

1 [Charter Amendment - Children and Youth Fund; Children, Youth, and Their Families Oversight
2 Committee]

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) renew and rename the Children’s Fund and extend the**
5 **Fund's expiration date for 25 years; 2) increase the property tax set-aside for the Fund**
6 **over a period of four years from the current three cents per \$100 of assessed valuation to**
7 **four cents for FY 2018-2019 and beyond; 3) provide for services for disconnected**
8 **transitional-aged youth 18 through 24 years old; 4) revise and expand the planning process**
9 **for expenditures from the Fund; 5) replace the advisory committee for the Fund with a**
10 **Service Providers Working Group; 6) create a Children, Youth, and Their Families**
11 **Oversight Committee; and 7) repeal an obsolete section of the Charter, at an election to be**
12 **held on November 4, 2014.**

13
14 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City
15 and County, at an election to be held on November 4, 2014, a proposal to amend the Charter of
16 the City and County by amending Section 16.108, adding a new Section 16.108-1, and repealing
17 former Section 4.133, to read as follows:

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

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

24 (a) **Fund for Children and Youth ~~Children's~~ Services.** Operative July 1, 2001, there is
25 hereby established a fund to expand children's services, which shall be called the Children and
Youth Fund ~~Children's Fund~~ ("Fund"). Monies in the Fund shall be expended or used only to

1 provide services for children and youth as provided in this section.

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

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

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

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

10 (4) To complement the City's community development efforts;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 (c) **Amount.** There is hereby set aside for the Fund, from the revenues of the property
12 tax levy, revenues in an amount equivalent to an annual tax of three cents (\$.03) per one hundred
13 dollars (\$100) of assessed valuation for each fiscal year beginning with July 1, 2001-June 30,
14 2002, and ending with July 1, 2014-June 30, 2015 July 1, 2015-June 30, 2016.

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

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

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

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

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

14 (d) **New Services.** Monies in the Fund shall be used exclusively for the costs of services
15 to children less than 18 years old provided as part of programs that predominantly serve children
16 less than 18 years old and for Disconnected Transitional-Aged Youth 18 through 24 years old.
17 “Disconnected Transitional-Aged Youth” are those who: are homeless or in danger of
18 homelessness; have dropped out of high school; have a disability or other special needs,
19 including substance abuse; are low-income parents; are undocumented; are new immigrants
20 and/or English Learners; are Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning
21 (“LGBTQQ”); and/or are transitioning from the foster care, juvenile justice, criminal justice or
22 special education systems. above and beyond services funded from sources other than the
23 ~~previous Children's Fund prior to July 1, 2001. To this end, monies~~ Monies from the Fund shall
24 not be appropriated or expended for services that received any of the funds included in the higher
25 of the Controller's baseline budget covering July 1, 2000-June 30, 2001 appropriations, or the

1 Controller's baseline budget covering July 1, 1999-June 30, 2000 appropriations, whether or not
2 the cost of such services increases. Nor shall monies from the Fund be appropriated or expended
3 for services that substitute for or replace services included or partially included in the higher of
4 the two baseline budgets, except and solely to the extent that the City ceases to receive federal,
5 state or private agency funds that the funding agency required to be spent only on those services.
6 The Controller's baseline budget shall mean the Controller's calculation of the actual amount of
7 City appropriations for services for children that would have been eligible to be paid from the
8 Fund but are paid from other sources.

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

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

- 13 (A) ~~(1)~~ Affordable child care and early education;
- 14 (B) ~~(2)~~ Recreation, cultural and after-school programs, including without
15 limitation, arts programs;
- 16 (C) ~~(3)~~ Health services, including prevention, education, and behavioral
17 and mental health services, and pre-natal services to pregnant women;
- 18 (D) ~~(4)~~ Training, employment and job placement;
- 19 (E) ~~(5)~~ Youth empowerment and leadership development;
- 20 (F) ~~(6)~~ Youth violence prevention programs;
- 21 (G) ~~(7)~~ Youth tutoring and educational enrichment programs; ~~and~~
- 22 (H) ~~(8)~~ Family and parent support services;
- 23 (I) Support for collaboration among grantees to enhance service delivery
24 and provider capacity building, and for community development efforts; and.

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

4 (2) Funding for the Department of Children, Youth and Their Families
5 (“DCYF”) and the Children, Youth and Their Families Oversight Committee created in
6 Section 16.108-1 (“Oversight Committee”).

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

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

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

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

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

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

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

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

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

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

1 (8) Medical health services, excluding prevention, education, and behavioral and
2 mental health support services;

3 (9) Income supports;

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

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

6 (g) **Baseline.** The Fund shall be used exclusively to increase the aggregate City
7 appropriations and expenditures for those services for children and Disconnected
8 Transitional-Aged Youth that are eligible to be paid from the Fund (exclusive of expenditures
9 mandated by state or federal law). To this end, the City shall not reduce the amount of such City
10 appropriations for eligible services (not including appropriations from the Fund and exclusive of
11 expenditures mandated by state or federal law) ~~in any of the fifteen years during which funds are~~
12 ~~required to be set aside~~ under this section below the amount so appropriated for the fiscal year
13 2000-2001 ("the base year") as set forth in the Controller's baseline budget, as adjusted ("the
14 base amount").

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

22 The base amount shall be adjusted for each year after the base year by the Controller
23 based on calculations consistent from year to year by the percentage increase or decrease in
24 aggregate City and County discretionary revenues. In determining aggregate City and County
25 discretionary revenue, the Controller shall only include revenues received by the City and

1 County that are unrestricted and may be used at the option of the Mayor and the Board of
2 Supervisors for any lawful City purpose. The method used by the Controller to determine
3 discretionary revenues shall be consistent with method used by the Controller to determine the
4 Library and Children's Baseline Calculations dated June 20, 2000, which the Controller shall
5 place on file with the Clerk of the Board in File No. 000952. Errors in the Controller's estimate
6 of discretionary revenues for a fiscal year shall be corrected by an adjustment in the next year's
7 estimate. Within 90 days following the end of each fiscal year throughout the term of this
8 measure through 2014-2015, the Controller shall calculate and publish the actual amount of City
9 appropriations for services for children that would have been eligible to be paid from the Fund
10 but are paid from other sources, separately identifying expenditures mandated by state or federal
11 law.

12 (h) Five-Year Planning Cycle. The City shall appropriate monies from the Fund
13 according to a five-year planning process. This process is intended to: (1) increase
14 transparency, accountability, and public engagement; (2) provide time and opportunities for
15 community participation and planning; (3) ensure program stability; and (4) maximize the
16 effectiveness of the services funded.

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

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

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

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

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

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

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

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

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

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

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

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

9 The SAP must:

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

12 (ii) Include all services for children and disconnected
13 transitional-aged youth;

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

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

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

21 (vi) Include funding for youth-initiated projects totaling at least
22 3 percent of the total proposed expenditures from the Fund for the cycle;

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

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

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

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

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

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

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

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

4 (3) Year 3 – Selection of Contractors. During every fifth fiscal year beginning in
5 2017-2018, DCYF shall conduct competitive solicitations for services to be funded from the
6 Fund.

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

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

15 ~~(h) **Three-Year Planning Cycle.** To provide time for community participation and~~
16 ~~planning, and to ensure program stability, appropriations from the Fund for all fiscal years~~
17 ~~beginning after June 30, 2004 shall be made pursuant to a three-year planning cycle as set forth~~
18 ~~in subsections (h) through (l). During every third fiscal year beginning with the 2001-2002~~
19 ~~fiscal year, the City shall prepare a Community Needs Assessment to determine services eligible~~
20 ~~to receive moneys from the Fund. During every third fiscal year beginning with the 2002-2003~~
21 ~~fiscal year, the City shall prepare a Children's Services and Allocation Plan ("the Plan"), based~~
22 ~~on the Community Needs Assessment approved during the previous year. The Board of~~
23 ~~Supervisors may modify an existing Community Needs Assessment or Plan, provided that any~~
24 ~~modification shall occur only after a noticed public hearing. All appropriations from the Fund~~
25

1 ~~shall be consistent with the most recent Plan, provided that the Board of Supervisors may~~
2 ~~approve an amendment to the Plan at the same time it approves an appropriation.~~

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

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

9 ~~(2) Prior to preparation of each draft Community Needs Assessment, the City~~
10 ~~shall hold at least one public hearing in each geographical area defined in Charter~~
11 ~~Section 13.110. The City shall also make available opportunities for parents, youth, and~~
12 ~~agencies receiving monies from the Fund to provide information for the Community Needs~~
13 ~~Assessment. The Community Needs Assessment shall include the results of a Citywide survey of~~
14 ~~parents and youth to be conducted by the Controller every three years.~~

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

20 ~~(4) The Plan shall state how all services receiving money from the Fund will be~~
21 ~~coordinated with other children's services. The Plan shall specify amounts of funding to be~~
22 ~~allocated: (i) toward achieving specified goals, measurable and verifiable objectives and~~
23 ~~measurable and verifiable outcomes, (ii) to specified service models; and (iii) for specific~~
24 ~~populations and neighborhoods. The Plan shall also state the reasons for the allocations and~~
25 ~~demonstrate how the allocations are consistent with the Community Needs Assessment. A~~

1 ~~minimum of three percent of the funding allocated under the Plan shall be for youth initiated~~
2 ~~projects.~~

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

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

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

19 ~~(l) (m) **Implementation.**~~

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

22 (2) ~~So long as there exists within the executive branch of City government a~~
23 ~~Department of Children, Youth and Their Families, or an equivalent department or agency as its~~
24 ~~successor, that department DCYF shall administer the ~~Children's~~ Fund and prepare the~~
25 Community Needs Assessment and the Services and Allocation Plan pursuant to this section. ~~If~~

