d) **Implementation.** The Board of Supervisors shall further provide by ordinance for
16 the membership, structure, functions, appointment criteria, and support of the Committee.

17
18 **SEC. 16.123-1. PUBLIC EDUCATION ENRICHMENT FUND; PREAMBLE.**

19 (a) The people of the City and County of San Francisco find and declare that:

20 (1) San Francisco Unified School District (“SFUSD”) schools are one of the
21 City’s most valuable public assets and every San Francisco student has the right to a quality
22 public education that prepares them to pursue higher education, be competitive in a diversity of
23 job markets and ultimately contribute to the future health and vitality of San Francisco;

1 (2) City funding for SFUSD public schools is an essential and valuable
2 investment in our youth, as validated by San Francisco voters who overwhelmingly passed (71%
3 approval) the Public Education Enrichment Fund in 2004;

4 (3) The State of California is currently 49th in per pupil spending, and without
5 the Public Education Enrichment Fund, the San Francisco Unified School District (SFUSD)
6 would fall to fifth place in per pupil spending among comparable California school districts;

7 (4) Urban public schools have the greatest need for comprehensive educational
8 programs-including preschool programs, arts and music programs, sports activities, and after
9 school programs-but often have the fewest resources to provide them;

10 (5) In the last decade, the Public Education Enrichment Fund (“PEEF”) enabled
11 all San Francisco public school students to benefit from once-underfunded and diminishing
12 critical programs and services including but not limited to: quality physical education and
13 athletics programs, fully functioning libraries at every school staffed by credentialed librarians,
14 arts and music teachers and programs, wellness and behavioral support staffing and translation
15 and interpretation services;

16 (6) In the last decade, critical PEEF Sports, Libraries, Arts and Music funding
17 has ensured that every San Francisco public school has a librarian, regular professional
18 development training occurs for Visual Arts and Performance instructors where before there was
19 none and the number of professional training classes for Athletics instructors has more than
20 tripled;

21 (7) The General Education portion of the Public Education Enrichment Fund has
22 enabled San Francisco Unified School District (SFUSD) to triple the number of students
23 enrolled in grades K-8 receiving individual and/or group health and mental health services
24 through Student Support Professionals over the past five years, with the number of high school
25

1 students receiving five or more counseling sessions at the Wellness Center more than doubling in
2 the last 10 years;

3 (8) The General Education portion of the Public Education Enrichment Fund has
4 enabled San Francisco Unified School District (SFUSD) to nearly double the number of high
5 schools seniors completing two City College of San Francisco courses;

6 (9) Public Education Enrichment Funding has enabled the Human Capital
7 Support program to recruit and retain a diversity of quality teachers to the San Francisco
8 Unified School District. In the year the program began, there were approximately 46 teacher
9 vacancies on the first day of school, whereas there were only three teacher vacancies on the first
10 day of school in FY 2012-2013;

11 (10) SFUSD has seen a resurgence in enrollment in recent years and recognition
12 of the opportunities now available to the young people of San Francisco;

13 (11) The “Preschool for All” program, initially established by the Public
14 Education Enrichment Fund successfully served over 18,000 children; with enrollment
15 increasing year to year;

16 (12) Studies have shown that children who have participated in Preschool for All
17 demonstrated significantly higher academically achievement than children who did not
18 participate;

19 (13) While the Preschool for All program has made great strides in closing the
20 opportunity gap for low-income early age children, the current need far exceeds the current level
21 of services we are able to provide;

22 (14) The choices businesses make about where to locate include the quality of
23 public services the City provides, including public safety, transportation and education; A free
24 quality public education can serve as a key factor for business to attract and retain workers in
25 our community;

1 (15) Since 2000, the SFUSD has made strong improvements in achievement
2 measures and financial management; and during the past decade, SFUSD has built an
3 exemplary record for effective and responsible management of voter-approved parcel taxes and
4 bond measures, and financial and programmatic reviews of PEEF expenditures conducted by the
5 Controller's Office have verified that expenditures were spent in accordance with SFUSD's
6 spending plans and Charter requirements;

7 (16) As the economy begins to recover, now is the time to continue to invest in
8 our children's future to maintain and grow thriving public schools for San Francisco's children,
9 before further declines begin to erode the progress the SFUSD has made.

