٠	190570 COMMITTEE/BOAR	Committee Item N Board Item No	23
		T CONTENTS LIST	ISONS
Committee:	Rules Committee	Date	July 8, 2019
Board of Supervisors Meeting		Date	1 23 20 19
Cmte Boar	Motion Resolution Ordinance Legislative Digest Budget and Legislative A Youth Commission Report Introduction Form Department/Agency Cove Memorandum of Unders Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 - Ethics Commander Application Form 700 Vacancy Notice Information Sheet Public Correspondence	ort er Letter and/or Re tanding (MOU)	port
OTHER	(Use back side if additio	nal space is neede	d)
	Charter Amend	men T	

Date July 3, 2019

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Completed by: Victor Young
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[Charter Amendment - Renaming the Aging and Adult Services Commission, Department of Aging and Adult Services, and Aging and Adult Services Community Living Fund, and Establishing Qualifications for Three Commission Seats]

Describing and setting forth a proposal to the voters at an election to be held on November 5, 2019, to amend the Charter of the City and County of San Francisco to change the name of the Aging and Adult Services Commission to the Disability and Aging Services Commission, and establish qualifications for three of the Commission seats; change the name of the Department of Aging and Adult Services to the Department of Disability and Aging Services; and to change the name of the Aging and Adult Services Community Living Fund to the Disability and Aging Services Community Living Fund.

Section 1. The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 5, 2019, a proposal to amend the Charter of the City and County by revising Sections 4.120, 16.128-1, 16.128-4, 16.128-6, and 16.128-11, and adding new Section 16.128-13, to read as follows:

Unchanged Charter text and uncodified text are in plain font.

Additions are <u>single-underline italics Times New Roman font</u>.

Deletions are <u>strike-through italics Times New Roman font</u>.

Asterisks (* * * *) indicate the omission of unchanged Charter subsections.

SEC. 4.120. DISABILITY AND AGING AND ADULT SERVICES COMMISSION.

(a) The <u>Disability and Aging and Adult-Services Commission shall consist of seven members appointed by the Mayor, pursuant to Section 3.100, for four-year terms. Members may be removed by the Mayor. The Commission shall oversee the Department of <u>Disability and</u>

Aging <u>and Adult Services</u>, including the functions of the Public Guardian/Administrator, as well</u>

NOTE:

as carry out any additional duties and functions assigned to the Commission by ordinance or pursuant to Section 4.132.

- (b) As of January 15, 2020, Seat 1 on the Commission shall be held by a person who is 60 years old or older; Seat 2 shall be held by a person with a disability, as defined under the Americans With Disabilities Act, who is 18 years old or older; and Seat 3 shall be held by a person who served in the United States military and who was discharged or released under conditions other than dishonorable. Seats 4, 5, 6, and 7, shall have no required qualifications in addition to those set forth in Section 4.101.
- (c) For the purpose of calculating the terms of particular seats on the Commission,

 Seats 1, 2, and 3 are hereby designated as the seats with terms ending on January 15, 2020.

 Notwithstanding Charter Section 4.101.5, members in those seats who do not as of January 15,

 2020 hold the qualifications set forth in subsection (b) respectively may no longer serve in those seats.

SEC. 16.128-1. DIGNITY FUND; PREAMBLE.

(a) There is hereby established a fund, which shall be called the Dignity Fund ("Fund"), to be administered by the Department of <u>Disability and Aging and Adult</u> Services ("DAAS"), or any successor agency. Monies in the Fund shall be used or expended by DAAS, subject to the budgetary and fiscal provisions of the Charter, solely to help Seniors and Adults with Disabilities secure and utilize the services and support necessary to age with dignity in their own homes and communities. For purposes of Section 16.128-1 through 16.128-2, "Senior" shall mean a person 60 years old or older, and "Adult with a Disability" shall mean a person 18 years old or older with a disability as defined under the Americans With Disabilities Act.

* * * *

SEC. 16.128-4. ELIGIBLE SERVICES.

The City shall only use monies from the Fund for the following categories of services and purposes, to benefit Seniors and Adults with Disabilities:

(a) Home and Community Based Long Term Care and Support: Home care, adult day health care, adult social day care, IHSS emergency homecare, short term interim housing options, housing stabilization and support services, respite care, transitional housing for those leaving institutional care, related transportation (not already mandated or funded), accessible transportation programs, and other similar services funded through the City's <u>Disability and</u> Aging <u>and Adult</u> Services Community Living Fund, or any successor legislation.

