

FILE NO. 251107

RESOLUTION NO.

[Behested Payment Waiver - Temporary Shelter and Homeless Services]

Resolution authorizing the Department of Homelessness and Supportive Housing's Executive Director, Chief Deputies, Deputy Directors and Program Directors to solicit donations from various private entities and organizations to support the expansion of temporary shelter and other homeless services to support people experiencing homelessness, notwithstanding the Behested Payment Ordinance.

WHEREAS, The Mission of the Department of Homelessness and Supportive Housing ("HSH" or "Department") is to prevent homelessness when possible and make homelessness rare, brief and one-time in the City and County of San Francisco ("the City") through the provision of coordinated, compassionate and high-quality services; and

WHEREAS, With the enactment of Resolution No. 319-18 in October 2018, the Board of Supervisors declared a shelter crisis and affirmed San Francisco's commitment to a continuum of shelter and service options for people experiencing homelessness; and

WHEREAS, As of the 2024 Point-in-Time Count, there were approximately 8,323 people experiencing homelessness in San Francisco on any given night, 52% of whom were unsheltered; and

WHEREAS, In April 2023, the City released the five-year strategic plan "Home by the Bay: An Equity-Driven Plan to Prevent and End Homelessness in San Francisco" which calls for resources including 1,075 new shelter beds to meet the goals set out in the plan, including the goal to reduce unsheltered homelessness by 50%; and

WHEREAS, While HSH continues to expand shelter, prevention, housing and other resources, we know that more resources need to be made available to address the crisis on our streets; and

1 WHEREAS, HSH has established successful and innovative public-private
2 partnerships to expand shelter and other services to meet the critical needs of people
3 experiencing unsheltered homelessness; and

4 WHEREAS, The Mayor's Fund for the Homeless (Administrative Code, Section
5 10.100-106) was established as a category eight fund to receive all private donations,
6 grants, gifts and bequests of money, to assist people in need in finding long-term housing
7 and overcoming barriers to employment by supporting outreach services, shelters,
8 navigation centers, flexible housing assistance, housing and other resources; and

9 WHEREAS, HSH, as the designated administrator of the Mayor's Fund for the
10 Homeless (Administrative Code, Section 10.100-106) is required to report regularly to the
11 Homeless Oversight Commission on deposits and expenditures from the fund, as well as
12 furnish an annual report to the Board of Supervisors showing such gifts received, the
13 nature or amount of said gifts, and the disposition thereof (Administrative Code, Section
14 10.100); and

15 WHEREAS, HSH works with philanthropic organizations, private companies and
16 community stakeholders including homeless service providers, often through grant
17 agreements; and

18 WHEREAS, On October 17, 2023, the Board of Supervisors unanimously approved
19 Resolution No. 483-23 authorizing a waiver of the City's Behested Payment Ordinance
20 (Campaign and Governmental Conduct Code, Section 3.600 et seq.) for the Office of the
21 Mayor and HSH, to the extent that it restricts the Mayor, Executive Director of HSH and
22 officers and employees of the Office of the Mayor and HSH from soliciting financial support
23 or in-kind goods or services, from persons or entities that would be considered interested
24 parties, to support expansion of temporary shelter or other homeless services; and
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1 WHEREAS, On March 26, 2024, the Board of Supervisors unanimously approved
2 Resolution No. 125-24 authorizing a 6-month waiver of the City's Behested Payments
3 Ordinance (Campaign and Governmental Conduct Code, Section 3.600 et seq.) for the
4 Office of the Mayor and HSH that expired on October 18, 2024; and

5 WHEREAS, On October 22, 2024, the Board of Supervisors unanimously approved
6 Resolution No. 517-24 authorizing a 6-month waiver of the City's Behested Payments
7 Ordinance (Campaign and Governmental Conduct Code, Section 3.600 et seq.) for the
8 Office of the Mayor and HSH that expired on April 17, 2025; and

9 WHEREAS, On February 11, 2025, the Board of Supervisors unanimously approved
10 Ordinance No. 010-25 authorizing the Office of the Mayor for six months to solicit donations
11 from various private entities and organizations to support the City's work on the Core
12 Initiatives, which include Projects Addressing Homelessness, notwithstanding the Behested
13 Payment Ordinance; and

14 WHEREAS, On March 25, 2025, the Board of Supervisors unanimously approved
15 Resolution No. 126-25 authorizing a 6-month waiver of the City's Behested Payments
16 Ordinance (Campaign and Governmental Conduct Code, Section 3.600 et seq.) for the
17 Executive Director and following employees of HSH: Chief Deputies, Deputy directors and
18 Program Directors for a period of six months beginning on April 15, 2025; and

19 WHEREAS, HSH seeks a new waiver of the City's Behested Payments Ordinance
20 (Campaign and Governmental Conduct Code, Sections 3.600 et seq.) for the Executive
21 Director and the following employees of HSH: Chief Deputies, Deputy Directors and
22 Program Directors for a period of six months from the effective date of this Resolution; and

23 WHEREAS, HSH seeks to fundraise or engage in philanthropic partnerships with the
24 entities that may be considered to be interested parties to one or more of the departments
25 due to advocacy related to homelessness policy or programs; and

1 WHEREAS, The parties receiving this waiver have agreed to report to the Board of
2 Supervisors donations to the City and any third party that were solicited under this waiver;
3 such reports will identify the donor, the amount of the donation, the party that received the
4 donation, and the interested relationship the donor has with the department that solicited
5 the donation; the department or office will submit the reports to the Board within 60 days of
6 the expiration of the 6-month period authorized by this waiver; now, therefore, be it

7 RESOLVED, That under Section 3.620(f) of the Campaign and Governmental
8 Conduct Code, the Board of Supervisors hereby waives application of the Behested
9 Payment Ordinance for the Executive Director and the following employees of HSH: Chief
10 Deputies, Deputy Directors and Program Directors, so that they may solicit donations from
11 private organizations and philanthropists to support the expansion of temporary shelter and
12 other homeless services to support people experiencing homelessness for a period of six
13 months from the effective date of this Resolution; and, be it

14 FURTHER RESOLVED, That granting this waiver serves the public interest by
15 supporting HSH to explore innovative opportunities to expand the availability of resources
16 to support people experiencing homelessness, specifically temporary shelter and other
17 homeless services to support bringing more people inside and off the streets; and, be it

18 FURTHER RESOLVED, That granting this waiver does not create an appearance of
19 impropriety.
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RECOMMENDED:

/s/_____

Gigi Whitley
Homelessness and Supportive Housing
Chief of Finance and Administration