10 ~~1. Quality public education is highly correlated with higher earnings potential,~~
11 ~~reduced crime, lower rates of teen pregnancy and substance abuse, and greater self-esteem;~~

12 ~~2. Urban public schools have the greatest need for comprehensive educational~~
13 ~~programs including preschool programs, arts and music programs, sports activities, and after~~
14 ~~school programs but often have the fewest resources to provide them;~~

15 ~~3. While California once led the nation in public school spending and~~
16 ~~performance, investments have greatly declined. Despite its high cost of living, San Francisco~~
17 ~~per pupil spending ranks 34th among 43 comparable central City U.S. public school districts of~~
18 ~~similar size. As of 2001, adjusted for cost of living, teacher salaries for the San Francisco~~
19 ~~Unified School District (SFUSD) ranked 99th of 100 metropolitan areas;~~

20 ~~4. SFUSD enrollment has dropped in recent years as families have left San~~
21 ~~Francisco in search of affordable neighborhoods with high-quality public schools;~~

22 ~~5. The choices businesses make about where to locate include the quality of~~
23 ~~public services the City provides, including public safety, transportation and education;~~

24 ~~6. Since 2000, the SFUSD has made strong improvements in achievement~~
25 ~~measures and financial management; and~~

1 ~~7. As the economy begins to recover, now is the time to invest in our children's~~
2 ~~future, before further declines begin to erode the progress the SFUSD has made.~~

3 (b) This measure may be referred to as "The Public Education Enrichment Fund Arts,
4 ~~Music, Sports, and Pre-School for Every Child~~ Amendment of 2014 2003."

5
6 **SEC. 16.123-2. PUBLIC EDUCATION ENRICHMENT FUND.**

7 (a) **Creating the Fund.** There shall be a Public Education Enrichment Fund. The City
8 shall each year appropriate monies to the Public Education Enrichment Fund according to
9 subsections (b), (c), and (d), below. ~~In determining whether the City has met its annual~~
10 ~~obligation to the Fund, the Mayor and the Board of Supervisors may consider both direct~~
11 ~~financial support and the cash value of any in-kind support services, as described in~~
12 ~~Section 16.123-5, provided by the City to the San Francisco Unified School District and the~~
13 ~~Children and Families First Commission (hereinafter the "First Five Commission") or any~~
14 ~~successor agency, provided that at least two-thirds of the City's contribution to the Fund each~~
15 ~~year shall be comprised of direct financial support necessary to meet the requirements of~~
16 ~~Sections 16.123-3 and 16.123-4 of this measure.~~

17 (b) **Baseline Appropriations.** The Fund shall be used exclusively to increase the
18 aggregate City appropriations to and expenditures for the San Francisco Unified School District.
19 To this end, the City shall not reduce the amount of such City appropriations (not including
20 appropriations from the Fund and exclusive of expenditures mandated by state or federal law) in
21 any year of the eleven years during which funds are required to be set aside under this Section
22 below the amount so appropriated for the fiscal year 2002-2003 ("the base year"). These
23 baseline appropriations shall be separate from the City's annual contributions to the Public
24 Education Enrichment Fund under subsection (c), and shall be appropriated by the City to the
25

1 School District each year during the term of this measure ~~for the same purposes and in the same~~
2 ~~relative proportions among those purposes as in the base year, as certified by the Controller.~~

3 The amount of the City's baseline appropriations to the School District shall be adjusted
4 for each year after the base year by the Controller based on calculations consistent from year to
5 year by the percentage increase or decrease in City and County discretionary General Fund
6 revenues. In determining City and County discretionary General Fund revenues, the Controller
7 shall only include revenues received by the City and County that are unrestricted and may be
8 used at the option of the Mayor and the Board of Supervisors for any lawful City purpose.
9 Errors in the Controller's estimate of discretionary revenues for a fiscal year shall be corrected by
10 an adjustment in the next year's estimate. Using audited financial results for the prior fiscal year,
11 the Controller shall calculate and publish the actual amount of City appropriations that would
12 have been required under this baseline for the School District.

13 (c) **Annual Contributions to the Fund FY 2005-2006 through FY 2009-2010.** In
14 addition to the annual baseline appropriation provided above, the City shall, for years two
15 through six of this measure, contribute the following amounts to the Public Education
16 Enrichment Fund:

17	Fiscal Year 2005-06	\$10 million
18	Fiscal Year 2006-07	\$20 million
19	Fiscal Year 2007-08	\$30 million
20	Fiscal Year 2008-09	\$45 million
21	Fiscal Year 2009-10	\$60 million

22 (d) **Annual Contributions to the Fund-FY 2010-11 and Thereafter through FY 2014-**
23 ~~15.~~ For Fiscal Years 2010-11 and thereafter ~~through FY 2014-15~~, the City's annual contribution
24 to the Public Education Enrichment Fund shall equal its total contribution for the prior year,
25

1 beginning with Fiscal Year 2009-2010, adjusted for the estimated increase or decrease in
2 discretionary General Fund revenues for the year.

3 (e) **Audit Requirements.** All disbursements from the Fund and from the baseline
4 appropriations shall be subject to periodic audit by the Controller. The San Francisco Unified
5 School District and the Office of Early Care and Education, or any successor entity (“OECE”)
6 in collaboration with the First Five Commission shall agree to such audits as a condition of
7 receiving disbursements from the Fund.