* * * *

(h) Funding for the Department of <u>Disability and Aging and Adult-Services</u> to staff the Oversight and Advisory Committee created in Section 16.128-11 ("Oversight and Advisory Committee"), and to support planning and evaluation processes, and facilitate funding allocation;

SEC. 16.128-6. PLANNING CYCLE.

* * * *

(b) Year 1 – Community Needs Assessment. Beginning in fiscal year 2017-2018 and during every fourth fiscal year thereafter, DAAS shall conduct a Community Needs Assessment (CNA) to identify services to receive monies from the Fund. The CNA shall include qualitative and quantitative data sets collected through interviews, focus groups, surveys, or other outreach mechanisms to determine service gaps and unmet needs. In conducting the CNA, DAAS shall also review needs assessments prepared by community and other governmental entities. Subject to the budgetary and fiscal provisions of the Charter, DAAS may contract with consultants and outside experts for such services as it may require to prepare the CNA. DAAS shall undertake a

robust community process to solicit input from Seniors and Adults with Disabilities, in consultation with the Mayor's Office on Disability or any successor agency.

DAAS shall, in consultation with the Oversight and Advisory Committee, develop a plan for how to conduct the CNA with the Oversight and Advisory Committee. The CNA shall include a gap analysis comparing actual performance with potential or desired performance and an equity analysis of services and resources for Seniors, Adults with Disabilities, and their caregivers.

DAAS shall develop a set of equity metrics to be used to establish a baseline of existing services and resources for Seniors and Adults with Disabilities in low-income neighborhoods and disadvantaged communities, compared to services and resources available in the City as a whole. This equity analysis shall include an examination of eligibility for existing programs and will seek to provide more services and support for those low and modest income residents who are not currently eligible for assistance with home and community-based services.

The outreach for the CNA shall create opportunities for a robust cross-section of stakeholders, including Seniors, Adults with Disabilities, their caregivers, nonprofit agencies, and other members of the public, to provide input. By September 1, DAAS shall provide its plan for conducting the CNA to the Oversight and Advisory Committee, the Service Provider Working Group created in Section 16.128-11(e), the <u>Disability and Aging and Adult</u> Services Commission and the Board of Supervisors. The plan shall be a public document.

By March 1, DAAS shall complete a draft CNA and provide this draft to the Oversight and Advisory Committee and the Service Provider Working Group for review. DAAS shall also provide the draft CNA to interested City departments and commissions, including but not limited to the *Disability and Aging and Adult-Services Commission*, the Mayor's Office on Disability, the Long Term Care Coordinating Council, the Human Services Commission, the Health Commission, the Recreation and Park Commission, the Adult Probation Department, the

Veterans Affairs Commission, the Commission on the Status of Women, the Police Commission, the Library Commission, and the Arts Commission. The CNA shall include an Executive Summary and clear description of the categories of services provided and unmet needs to be addressed.

By April 1, DAAS shall submit a final version of the CNA to the <u>Disability and</u>
Aging <u>and Adult</u>-Services Commission and the DAAS Advisory Council. The final version of the CNA may incorporate any comments or suggestions made by the Oversight and Advisory Committee, the public, or the agencies that received copies of the draft CNA. The <u>Disability and</u> Aging <u>and Adult</u>-Services Commission and the Oversight and Advisory Committee shall hold a joint public hearing to review the CNA.

By May 1, the <u>Disability and Aging and Adult-Services Commission shall provide</u> input on and approve or disapprove the CNA. If the <u>Disability and Aging and Adult-Services</u> Commission disapproves the report, DAAS may modify and resubmit the report.

By June 1, the Board of Supervisors shall consider and approve or disapprove, or modify, the CNA. If the Board disapproves the CNA, DAAS may modify and resubmit the CNA, provided, however, that the City may not expend monies from the Fund until the Board of Supervisors has approved the CNA.