1 ~~no such department or agency exists, the Mayor shall designate a department or other City body~~
2 ~~to administer the Children's Fund pursuant to this section.~~

3 (3) ~~In addition to all other hearings otherwise required, the Recreation and Park,~~
4 ~~Juvenile Probation, Youth, Health and Human Services Commissions shall each hold at least~~
5 ~~one separate or joint hearing each fiscal year to discuss issues relating to this section. The~~
6 ~~Department of Children, Youth and Their Families, or other agency as described above in~~
7 ~~section (m)(2), DCYF shall consult with the Recreation and Park Department, Arts Commission,~~
8 ~~Juvenile Probation Department, Unified School District, Health Department, Department of~~
9 ~~Human Services, Commission on the Status of Women, Police Department, Library Department~~
10 ~~and Municipal Transportation Agency in preparation of portions of the Community Needs~~
11 ~~Assessment and the Services and Allocation Plan that relate to ~~the their~~ respective activities or~~
12 ~~areas of responsibility of those agencies.~~

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

14 (m) Service Provider Working Group. The Oversight Committee shall create a Service
15 Provider Working Group ("SP Working Group") to advise the Director and the Oversight
16 Committee on funding priorities, policy development, the planning cycle, evaluation design and
17 plans, and any other issues of concern to the Working Group related to the Fund or the
18 responsibilities of DCYF or other departments receiving monies from the Fund.

19 The Working Group shall engage a broad cross-section of service providers in providing
20 information, education and consultation to the Oversight Committee and DCYF. All members of
21 the Working Group shall be actively providing services to children, youth and their families.
22 The Working Group shall be staffed by DCYF, and shall meet at least four times a year.

23 The Oversight Committee shall appoint two initial co-chairs of the Working Group, who
24 shall be responsible for developing the structure of the Working Group and facilitating the
25 meetings. The co-chairs shall serve for 2 years (except at the outset when one will serve only

1 one year, in order to stagger the terms.) After the first year, the Working Group shall select its
2 own chairs. Working Group meetings shall be open and encourage widespread participation.

3 ~~(n) **Advisory Committee.** There shall be a Children's Fund Citizens' Advisory~~
4 ~~Committee ("the Committee") that shall consist of 15 members, each appointed by the Mayor to~~
5 ~~a three year term, to serve at the Mayor's pleasure. At least three members of the Committee~~
6 ~~shall be parents and at least three members shall be less than 18 years old at the time of~~
7 ~~appointment. For each of the following areas, there shall be at least one Committee member~~
8 ~~with professional expertise in that area: early childhood development, childcare, education,~~
9 ~~health, recreation and youth development. The Committee shall meet at least quarterly, and~~
10 ~~shall advise the department or agency that administers the Children's Fund and the Mayor~~
11 ~~concerning the Children's Fund. The Committee shall convene by July 1, 2001. Each member of~~
12 ~~the Committee shall receive copies of each proposed Community Needs Assessment and each~~
13 ~~Plan (including the evaluation required as part of the Plan). Members of the Committee shall~~
14 ~~serve without pay, but may be reimbursed for expenses actually incurred.~~

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

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

22
23 **SEC. 16.108-1. CHILDREN, YOUTH AND THEIR FAMILIES OVERSIGHT**
24 **COMMITTEE.**

1 (a) **Creation.** There shall be a Children, Youth and Their Families Oversight Committee
2 (“Oversight Committee”) to review the governance and policies of the Department of Children,
3 Youth and Their Families (“DCYF”), to monitor and participate in the administration of the
4 Children and Youth Fund as provided in Charter Section 16.108 (“Fund”), and to take steps to
5 ensure that the Fund is administered in a manner accountable to the community.

6 (b) **Responsibilities.**

7 (1) The Oversight Committee shall develop and recommend policies for DCYF
8 and the Fund regarding outcomes for children and youth services, the evaluation of services, a
9 process for making funding decisions, program improvement and capacity building of service
10 providers, community engagement in planning and evaluating services, leveraging dollars of the
11 Fund and the use of the Fund as a catalyst for innovation. The Oversight Committee shall
12 promote and facilitate transparency in the administration of the Fund.

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

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

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

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

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

3
4 **~~SEC. 4.133. TAXI COMMISSION.~~**

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

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

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

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

24 ~~(b) Effective March 1, 1999, the Commission shall succeed to all powers and~~
25 ~~responsibilities relating to taxicabs and other motor vehicles for hire, other than criminal~~

1 ~~enforcement, now vested in the Police Commission, the Police Department or the Chief of~~
2 ~~Police. The Taxi Commission may be assigned additional duties and functions by ordinance or~~
3 ~~pursuant to Section 4.132.~~

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

13
14 APPROVED AS TO FORM:
15 DENNIS J. HERRERA, City Attorney

16
17 By: _____
18 THOMAS J. OWEN
19 Deputy City Attorney

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