8
9 **SEC. 16.123-4. UNIVERSAL ACCESS TO EARLY EDUCATION PRESCHOOL.**

10 (a) **Universal Access to Early Education Preschool.** It shall be the goal of the City and
11 County of San Francisco to provide all children between the ages of three and five years ~~four-~~
12 ~~year-old children~~ who are City residents the opportunity to attend quality early education
13 programs, giving priority to four year old children. ~~preschool, and it shall be~~ It is the goal of the
14 people in adopting this measure to expand such access beginning ~~to~~ ~~so~~ no later than
15 September 1, 2015, 2009 building upon the work of the City’s existing Preschool for All
16 program.

17 (b) **Planning Process.** No later than January 1, 2016 September 1, 2004, the OECE the
18 First Five Commission, in consultation with the San Francisco Childcare Planning and Advisory
19 Council, the First Five Commission, the San Francisco Unified School District, the San
20 Francisco Human Services Agency, the San Francisco Department of Children, Youth and Their
21 Families, and community stakeholders, shall submit to the Board of Supervisors a proposal for a
22 expanding quality universal early education ~~preschool~~ program for San Francisco. The Board of
23 Supervisors shall approve the plan by resolution; if the Board does not approve the plan, it may
24 refer the plan back to the OECE ~~First Five Commission~~ for revision.

1 In preparing the plan, the OECE, in collaboration with the First Five Commission shall
2 develop universal early education ~~preschool~~ funding guidelines consistent with the findings of
3 the 2012-2013 Childcare Planning and Advisory Council's San Francisco Childcare Needs
4 Assessment, the 2012 San Francisco Citywide Plan for Early Education, First 5 San Francisco's
5 2013 Evaluations of the Preschool for All program, the San Francisco Unified School District's
6 2014 Kindergarten Readiness Data, and the Office of Early Care and Education's 2014
7 Financing Study.

8 The plan shall include goals for the quality of early care and education programs, shall
9 align with emerging developments in state and/or federal early care and education policy, and
10 shall address the professional development needs of center-based and family child care
11 providers. Professional development as defined herein includes education, technical assistance
12 and coaching, training, and supports, and shall be aligned with the City's goals for early care
13 and education program quality. Additionally, in preparing the plan, the OECE shall develop
14 ~~including~~ guidelines designed to meet neighborhood-specific needs, including school readiness,
15 subsidy availability, children's dual language development, facility development, parent
16 engagement and education, inclusion of children with special needs, ~~such as subsidies, new~~
17 facility development, and provider support for both family childcare homes and childcare centers.
18 Such funding guidelines also shall address the unmet need for universal early education
19 ~~preschool~~ and childcare slots in specific City neighborhoods.

20 Following the Board of Supervisors' approval of the plan, the OECE, in collaboration
21 with the San Francisco Unified School District and First Five Commission, shall develop an
22 evaluation plan for tracking the results of the City's investments in early care and education.

23 (c) **Annual Disbursements.** For Fiscal Year 2014-2015, Each year during the term of
24 this measure, the City shall appropriate one-third of the money in the Public Education
25 Enrichment Fund to the First Five Commission for universal preschool programs administered

1 by the Commission. Beginning July 1, 2015, the City each year shall appropriate one-third of
2 the money in the Public Education Enrichment Fund to the OECE for early education programs
3 to be administered by that office or entity or its successor.

4 (d) Citizens Advisory Committee. No later than March 1, 2015, the Board of
5 Supervisors shall establish, by ordinance, a Citizens Advisory Committee to provide
6 recommendations to the OECE and First Five Commission on universal access to early
7 education and the funds appropriated under this Section.

8
9 **SEC. 16.123-5. DIRECT FINANCIAL ~~OTHER CITY~~ SUPPORT FOR THE SAN**
10 **FRANCISCO UNIFIED SCHOOL DISTRICT.**

11 ~~(a) **In-Kind Support.** Not later than one year after the effective date of this measure, the~~
12 ~~City and the School District shall identify areas of potential in-kind support that the City could~~
13 ~~provide to the School District free of charge or at substantially reduced rates. In-kind support,~~
14 ~~for these purposes, may include, but is not limited to:~~

15 ~~Learning support services, including health, counseling, social work, and~~
16 ~~nutrition services;~~

17 ~~Financial support services;~~

18 ~~Telecommunication and information services;~~

19 ~~Construction management services;~~

20 ~~Utility services;~~

21 ~~Transportation services;~~

22 ~~Legal services; and~~

23 ~~Public safety services.~~

24 ~~(b) **Planning Process.** No later than six months after the effective date of this measure,~~
25 ~~the School District shall submit to the Board of Supervisors proposals for in-kind services that~~