- (c) Year 2 Services and Allocation Plan. Beginning in fiscal year 2018-2019 and during every fourth fiscal year thereafter, DAAS, in consultation with the Oversight and Advisory Committee, shall prepare a Services and Allocation Plan ("SAP") to determine services that will receive monies from the Fund. All services identified in Section 16.128-4 are potentially eligible to receive funding, but DAAS is not required to classify allocations according to the service categories in that section. DAAS shall use the following process to prepare the SAP:
- (1) DAAS shall disseminate a draft SAP to interested City departments and commissions, including but not limited to the *Disability and* Aging *and Adult*-Services

Commission, the Mayor's Office on Disability, the Long Term Care Coordinating Council, the Human Services Commission, the Health Commission, the Recreation and Park Commission, the Adult Probation Department, the Commission on the Status of Women, the Police Commission, the Library Commission, and the Arts Commission. In preparing the draft SAP, DAAS shall confer with the Department of Children, Youth and Their Families to coordinate funding for services for Transitional-Aged Youth, as defined in Charter Section 16.108(e), with Disabilities from both the Dignity Fund and the Children and Youth Fund.

* * * *

(d) Years 3 and 4 – Selection of Contractors. Beginning with Fiscal Years 2019-2020 and 2020-2021 and during every fourth fiscal year thereafter, DAAS shall conduct competitive solicitations for services to be funded from the Fund. Requests for proposals will be grouped by issue area and spread out on a schedule known in advance to provide for a smooth and efficient timeline. The Human Services Agency and the Department of <u>Disability and Aging and Adult</u> Services shall work together and manage resources so that the RFP process will keep to the schedule and contract awards will be made within a reasonable time.

* * * *

SEC. 16.128-11. ADVISORY COMMITTEE.

- (a) Creation. There shall be a Dignity Fund Oversight and Advisory Committee ("Oversight and Advisory Committee") to monitor and participate in the administration of the Dignity Fund as provided in Charter Sections 16.128-1et seq., and to take steps to ensure that the Fund is administered in a manner accountable to the community.
 - (b) Responsibilities.
- (1) The Oversight and Advisory Committee shall develop recommendations for DAAS and the Fund regarding outcomes for services to Seniors and Adults with Disabilities, the

evaluation of services, common data systems, a process for making funding decisions, program improvement and capacity-building of service providers, community engagement in planning and evaluating services, leveraging dollars of the Fund, and the use of the Fund as a catalyst for innovation. The Oversight and Advisory Committee shall promote and facilitate transparency and accountability in the administration of the Fund and in the planning and allocation process.

- (2) As provided in Section 16.128-6, the Oversight and Advisory Committee shall provide input into the planning process for the Community Needs Assessment ("CNA") and the final CNA, the Services and Allocation Plan, and the over-all spending plan for the Fund to be presented to the *Disability and* Aging *and Adult*-Services Commission, and shall review the annual Data and Evaluation Report. Nothing in this Section 16.128-11 shall limit the authority of the Mayor and the Board of Supervisors to propose, amend, and adopt a budget under Article IX of the Charter.
- (3) The Oversight and Advisory Committee shall establish and maintain a Service Provider Working Group as provided in subsection (e).
 - (4) The Oversight and Advisory Committee shall meet at least six times a year.
- (c) Composition. The Oversight and Advisory Committee shall have 11 members. The Disability and Aging and Adult Services Commission shall appoint two of its members to the Oversight and Advisory Committee. The Advisory Council to the Department of Disability and Aging and Adult Services shall appoint three of its members to the Oversight and Advisory Committee. And the Long Term Care Council shall appoint three of its members to the Oversight and Advisory Committee. The Mayor shall appoint the remaining three at-large members of the Oversight and Advisory Committee Council, subject to rejection by the Board of Supervisors within 30 days following transmittal of the Notice of Appointment.

* * * *

SEC. 16.128-13. CONFORMING AMENDMENTS.

- (a) The City Attorney shall cause all references in the Municipal Code to the Aging and Adult Services Commission, the Department of Aging and Adult Services, and the Aging and Adult Services Community Living Fund to be amended to refer to the Disability and Aging Services Commission, the Department of Disability and Aging Services, and the Disability and Aging Services Community Living Fund, respectively.
- (b) Upon completion of the amendments required by subsection (a), the City Attorney shall cause this Section 16.128-13 to be removed from the Charter.

APPROVED AS TO FORM:

DENNIS J_HERRERA, City Attorney.