1 ~~could be provided by the City to the District to further the educational goals and operations of~~
2 ~~the District. The Board shall distribute those proposals to all City departments having expertise~~
3 ~~in providing or capability to provide such in-kind services, and no later than nine months after~~
4 ~~the effective date of this measure, the departments will respond to the Board with proposals to~~
5 ~~provide such in-kind services to the District. The School District may use any direct financial~~
6 ~~support provided under this Section to hire consultants to help identify possible in-kind services.~~
7 ~~The Board of Supervisors may, by ordinance, provide for continuation of this planning process~~
8 ~~during the subsequent term of the measure.~~

9 (a) ~~(e)~~ **Annual Disbursements.** Each year during the term of this measure, the City
10 shall appropriate one-third of the money in ~~provide direct financial assistance from~~ the Public
11 Education Enrichment Fund to the San Francisco Unified School District as direct financial
12 support. ~~in an amount equal to one-third of the money in the Fund, or in-kind support services of~~
13 ~~equal value.~~

14 (b) ~~(d)~~ **Permissible Uses.** The San Francisco Unified School District may expend funds
15 provided as direct financial support under this Section for any educational or support purpose
16 provided under law, including, but not limited to, gifted and talented programs, magnet
17 programs, literacy programs, dual-language immersion programs, special education, employee
18 compensation, career and college centers at high schools, teacher mentoring or master teacher
19 programs, or other instructional purposes. The City recognizes that in providing such programs
20 and services, a well-run school district requires both certificated and classified staff, and urges
21 the San Francisco Unified School District to hire both certificated and classified staff to carry out
22 the purposes of this measure.

23 ~~(e)~~ ~~Within one year of the effective date of this measure, the School District, with the~~
24 ~~assistance of the City's Department of Public Health, Department of Human Services, and~~
25 ~~Department of Children, Youth, and Their Families, shall conduct an assessment of health,~~

1 ~~counseling, social work, and nutritional needs of pupils in the District, including problems~~
2 ~~related to asthma and other chronic diseases. The City may appropriate a specific portion of the~~
3 ~~disbursement under this Section through its annual appropriation process for these purposes,~~
4 ~~pursuant to recommendations from the School District.~~

5
6 **SEC. 16.123-6. EXPENDITURE PLANS.**

7 (a) No later than ~~April 1~~ February 1 of each year during the term of this measure, the
8 San Francisco Unified School District and ~~the OECE~~ the First Five Commission shall each
9 submit an expenditure plan for funding to be received from the Public Education Enrichment
10 Fund for the upcoming fiscal year to the Mayor and the Board of Supervisor, in response to the
11 Controller's March fund estimate for the coming fiscal year. ~~The proposed expenditure plans~~
12 ~~must include prior year total budgeted and expended appropriations and Fund budgeted and~~
13 ~~expended appropriations by category, as well as average daily attendance information for the~~
14 ~~prior year and anticipated average daily attendance information for the plan year, to facilitate~~
15 ~~multi-year comparison.~~

16 ~~(b) The Controller shall review the plans and transmit them, with his or her comments,~~
17 ~~to the Mayor and the Board of Supervisors for their review and comment.~~

18 (b) ~~(e)~~ The plans shall include a budget for the expenditures, descriptions of budgeted
19 programs and services, performance goals, target populations, hiring and recruitment plans for
20 personnel, plans for matching or other additional funding, operating reserves, and any other
21 matters that the District and Commission deem appropriate or the Mayor or the Board requests.

22 (c) ~~(d)~~ The Mayor and the Board of Supervisors may request further explanation of items
23 included in the plans, and the District and the ~~OECE~~ Commission shall respond in a timely
24 manner to such inquiries. The Board may place appropriations provided for under this measure
25 on reserve until it has received adequate responses to its inquiries.

1
2 **SEC. 16.123-7. [Reserved] ~~STRUCTURAL SAVINGS TO THE CITY'S BUDGET.~~**

3 ~~(a) **Controller's and Budget Analyst's Recommendations.** Not later than October 1 of~~
4 ~~each fiscal year from Fiscal Year 2005-06 through 2009-10, the Controller and the Board of~~
5 ~~Supervisors' Budget Analyst shall prepare and submit recommended cuts or other structural~~
6 ~~changes to reduce, on an ongoing basis, spending on City departmental operations, or identify~~
7 ~~new revenues, in an amount sufficient to meet each year's required funding for the Public~~
8 ~~Education Enrichment Fund.~~

9 ~~(b) **Board of Supervisors' Proposals.** Not later than December 15 of each fiscal year~~
10 ~~from Fiscal Year 2005-06 through Fiscal Year 2009-10, the Board of Supervisors shall hold~~
11 ~~hearings on the recommendations made by the Controller and the Budget Analyst and shall~~
12 ~~forward its proposals to the Mayor.~~

13 ~~(c) **Budget Requirements.** In his/her annual budget submission to the Board of~~
14 ~~Supervisors for each fiscal year from Fiscal Year 2005-06 through Fiscal Year 2009-10, the~~
15 ~~Mayor shall incorporate the Board of Supervisors' proposals, or identify alternative revenue or~~
16 ~~expenditure savings sufficient to appropriate funds to the Public Education Enrichment Fund~~
17 ~~according to the schedule set forth in Section 16.123-2 of this measure.~~

18
19 **SEC. 16.123-8. ADJUSTMENTS.**

20 ~~(a) In any year of this measure, if the joint budget report as prepared by the Controller,~~
21 ~~the Mayor's Budget Director and the Board of Supervisors' Budget Analyst projects a budgetary~~
22 ~~shortfall of \$100 million dollars or more, the Mayor and the Board of Supervisors may reduce~~
23 ~~the City's contribution to the Public Education Enrichment Fund under Section 16.123-2, and its~~
24 ~~disbursements under Sections 16.123-3, 16.123-4, or 16.123-5, by up to 25 percent; provided,~~
25 ~~however, that the City must pay back the amount deferred within the period from June 30, 2015,~~

1 ~~the last day of the term of this measure, and June 30, 2018, a date three years later, unless the~~
2 ~~voters extend this measure beyond July 1, 2015 or authorize a substantially similar measure at~~
3 ~~that time.~~

4 (a) (b) Audit Recommendations. The Mayor and the Board of Supervisors may
5 suspend the City's disbursements from the baseline appropriations or the Public Education
6 Enrichment Fund under Sections 16.123-3, 16.123-4, or 16.123-5 in whole or in part for any year
7 where the Controller certifies that the San Francisco Unified School District or the OECE ~~the~~
8 ~~First Five Commission~~ has failed to adopt audit recommendations made by the Controller.

9 As part of the audit function, the Controller shall periodically review performance and
10 cost benchmarks developed by the School District and the OECE ~~the First Five Commission~~,
11 including:

- 12 (1) Fund dollars spent for services, materials, and supplies permitted under the
13 Charter;
14 (2) Fund dollars spent as reported to the City;
15 (3) Supporting documentation of Fund expenditures; and,
16 (4) Progress towards established workload, efficiency and effectiveness
17 measures.

18 ~~in consultation with the Controller for programs funded under this measure. The Commission's~~
19 ~~performance and cost benchmarks shall be based on the same performance and cost benchmarks~~
20 ~~as are required for other City departments, and on comparisons with other cities, counties, and~~
21 ~~public agencies performing similar functions. The School District's performance and cost~~
22 ~~benchmarks shall be based on similar standards.~~

23 ~~In particular, the Controller shall assess:~~

- 24 ~~(1) Measures of workload addressing the level of service being provided or~~
25 ~~providing an assessment of need for a service;~~

1 ~~(2) Measures of efficiency including cost per unit of service provided, cost per~~
2 ~~unit of output, or the units of service provided per full time equivalent position; and~~

3 ~~(3) Measures of effectiveness including the quality of service provided, citizen~~
4 ~~perceptions of quality, and the extent a service meets the needs for which it was created.~~

5 ~~The Controller's audits may address the extent to which the School District and the First~~
6 ~~Five Commission have met their respective performance and cost benchmarks.~~

7 **(b) (e) Reserve Policies.** The Mayor and the Board of Supervisors may suspend the
8 City's disbursements from the baseline appropriations or the Public Education Enrichment Fund
9 under Sections 16.123-2, 16.123-4, or 16.123-5 in whole or in part for any year where the
10 Controller certifies that the San Francisco Unified School District or the OECE ~~the First Five~~
11 ~~Commission~~ has failed to adopt reserve policies recommended by the Controller.

12 **(c) (d) Transfer and Use of Suspended Distributions.** If the Mayor and the Board of
13 Supervisors suspend City distributions from the baseline appropriations or the Public Education
14 Enrichment Fund under subsections (a) or (b) ~~or (e)~~, the City shall transfer the amount that
15 would otherwise be distributed from the baseline appropriations or the Public Education
16 Enrichment Fund for that year to the Children's Fund established in Charter Section 16.108, as
17 amended, or any successor legislation, for the provision of substantially equivalent services and
18 programs.

19 **(d) (e) New Local Revenues.** The Board of Supervisors may, by ordinance,
20 proportionally reduce the contribution to the Public Education Enrichment Fund and the
21 disbursements to the San Francisco Unified School District and the OECE ~~the First Five~~
22 ~~Commission~~ required by this measure if the voters of San Francisco adopt new, dedicated
23 revenue sources for the School District or the Commission, and the offsetting reduction in
24 disbursements is specifically authorized by the local revenue measure.

1 ~~(e)~~ **(f) New State Revenues.** The Board of Supervisors may, by ordinance,
2 proportionally reduce the contribution to the Public Education Enrichment Fund and the
3 disbursements to the San Francisco Unified School District required by this measure if the
4 percentage increase in per-pupil Revenue Limit funding provided by the State of California to
5 the San Francisco Unified School District in any fiscal year exceeds the percentage increase in
6 the City's cost of living during the previous fiscal year.

7 The Board of Supervisors may, by ordinance, proportionally reduce the contribution to
8 the Public Education Enrichment Fund and the disbursements to ~~the OECE the First Five~~
9 ~~Commission~~ if the State of California provides funding to the City for universal preschool,
10 provided that such disbursements are not required to match state and/or other funding.

11 ~~(g) Eighteen months prior to the expiration of this measure, the Controller shall conduct~~
12 ~~a complete analysis of the outcomes of the programs funded through the Public Education~~
13 ~~Enrichment Fund. The Controller's study shall also address changes in the levels of state and~~
14 ~~federal funding for local schools, per pupil spending in the San Francisco Unified School~~
15 ~~District compared to urban school districts of similar size. The Controller shall present the~~
16 ~~results of this analysis to the Mayor and the Board of Supervisors no later than nine months~~
17 ~~prior to the expiration of the measure.~~

18
19 **SEC. 16.123-10. SUNSET.**

20 The provisions of ~~Sections 16.123-1 through 16.123-10 this measure~~ shall expire ~~in~~
21 ~~eleven years~~, at the end of Fiscal Year ~~2039-2040~~ ~~2014-15~~, unless extended by the voters.

22
23 **SEC. 16.127-1. OUR CHILDREN, OUR FAMILIES COUNCIL; PREAMBLE.**

24 ~~(a) San Francisco has historically shown great concern and compassion for its most~~
25 ~~vulnerable residents—its children. The City and the community have demonstrated this~~

1 commitment through the adoption of progressive, innovative and creative ideals supporting the
2 well-being of San Francisco's children and families.

3 (b) To continue its legacy as a champion of children, it is imperative for San Francisco
4 to further invest in the City's children and families.

5 (c) The people of the City and County of San Francisco previously supported the
6 passage of the unprecedented Children's Amendment in 1991 and the Public Education
7 Enrichment Fund in 2004. While these initiatives dedicated funding to services, the level of
8 unmet needs in providing critical programming and services still falls short.

9 (d) In order to advance a citywide vision and long-term set of goals, City leaders,
10 departments, the San Francisco Unified School District, and community partners must come
11 together to align needs with services, coordinate across agencies, and develop a strategy.

12 (e) The Our Children, Our Families Council, created by this amendment and comprised
13 of department heads from the City and the School District, and community stakeholders, will
14 build a platform that will place children and families at the center of every policy decision.

15 (f) With the Children's Fund and the Public Education Enrichment Fund scheduled for
16 renewal in November 2014, the City must seize this opportunity to develop a long-term Citywide
17 vision, create a set of strategies, coordinate services, and identify shared goals to not only
18 ensure that all children and families already here are able to thrive, but to encourage other
19 families to live here.

20 (g) The percentage of children under the age of 18 in San Francisco has steadily
21 declined. As of 2010, 13.4 percent of the City's total population was under the age of 18, the
22 lowest percentage of any major city nationwide.

23 (h) Families continue to leave San Francisco, especially those families in the low to
24 moderate income brackets.

1 (i) San Francisco’s children population is declining, with over 10 percent of 1 to 4 year
2 olds moving out of the City and fewer children moving in.

3 (j) The declining numbers of children and families in the City cost the community
4 financially as less money is spent on the local economy.

5 (k) This measure will put in place a collaborative approach around the following points
6 of unity:

7 (1) Ensuring equity, and giving priority to children and youth with the highest
8 needs;

9 (2) Empowering parents, youth, and community stakeholders by giving them a
10 voice in the implementation of this Citywide vision; and,

11 (3) Building public trust through transparency and accountability meeting the
12 needs of children and families.

13
14 **SEC. 16.127-2. OUR CHILDREN, OUR FAMILIES COUNCIL; CREATION.**

15 There shall be an Our Children, Our Families Council (“the Council”) to advise the City
16 on the unmet needs, services, and basic needs infrastructure of children and families in San
17 Francisco through the creation of a Children and Families Plan for the City.

18
19 **SEC. 16.127-3. OUR CHILDREN, OUR FAMILIES COUNCIL; PURPOSE.**

20 In order to advance a Citywide vision centered on the needs of children and families, City
21 leaders, departments, the San Francisco Unified School District (the School District), and
22 community partners must come together to coordinate their efforts across agencies and develop
23 a strategy for achieving shared goals. The purpose of the Children and Families Plan to be
24 developed by the Council will be to create an aligned and connected system of programs and
25 services, in order to strengthen the City’s ability to best serve children, youth and their families.

1 with the specific goals of promoting coordination among and increased accessibility to such
2 programs and services, and enhancing their overall effectiveness.

3
4 **SEC. 16.127-4. OUR CHILDREN, OUR FAMILIES COUNCIL; COMPOSITION.**

5 The Mayor shall chair the Council, and shall invite the Superintendent of the School
6 District to serve as a co-chair of the Council. Other members of the Council shall include the
7 heads of City departments with responsibilities for services to children and families, and
8 members of the community. The Mayor shall also invite the heads of School District divisions
9 identified by the Superintendent to serve as members of the Council.

10
11 **SEC. 16.127-5. OUR CHILDREN, OUR FAMILIES COUNCIL; RESPONSIBILITIES.**

12 (a) In order to ensure that all children in every neighborhood, have access to the
13 resources to achieve, and especially those neighborhoods with the greatest needs, the Council
14 will be responsible for developing a citywide vision, citywide shared priorities, citywide program
15 goals, and citywide best practices for addressing those needs.

16 (b) **The San Francisco Children and Families Plan.** The Council shall craft a San
17 Francisco Children and Families Plan (the Plan) and identify relevant goals and strategies to
18 align and coordinate the services to children and families provided by City departments, the
19 School District, and community partners and to maximize support for children and families. The
20 Plan shall consider the following elements:

21 (1) Ease of access for children, youth and families in receiving services;

22 (2) Educational milestones developed by the School District and youth
23 development milestones developed by the Council;

24 (3) Existing quality of service benchmarks established by City and School
25 District Departments

1 (4) Framework for a basic needs infrastructure, including, but not limited to,
2 housing, transit, and job placement resources; and.

3 (5) Fairness in prioritizing the delivery of services to the children and families
4 with the most need.

5 (c) No later than May 1, 2016, and every fifth year thereafter, the Council shall develop
6 and adopt a set of proposed Citywide outcomes for services to children and families, including
7 an outcomes framework, responsive to the evolving needs of the community. No later than
8 July 1, 2016, and every fifth year thereafter, the Council shall prepare and adopt a Children and
9 Families Plan for the City, which shall include a comprehensive assessment of City policies and
10 programs, both public and private, addressing the needs of children and families in San
11 Francisco, and policy-level recommendations for making the City more supportive of children
12 and families. The Council shall emphasize solicitation and incorporation of community input in
13 the development of the initial Children and Families Plan and subsequent Plans.

14 (d) No later than October 1, 2017, and each year thereafter, the Board of Supervisors
15 shall conduct a noticed public hearing to review the Council's performance and the City's
16 overall progress under the current Plan and to update interested parties on the status of the next
17 Plan.

18 (e) All City Departments shall consider the Children and Families Plan in developing
19 their own strategic plans to make the City more supportive of children and families.

20 (f) **Planning.** Following the adoption of implementing legislation under
21 Section 16.126-7, the Mayor shall appoint members to the Council and the Council shall
22 convene to make initial decisions regarding staffing, organization, and implementation. The
23 Council shall also begin planning for the start of the five-year planning cycle in Fiscal
24 Year 2016-2017.

1 (g) Coordination of Stakeholders. The Council shall ensure that various community
2 groups, agencies, and organizations responsible for providing support, including the City,
3 School District, and community partners, work together in aligned, coherent, and effective ways.

4 (h) Coordination of Departments. The Council shall facilitate cooperation and
5 coordination between relevant departments of the City and the School District to maximize
6 alignment and improve outcomes for children and youth. The Council shall oversee development
7 and implementation of a data-sharing agreement between the School District and relevant City
8 departments. The Council, in cooperation with the Board of Supervisors, the San Francisco
9 Board of Education, and community groups, shall work to ensure that funds spent to benefit
10 children and families are targeted to those most in need of specific services and that the funds
11 are used strategically to leverage and complement existing and anticipated federal, state, and
12 local resources.

13 (i) Continued Autonomy of City and School District. The Council will be a policy
14 coordinating body dedicated to improving coordination between the City and its departments,
15 the School District and its departments, and community-based organizations funded by those
16 agencies. While the Council will make recommendations to the City and County of San
17 Francisco and the San Francisco Unified School District, the City and the School District will
18 each retain its full independence and authority regarding programmatic and funding decisions.