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ANNE PEARSON
Deputy City Attorney

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LEGISLATIVE DIGEST

[Charter Amendment - Renaming the Aging and Adult Services Commission, Department of Aging and Adult Services, and Aging and Adult Services Community Living Fund, and Establishing Qualifications for Three Commission Seats]

Describing and setting forth a proposal to the voters at an election to be held on November 5, 2019, to amend the Charter of the City and County of San Francisco to change the name of the Aging and Adult Services Commission to the Disability and Aging Services Commission, and establish qualifications for three of the Commission seats; change the name of the Department of Aging and Adult Services to the Department of Disability and Aging Services; and to change the name of the Aging and Adult Services Community Living Fund to the Disability and Aging Services Community Living Fund.

Existing Law

Currently, the Charter establishes the Aging and Adult Services Commission ("Commission"), consisting of seven members. The Commission is charged with oversight of the Department of Aging and Adult Services. The Charter does not prescribe qualifications for any of the seven seats on the Commission.

Among other things, the Department of Aging and Adult Services is responsible for administration of the Aging and Adult Services Community Living Fund, which is used primarily for programs and services, including assistance for individuals to age in place in their own homes or in assisted living facilities and supportive housing

Amendments to Current Law

The proposed Charter amendment would change the name of the Aging and Adult Services Commission to the Disability and Aging Services Commission. It would also prescribe qualifications for three of the Commission seats. One of the Commissioners would be required to be a person who is 60 years old or older. One of the Commissioners would be required to be a person with a disability, as defined under the Americans With Disabilities Act, who is 18 years old or older. And one of the Commissioners would be required to be a person who served in the United States military.

The proposed Charter amendment would also change the name of the Department of Aging and Adult Services to the Department of Disability and Aging Services, and would change the name of the Aging and Adult Services Community Living Fund to the Disability and Aging Services Community Living Fund.

Background Information

One in ten San Francisco residents experience disability. The Department of Aging and Adult Services ("DAAS") is the primary City agency tasked with providing social safety net services to adults with disabilities in San Francisco. However, the Department's current name does not effectively communicate this role to the community, which inhibits adults with disabilities from accessing services to which they are entitled.

A key finding of the 2018 Dignity Fund Community Needs Assessment was that consumers and service providers encounter several barriers and challenges to accessing services. Adults with disabilities identified an increased navigation challenge because DAAS' name does not specifically call out adults with disabilities as a population served. This finding was developed through both qualitative research (including forums, focus groups, and a community survey) and quantitative analysis.

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OFFICE OF THE CONTROLLER

CITY AND COUNTY OF SAN FRANCISCO

Ben Rosenfield Controller Todd Rydstrom Deputy Controller

Ms. Angela Calvillo Clerk of the Board of Supervisors 1 Dr. Carlton B. Goodlett Place Room 244 San Francisco, CA 94102-4689 June 28, 2019

RE:

File 190570 – Charter amendment renaming the Aging and Adult Services Commission, the Department of Aging and Adult Services, and the Aging and Adult Services Community Living Fund

Dear Ms. Calvillo,

Should the proposed Charter amendment be approved by the voters, in my opinion, it would have a minimal impact on the cost of government.

The proposed Charter amendment would change the name of the Aging and Adult Services Commission to the Disability and Aging Services Commission and would add qualifications for three of the seven seats on the Commission. The proposed amendment would rename the Department of Aging and Adult Services to the Department of Disability and Aging Services, and rename the Aging and Adult Services Community Living Fund to the Disability and Aging Services Community Living Fund.

Sincerely,

Ben_Rosenfield Controller Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

May 28, 2019

File No. 190570

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Ms. Gibson:

On May 21, 2019, the following proposed Charter Amendment for the November 5, 2019, Election was received by the Board of Supervisors' Rules Committee:

File No. 190570

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to change the name of the Aging and Adult Services Commission to the Disability and Aging Services Commission, and establish qualifications for three of the Commission seats; change the name of the Department of Aging and Adult Services to the Department of Disability and Aging Services; and to change the name of the Aging and Adult Services Community Living Fund to the Disability and Aging Services Community Living Fund; at an election to be held on November 5, 2019.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Victor Young, Assistant Clerk

By: Victor Young, Assistant Clerk Rules Committee

Attachment

c: Devyani Jain, Deputy Environmental Review Officer
Joy Navarrete, Environmental Planning Not defined as a project under CEQA
Laura Lynch, Environmental Planning Guidelines Sections 15378 and 15060(c)

(2) because it would not result in a

direct or indirect change in the environment.