19 (j) Evaluation. Every five years, the Controller shall review the Council's operations
20 and the Plan. The Controller shall submit the results of the review to the Council, the Board of
21 Supervisors and the Board of Education. The Council shall consider the results of the
22 Controller's review in the preparation of the next Plan. The Council will also report to the
23 general public on the Council's efforts and achievements through the publication of an annual
24 San Francisco Kids First Agenda. The Agenda shall serve as a report card on the results of the
25 efforts of the City, the School District, and the community to serve children and families under

1 the Plan, measured against quantifiable standards and metrics and in light of the Council's
2 previously-adopted goals and priorities.

3
4 **SEC. 16.127-6. OUR CHILDREN, OUR FAMILIES COUNCIL; STAFFING.**

5 (a) **Staffing Support.** Subject to the fiscal and budgetary provisions of the Charter, the
6 City shall provide staff to the Council (Council Staff) for administrative, organizational, policy,
7 and research support. These funds shall be allocated from the General Fund.

8 (b) **Staff Roles and Responsibilities.** Subject to the direction of the Council, Council
9 Staff will:

10 (1) Provide administrative, organizational, policy, planning, and research
11 support to the Council and its outcomes framework;

12 (2) Engage department heads from the City and the School District to coordinate
13 the implementation of services;

14 (3) Provide support for the Council, including developing a joint data-sharing
15 agreement between the City and the School District, monitoring the planning cycle, providing
16 technical support, and developing policy briefs on key issues relevant to implementation of the
17 Plan.

18 (c) **Funding.** It shall be the policy of the City to provide sufficient funding and
19 administrative support for the Council and Council Staff to perform these functions.

20
21 **SEC. 16.127-7. OUR CHILDREN, OUR FAMILIES COUNCIL; IMPLEMENTATION.**

22 The Board of Supervisors shall further provide by ordinance for the membership,
23 structure, functions and support of the Council, consistent with the provisions of
24 Sections 16.126-1 through 16.126-6.

1 **SEC. 4.133. TAXI COMMISSION.**

2 ~~(a) The Taxi Commission shall consist of seven members, appointed by the Mayor. The~~
3 ~~appointments shall include a member from the senior or disabled communities, a driver who~~
4 ~~does not hold a taxicab medallion, a manager in a taxicab company (either a medallion holder~~
5 ~~or a company representative), a member from the hospitality industry, a member from the labor~~
6 ~~community, a member from the neighborhoods, and a member of the general public not affiliated~~
7 ~~with any of the other enumerated categories.~~

8 ~~Pursuant to Government Code Section 87103, individuals appointed to the Commission~~
9 ~~under this Section are intended to represent and further the interest of the particular industries,~~
10 ~~trades, or professions specified herein. Accordingly, it is found that for purposes of persons who~~
11 ~~hold such office, the specified industries, trades, or professions are tantamount to and constitute~~
12 ~~the public generally within the meaning of Government Code Section 87103.~~

13 ~~The commissioners appointed to take office upon the effective date of this Charter section~~
14 ~~shall by lot classify their terms so that the terms of three of the commissioners shall expire at~~
15 ~~noon on the first anniversary of such date, and the terms of the remaining four commissioners~~
16 ~~shall expire at noon on the second anniversary of the effective date. On the expiration of these~~
17 ~~and successive terms of office, the appointments shall be made for two-year terms.~~

18 ~~Members may be removed by the Mayor only pursuant to Section 15.105. Vacancies~~
19 ~~occurring in the offices of members, either during or at the expiration of a term, shall be filled by~~
20 ~~the Mayor.~~

21 ~~(b) Effective March 1, 1999, the Commission shall succeed to all powers and~~
22 ~~responsibilities relating to taxicabs and other motor vehicles for hire, other than criminal~~
23 ~~enforcement, now vested in the Police Commission, the Police Department or the Chief of~~
24 ~~Police. The Taxi Commission may be assigned additional duties and functions by ordinance or~~
25 ~~pursuant to Section 4.132.~~

1 ~~(c) All costs associated with the operations of the Taxi Commission, and such officers~~
2 ~~and employees as are necessary for the Commission to operate and administer the department~~
3 ~~and are authorized pursuant to the budgetary and fiscal provisions of the Charter, shall be~~
4 ~~recovered from permit, license and other fees charged to permit holders, applicants, and other~~
5 ~~persons by the Commission. The Board of Supervisors shall set fees sufficient to offset the costs~~
6 ~~of the Commission's operations and any such officers and employees. Notwithstanding the~~
7 ~~above, the Board of Supervisors may continue to offer reduced fees to operators who participate~~
8 ~~in the City's Paratransit Program, and offset the reduction in revenues with a contribution from~~
9 ~~the General Fund.~~

10
11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13
14 By: _____
15 THOMAS J. OWEN
16 Deputy City Attorney

17 n:\legana\as2014\1400385\00933728.doc