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San Francisco 94102-4689
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TDD/TTY No. 554-5227

MEMORANDUM

TO:

Sophia Kittler, Liaison to the Board of Supervisors, Mayor's Office

Jon Givner, Deputy City Attorney, Office of the City Attorney

John Arntz, Director, Department of Elections

LeeAnn Pelham, Executive Director, Ethics Commission

Naomi Kelly, City Administrator, Office of the City Administrator

Shireen McSpadden, Executive Director, Department of Aging and Adult

Services

FROM:

Victor Young, Assistant Clerk, Rules Committee

Board of Supervisors

DATE:

May 28, 2019

SUBJECT:

CHARTER AMENDMENT INTRODUCED

November 5, 2019 Election

The Board of Supervisors' Rules Committee has received the following Charter Amendment for the November 5, 2019, Election. This matter is being referred to you in accordance with Rules of Order 2.22.4.

File No. 190570

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to change the name of the Aging and Adult Services Commission to the Disability and Aging Services Commission, and establish qualifications for three of the Commission seats; change the name of the Department of Aging and Adult Services to the Department of Disability and Aging Services; and to change the name of the Aging and Adult Services Community Living Fund to the Disability and Aging Services Community Living Fund; at an election to be held on November 5, 2019.

Please review and submit any reports or comments you wish to be included with the legislative file.

If you have any questions or concerns, please call me at (415) 554-7723 or email: victor.young@sfgov.org. To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Andres Power, Mayor's Office
Rebecca Peacock, Mayor's Office
Patrick Ford, Ethics Commission
Lynn Khaw, Office of the City Administrator
Lihmeei Leu, Office of the City Administrator
Bridget Badasow, Department of Aging and Adult Services



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May 28, 2019

File No. 190570

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Ms. Gibson:

On May 21, 2019, the following proposed Charter Amendment for the November 5, 2019, Election was received by the Board of Supervisors' Rules Committee:

File No. 190570

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This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Victor Young, Assistant Clerk Rules Committee

Victor Houngs

Attachment

 Devyani Jain, Deputy Environmental Review Officer Joy Navarrete, Environmental Planning Laura Lynch, Environmental Planning



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
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TDD/TTY No. 554-5227

MEMORANDUM

TO:

Ben Rosenfield, City Controller, Office of the Controller

FROM:

Victor Young, Assistant Clerk, Rules Committee

Board of Supervisors

DATE:

May 28, 2019

SUBJECT:

CHARTER AMENDMENT INTRODUCED

November 5, 2019 Election

The Board of Supervisors' Rules Committee has received the following Charter Amendment for the November 5, 2019, Election. This matter is being referred to you in accordance with Rules of Order 2.22.3.

File No. 190570

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to change the name of the Aging and Adult Services Commission to the Disability and Aging Services Commission, and establish qualifications for three of the Commission seats; change the name of the Department of Aging and Adult Services to the Department of Disability and Aging Services; and to change the name of the Aging and Adult Services Community Living Fund to the Disability and Aging Services Community Living Fund; at an election to be held on November 5, 2019.

Please review and prepare a financial analysis of the proposed measure prior to the first Rules Committee hearing.

If you have any questions or concerns, please call me at (415) 554-7723 or email: victor.young@sfgov.org. To submit documentation, please email or forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Todd Rydstrom, Deputy City Controller
 Peg Stevenson, City Performance Director
 Natasha Mihal, City Services Auditor

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

2019 HAY 21 I hereby submit the following item for introduction (select only one): 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment). 2. Request for next printed agenda Without Reference to Committee. 3. Request for hearing on a subject matter at Committee. 4. Request for letter beginning: "Supervisor inquiries" 5. City Attorney Request. 6. Call File No. from Committee. 7. Budget Analyst request (attached written motion). 8. Substitute Legislation File No. 9. Reactivate File No. 10. Topic submitted for Mayoral Appearance before the BOS on Please check the appropriate boxes. The proposed legislation should be forwarded to the following: Youth Commission Small Business Commission Ethics Commission Building Inspection Commission Planning Commission Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form. Sponsor(s): Yee; Haney, Fewer Subject: Charter Amendment: Renaming the Aging and Adult Services Commission and Department The text is listed:

For Clerk's Use Only

Please see attached.

Signature of Sponsoring Supervisor: