

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

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 26 years; 3) create a Children and Families Council and**  
7 **require preparation of a Children and Families Plan; 4) create a City Rainy Day Reserve**  
8 **and a School Rainy Day Reserve out of the existing Rainy Day Reserve; and 5) make**  
9 **various technical and administrative changes to the Funds, at an election to be held on**  
10 **November 4, 2014.**

11  
12 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City  
13 and County, at an election to be held on November 4, 2014, a proposal to amend the Charter of  
14 the City and County by revising Sections 9.113.5, 16.108, 16.123-1, 16.123-2, 16.123-4,  
15 16.123-5, 16.123-6, 16.123-8, and 16.123-10, by adding Sections 16.108-1 and 16.127-1 through  
16 16.127-7, and by deleting Sections 16.123-7 and 4.133, to read as follows:

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

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

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

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

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

7 (d) The people of the City and County of San Francisco previously supported the  
8 passage of the Children’s Fund Amendment in 1991 and 2001 in addition to overwhelmingly  
9 approving PEEF in 2004 with over 71 percent of the vote.

10 (e) While these initiatives have dedicated funding for vital services both in school and  
11 outside of school, the State of California remains 49th in per-pupil spending and addressing the  
12 level of unmet needs remains a significant challenge. One-third of San Francisco’s African  
13 American and Latino children live below the poverty line. And the number of San Francisco  
14 children living in poverty increased by 14 percent over the past 5 years.

15 (f) SFUSD schools and San Francisco nonprofit community-based organizations are the  
16 City’s most valuable public assets in terms of supporting children, youth, and their families.  
17 Every San Francisco student has the right to a quality public education and necessary support  
18 services that prepare them to pursue higher education, be competitive in a diversity of job  
19 markets and ultimately contribute to the future health and vitality of San Francisco.

20 (g) San Francisco is experiencing a renaissance. However, economic inequity continues  
21 to grow, causing displacement and hardship for families with the most need.

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

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

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

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

8 (l) The previous investment of the Children and Youth Fund allowed for the Department  
9 of Children, Youth, and Their Families to serve over 56,000 youth in FY 2012-2013, focusing on  
10 the children with the most need, and with programs including childcare, after school academic  
11 and enrichment programs, violence prevention, wellness centers, and youth workforce  
12 development programs.

13 (m) In the last decade, critical PEEF Sports, Libraries, Arts and Music funding has  
14 ensured that every San Francisco public school has a librarian, every elementary school offers art  
15 classes and engagement opportunities, physical education classes are equipped and staffed by  
16 credentialed instructors, and sports teams have more coaches and officials, along with upgraded  
17 uniforms and equipment.

18 (n) The “Preschool for All” program, initially established by the Public Education  
19 Enrichment Fund in 2004 successfully served over 18,000 children. Studies have shown that  
20 children who have participated in Preschool for All demonstrated significantly higher academic  
21 achievement than children who did not participate.

22 (o) PEEF has enabled the Human Capital Support program to recruit and retain a  
23 diversity of quality teachers to SFUSD. In the year the program began, there were  
24 approximately 46 teacher vacancies on the first day of school, whereas there were only three  
25 teacher vacancies on the first day of school in FY 2012-2013.

1 (p) The reauthorization of the Children and Youth Fund and PEEF through the unified  
2 Children and Families First Initiative is an important step in pushing for a cultural and priority  
3 shift in our City.

4 (q) We have seen how increased investment and efficiency can maximize results. With  
5 this in mind, this Initiative also establishes the “Our Children, Our Families Council” to bring  
6 together department heads from the City and the School District, and community stakeholders in  
7 order to build a platform that will place the needs of children and families first in every policy  
8 decision.

9 (r) Collectively, we aim to put the needs and success of our children and families at the  
10 center of our City’s growth and ensure that those with the most need are given the best  
11 opportunity to thrive.

12  
13 Section 3. The Charter is hereby amended by revising Sections 9.113.5, 16.108,  
14 16.123-1, 16.123-2, 16.123-4, 16.123-5, 16.123-6, 16.123-8, and 16.123-10, by adding  
15 Sections 16.108-1 and 16.127-1 through 16.127-7, and by deleting Sections 16.123-7 and 4.133,  
16 to read as follows:

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

18 **(a) Preamble.**

19 (1) *By overwhelmingly reauthorizing (74 percent approval) the Children’s Fund*  
20 *in 2000, the people of the City and County of San Francisco found and declared that the*  
21 *Children’s Fund (now to be known as the Children and Youth Fund) is essential in ensuring the*  
22 *health and success of every San Francisco child.*

23 (2) *The previous investment of the Children and Youth Fund allowed for the*  
24 *Department of Children, Youth, and Their Families to serve over 56,000 youth in FY 2012-2013,*  
25 *focusing on the children with the most need.*

1 (3) *The Fund successfully stabilized and expanded services for children, youth,*  
2 *and their families, while leveraging other resources on behalf of children.*

3 (4) *Addressing the level of unmet need among children and youth remains a*  
4 *significant challenge. The needs of San Francisco's children have been increasing:*

5 (A) *One-third of San Francisco's African American and Latino children*  
6 *live below the poverty line. The number of San Francisco children in poverty has increased by*  
7 *14% in the past 5 years.*

8 (B) *The federal poverty level for a family of four is \$23,000; adjusted to*  
9 *San Francisco, it is \$35,000. Self-sufficiency in San Francisco for a family of four is three times*  
10 *that amount, and over half of all families cannot meet the self-sufficiency standard. The*  
11 *Children and Youth Fund provides services that support families and opportunities for children*  
12 *and youth that are essential to meeting their needs and providing pathways out of poverty.*

13 (C) *State and federal cuts have significantly reduced children and youth*  
14 *services in San Francisco, including funding for childcare, youth employment and high need*  
15 *disconnected transitional-aged youth.*

16 (5) *The reauthorization of the Children and Youth Fund will enable the*  
17 *Department of Children, Youth and Their Families (DCYF) to build on the previous success of*  
18 *the Fund and strengthen DCYF's capacity for the future, while fostering innovation and*  
19 *improving transparency and accountability.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15                   For Fiscal Year 2016-2017, 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 half  
17 cents (\$.035) per one hundred dollars (\$100) of assessed valuation for each fiscal year.

18                   For Fiscal Year 2017-2018, 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 three  
20 quarters cents (\$.0375) per one hundred dollars (\$100) of assessed valuation for each fiscal  
21 year.

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

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

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

1 state or private agency funds that the funding agency required to be spent only on those services.  
2 The Controller's baseline budget shall mean the Controller's calculation of the actual amount of  
3 City appropriations for services for children that would have been eligible to be paid from the  
4 Fund but are paid from other sources.

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

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

- 9 (A) ~~(1)~~ Affordable child care and early education;
- 10 (B) ~~(2)~~ Recreation, cultural and after-school programs, including without  
11 limitation, arts programs;
- 12 (C) ~~(3)~~ Health services, including prevention, education, and behavioral  
13 and mental health services, and pre-natal services to pregnant women;
- 14 (D) ~~(4)~~ Training, employment and job placement;
- 15 (E) ~~(5)~~ Youth empowerment and leadership development;
- 16 (F) ~~(6)~~ Youth violence prevention programs;
- 17 (G) ~~(7)~~ Youth tutoring and educational enrichment programs; ~~and~~
- 18 (H) ~~(8)~~ Family and parent support services;
- 19 (I) Support for collaboration among grantees to enhance service delivery  
20 and provider capacity building, and for community development efforts; and.
- 21 (J) Services responsive to issues of gender, sexual orientation, and gender  
22 identification, including, but not limited to, services to address the needs of girls and LGBTQQ  
23 communities.

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

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

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

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

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

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

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

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

17                   (5) Acquisition (other than by lease for a term of ten years or less) of any real  
18 property, or capital expenditures, or predevelopment or construction costs for housing; ~~or~~

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

22                   (7) Medical health services, other than prevention, education, and behavioral  
23 and mental health support services.

24                   (h) **Baseline.** The Fund shall be used exclusively to increase the aggregate City  
25 appropriations and expenditures for those services for children and Disconnected

1 Transitional-Aged Youth that are eligible to be paid from the Fund (exclusive of expenditures  
2 mandated by state or federal law). To this end, the City shall not reduce the amount of such City  
3 appropriations for eligible services (not including appropriations from the Fund and exclusive of  
4 expenditures mandated by state or federal law) ~~in any of the fifteen years during which funds are~~  
5 ~~required to be set aside~~ under this section below the amount so appropriated for the fiscal year  
6 2000-2001 ("the base year") as set forth in the Controller's baseline budget, as adjusted ("the  
7 base amount").

8 The Controller shall calculate City appropriations made in fiscal year 2013-2014 for  
9 services for Disconnected Transitional-Aged Youth aged 18 through 24 years. Beginning with  
10 fiscal year 2014-2015, that amount shall be added to the base amount and adjusted as provided  
11 below. The City shall not reduce the amount of such City appropriations for services for  
12 Disconnected Transitional-Aged Youth (not including appropriations from the Fund and  
13 exclusive of expenditures mandated by state or federal law) under this section below the amount  
14 so appropriated for fiscal year 2013-2014, as adjusted.

15 The base amount shall be adjusted for each year after the base year by the Controller  
16 based on calculations consistent from year to year by the percentage increase or decrease in  
17 aggregate City and County discretionary revenues. In determining aggregate City and County  
18 discretionary revenue, the Controller shall only include revenues received by the City and  
19 County that are unrestricted and may be used at the option of the Mayor and the Board of  
20 Supervisors for any lawful City purpose. The method used by the Controller to determine  
21 discretionary revenues shall be consistent with method used by the Controller to determine the  
22 Library and Children's Baseline Calculations dated June 20, 2000, which the Controller shall  
23 place on file with the Clerk of the Board in File No. 000952. Errors in the Controller's estimate  
24 of discretionary revenues for a fiscal year shall be corrected by an adjustment in the next year's  
25 estimate. Within 90 days following the end of each fiscal year throughout the term of this

1 measure through 2014-2015, the Controller shall calculate and publish the actual amount of City  
2 appropriations for services for children that would have been eligible to be paid from the Fund  
3 but are paid from other sources, separately identifying expenditures mandated by state or federal  
4 law.

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

10 (1) **Year 1 - Community Needs Assessment.** During every fifth fiscal year  
11 beginning with Fiscal Year 2015-2016, DCYF shall conduct a Community Needs Assessment  
12 (CNA) to identify services to receive monies from the Fund. The CNA should include qualitative  
13 and quantitative data sets collected through interviews, focus groups, surveys, or other outreach  
14 mechanisms to determine service gaps in programming for children, youth, and families. If  
15 necessary, DCYF may contract for these services. DCYF shall undertake a robust community  
16 process in every supervisorial district, soliciting input from a diverse cross-section of parents,  
17 youth and non-profit stakeholders to develop the CNA:

18 (A) By August 15, DCYF shall develop a plan for how to conduct the  
19 CNA. The CNA shall include an equity analysis of services and resources for parents, children,  
20 and youth. DCYF shall develop a set of equity metrics to be used to establish a baseline of  
21 existing services and resources in low-income neighborhoods and disadvantaged communities,  
22 compared to services and resources available in the City as a whole. The outreach for the CNA  
23 shall create opportunities for parents, youth, nonprofit agencies, and other members of the  
24 public, to provide input. By September 1, DCYF shall provide its plan for conducting the CNA to  
25 the Oversight and Advisory Committee created in Section 16.108-1(a), the Service Provider

1 Working Group created in Section 16.108-1(e), and the Board of Supervisors. The plan shall be  
2 a public document.

3 (B) By March 1, DCYF shall complete the CNA and provide a draft  
4 report to the Oversight and Advisory Committee for review.

5 (C) By April 1, DCYF shall submit a final report on the CNA to the  
6 Oversight and Advisory Committee and the Board of Supervisors. The final report may  
7 incorporate any comments or suggestions made by the public or by the agencies that received  
8 copies of the draft report.

9 (D) By May 1, the Oversight and Advisory Committee shall approve and  
10 provide feedback on the CNA. If the Oversight and Advisory Committee disapproves the report,  
11 DCYF may modify and resubmit the report.

12 (E) By June 1, the Board of Supervisors shall consider and approve or  
13 disapprove, or modify, the report on the CNA. If the Board disapproves the report, DCYF may  
14 modify and resubmit the report, provided, however, that the City may not expend monies from  
15 the Fund until the Board of Supervisors has approved a final report on the CNA.

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

20 (A) DCYF shall prepare a draft SAP in consultation with interested City  
21 departments, including the First Five Commission, the Office of Early Care and Education (or  
22 any successor entity), Recreation and Parks, Health, Human Services, Youth, Juvenile  
23 Probation, Status of Women, Police, Library, and Arts Commission, as well as community-based  
24 service providers, parents, children, youth, and other members of the public. The SAP must:  
25

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

3 (ii) Include all services for children and disconnected  
4 transitional-aged youth;

5 (iii) Be outcome-oriented and include goals and measurable and  
6 verifiable objectives and outcomes;

7 (iv) Include capacity building and evaluation of services as  
8 separate funding areas;

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

11 (vi) Include funding for youth-initiated projects totaling at least  
12 3 percent of the total proposed expenditures from the Fund for the cycle;

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

15 (viii) Incorporate strategies to coordinate and align all services  
16 for children funded by all governmental or private entities and administered by the City, whether  
17 or not those services are eligible to receive monies from the Fund.

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

23 (C) By March 1, DCYF shall provide the draft SAP to the Oversight and  
24 Advisory Committee and the Service Provider Working Group. DCYF shall also provide the  
25 draft SAP to interested City departments, including the First Five Commission, the Office of

1 Early Care and Education (or any successor entity), Recreation and Parks, Health, Human  
2 Services, Youth, Juvenile and Adult Probation, Status of Women, Police, Library and Arts  
3 Commissions.

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

8 (E) By May 1, the Oversight and Advisory Committee shall provide input  
9 on, approve or disapprove the SAP. If the Oversight and Advisory Committee disapproves the  
10 SAP, DCYF may modify and resubmit the SAP.

11 (F) By June 1, the Board of Supervisors shall consider and approve or  
12 disapprove, or modify, the SAP. If the Board disapproves the SAP, DCYF may modify and  
13 resubmit the SAP, provided, however, that the City may not expend monies from the Fund until a  
14 SAP has been approved by the Board of Supervisors.

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

18 (3) Year 3 – Selection of Contractors. During every fifth fiscal year beginning in  
19 2017-2018, DCYF shall conduct competitive solicitations for services to be funded from the  
20 Fund.

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

1                    (5) DCYF may recommend, and the Oversight and Advisory Committee and the  
2 Board of Supervisors may approve, changes to the due dates and timelines provided in this  
3 subsection (i). 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 (j) **Evaluation.** DCYF shall provide for the evaluation on a regular basis of all services  
17 funded through the Fund, and shall prepare on a regular basis an Evaluation and Data Report  
18 for the Oversight and Advisory Committee. ~~If necessary, DCYF may contract for these services.~~  
19 ~~The Plan shall include an evaluation of services that received money from the Fund at any time~~  
20 ~~during the last three fiscal years. The evaluation shall involve those who use the funded services~~  
21 ~~and other parents and youth.~~

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

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

8            ~~(l) (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), 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 ~~Assessment and the Plan that relate to their respective activities or areas of responsibility.~~

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

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

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

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

21  
22 **SEC. 16.108-1. CHILDREN, YOUTH AND THEIR FAMILIES OVERSIGHT AND**  
23 **ADVISORY COMMITTEE.**

24 ~~(a) **Creation.** There shall be a Children, Youth and Their Families Oversight and~~  
25 ~~Advisory Committee ("Oversight and Advisory Committee") to review the governance and~~

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

5 **(b) Responsibilities.**

6 (1) The Oversight and Advisory Committee shall develop recommendations for  
7 DCYF and the Fund regarding outcomes for children and youth services, the evaluation of  
8 services, common data systems, a process for making funding decisions, program improvement  
9 and capacity building of service providers, community engagement in planning and evaluating  
10 services, leveraging dollars of the Fund and the use of the Fund as a catalyst for innovation.

11 The Oversight and Advisory Committee shall promote and facilitate transparency in the  
12 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 the  
16 departmental budget and grants as a package), and shall review the annual Data and Evaluation  
17 Report. Nothing in this Section shall limit the authority of the Mayor and the Board of  
18 Supervisors to propose, amend, and adopt a budget under Article IX of the Charter.

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

22 (4) Establish and maintain a Service Provider Working Group as provided in  
23 subsection (e).

24 (5) The Committee shall meet at least six times a year.  
25

1           (c) **Composition.** The Oversight and Advisory Committee shall have eleven members.  
2           The Mayor shall appoint members for Seats 1 through 6. The Board of Supervisors shall appoint  
3           members for Seats 7 through 11. The Mayor and the Board of Supervisors shall appoint the  
4           initial members of the Committee by July 1, 2015. The terms of the initial appointees to the  
5           Committee shall commence on the date of the first meeting of the Committee, which may occur  
6           when at least eight members.

7           (d) **Implementation.** The Board of Supervisors shall further provide by ordinance for  
8           the membership, structure, functions, appointment criteria, and support of the Committee. The  
9           Board of Supervisors shall adopt such legislation to be effective by June 1, 2015.

10           (e) **Service Provider Working Group.** The Oversight and Advisory Committee shall  
11           create a Service Provider Working Group (“SP Working Group”) to advise the Oversight and  
12           Advisory Committee on funding priorities, policy development, the planning cycle, evaluation  
13           design and plans, and any other issues of concern to the Working Group related to the Fund or  
14           the responsibilities of DCYF or other departments receiving monies from the Fund.

15           The Working Group shall engage a broad cross-section of service providers in providing  
16           information, education and consultation to the Oversight and Advisory Committee. All members  
17           of the Working Group shall be actively providing services to children, youth and their families.  
18           The Working Group shall be supported by DCYF staff, and shall meet at least four times a year.

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

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

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

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

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

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

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

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

22                    (6) In the last decade, critical PEEF Sports, Libraries, Arts and Music funding  
23    has ensured that every San Francisco public school has a librarian, all elementary schools offer  
24    art classes and engagement opportunities, physical education courses are equipped and staffed  
25

1 by credentialed teachers, and sports teams have more coaches and officials along with upgraded  
2 uniforms and equipment;

3 (7) The General Education portion of the Public Education Enrichment Fund has  
4 enabled San Francisco Unified School District (SFUSD) to triple the number of students  
5 enrolled in grades K-8 receiving individual and/or group health and mental health services  
6 through Student Support Professionals over the past five years, with the number of high school  
7 students receiving five or more counseling sessions at the Wellness Center more than doubling in  
8 the last 10 years;

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

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

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

19 (11) The “Preschool for All” program, initially established by the Public  
20 Education Enrichment Fund in 2004 successfully served over 18,000 children; with enrollment  
21 increasing year to year;

22 (12) Studies have shown that children who have participated in Preschool for All  
23 demonstrated significantly higher academic achievement than children who did not participate;

1                   (13) While the Preschool for All program has made great strides in closing the  
2 opportunity gap for low-income early age children, the current need far exceeds the current level  
3 of services that the City and County of San Francisco is able to provide;

4                   (14) The choices businesses make about where to locate are impacted by include  
5 the quality of public services the City provides, including public safety, transportation and  
6 education; a free quality public education can serve as a key factor for business to attract and  
7 retain workers in our community;

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

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

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

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

22                   ~~3. While California once led the nation in public school spending and~~  
23 ~~performance, investments have greatly declined. Despite its high cost of living, San Francisco~~  
24 ~~per pupil spending ranks 34th among 43 comparable central City U.S. public school districts of~~  
25

1 similar size. As of 2001, adjusted for cost of living, teacher salaries for the San Francisco  
2 Unified School District (SFUSD) ranked 99th of 100 metropolitan areas;

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

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

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

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

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

13  
14 **SEC. 16.123-2. PUBLIC EDUCATION ENRICHMENT FUND.**

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

1           **(b) Baseline Appropriations.** The Fund shall be used exclusively to increase the  
2 aggregate City appropriations to and expenditures for the San Francisco Unified School District.  
3 To this end, the City shall not reduce the amount of such City appropriations (not including  
4 appropriations from the Fund and exclusive of expenditures mandated by state or federal law) in  
5 any ~~year of the eleven years~~ during which funds are required to be set aside under this Section  
6 below the amount so appropriated for the fiscal year 2002-2003 ("the base year"). These  
7 baseline appropriations shall be separate from the City's annual contributions to the Public  
8 Education Enrichment Fund under subsection (c), and shall be appropriated by the City to the  
9 School District each year during the term of this measure ~~for the same purposes and in the same~~  
10 ~~relative proportions among those purposes as in the base year, as certified by the Controller.~~

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

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

25                           Fiscal Year 2005-06                   \$10 million

1	Fiscal Year 2006-07	\$20 million
2	Fiscal Year 2007-08	\$30 million
3	Fiscal Year 2008-09	\$45 million
4	Fiscal Year 2009-10	\$60 million

5 (d) **Annual Contributions to the Fund-FY 2010-11 and Thereafter through FY 2014-**  
6 **~~15~~**. For Fiscal Years 2010-11 and thereafter through FY 2014-15, the City's annual contribution  
7 to the Public Education Enrichment Fund shall equal its total contribution for the prior year,  
8 beginning with Fiscal Year 2009-2010, adjusted for the estimated increase or decrease in  
9 discretionary General Fund revenues for the year.

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

15  
16 **SEC. 16.123-4. UNIVERSAL ACCESS TO EARLY EDUCATION PRESCHOOL.**

17 (a) **Universal Access to Early Education Preschool.** It shall be the goal of the City and  
18 County of San Francisco to provide all children between the ages of three and five years ~~four-~~  
19 year-old children who are City residents the opportunity to attend quality early education  
20 programs, giving priority to four year old children. preschool, and it shall be ~~It~~ is the goal of the  
21 people in adopting this measure to expand such access beginning ~~to~~ ~~so~~ no later than  
22 September 1, 2015, 2009 building upon the work of the City's existing Preschool for All  
23 program. This portion of the Fund may also be used to support the development of services for  
24 children from birth to three years old.

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

9 In preparing the plan, ~~the OECE shall consult with~~ the First Five Commission ~~to shall~~  
10 develop universal ~~early education preschool~~ funding guidelines consistent with the ~~findings of~~  
11 ~~the 2012-2013~~ Childcare Planning and Advisory Council's San Francisco Childcare Needs  
12 Assessment, ~~the 2012 San Francisco Citywide Plan for Early Education, First 5 San Francisco's~~  
13 ~~2013 Evaluations of the Preschool for All program, the San Francisco Unified School District's~~  
14 ~~2014 Kindergarten Readiness Data, and the Office of Early Care and Education's 2014~~  
15 ~~Financing Study.~~

16 ~~The plan shall include goals for the quality of early care and education programs, shall~~  
17 ~~align with emerging developments in state and/or federal early care and education policy, and~~  
18 ~~shall address the professional development needs of center-based and family child care~~  
19 ~~providers. Professional development as defined herein includes education, technical assistance~~  
20 ~~and coaching, training, and supports, and shall be aligned with the City's goals for early care~~  
21 ~~and education program quality. Additionally, in preparing the plan, the OECE shall develop~~  
22 ~~including~~ guidelines designed to meet neighborhood-specific needs, ~~including school readiness,~~  
23 ~~subsidy availability, children's dual language development, facility development, parent~~  
24 ~~engagement and education, inclusion of children with special needs, such as subsidies, new~~  
25 ~~facility development,~~ and provider support for both family childcare homes and childcare centers.

1 Such funding guidelines also shall address the unmet need for universal early education  
2 ~~preschool~~ and childcare slots in specific City neighborhoods.

3 The Plan shall also include an equity analysis of services and resources for children,  
4 youth, and families. The OECE Citizens' Advisory Committee shall develop a set of equity  
5 metrics to be used to compare existing services and resources in low-income and disadvantaged  
6 communities with services and resources available in the City as a whole.

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

10 (c) **Annual Disbursements.** For Fiscal Year 2014-2015, Each year during the term of  
11 ~~this measure~~, the City shall appropriate one-third of the money in the Public Education  
12 Enrichment Fund to the First Five Commission for universal preschool programs administered  
13 by the Commission. Beginning July 1, 2015, the City each year shall appropriate one-third of  
14 the money in the Public Education Enrichment Fund to the OECE for early education programs  
15 to be administered by that office or entity or its successor.

16 (d) **Citizens Advisory Committee.** No later than March 1, 2015, the Board of  
17 Supervisors shall establish, by ordinance, a Citizens Advisory Committee to provide  
18 recommendations to the OECE on universal access to early education and the funds  
19 appropriated under this Section.

20  
21 **SEC. 16.123-5. DIRECT FINANCIAL ~~OTHER CITY~~ SUPPORT FOR THE SAN**  
22 **FRANCISCO UNIFIED SCHOOL DISTRICT.**

23 (a) ~~In-Kind Support.~~ Not later than one year after the effective date of this measure, the  
24 City and the School District shall identify areas of potential in-kind support that the City could  
25

1 ~~provide to the School District free of charge or at substantially reduced rates. In kind support,~~  
2 ~~for these purposes, may include, but is not limited to:~~

3 ~~Learning support services, including health, counseling, social work, and~~  
4 ~~nutrition services;~~

5 ~~Financial support services;~~

6 ~~Telecommunication and information services;~~

7 ~~Construction management services;~~

8 ~~Utility services;~~

9 ~~Transportation services;~~

10 ~~Legal services; and~~

11 ~~Public safety services.~~

12 ~~(b) **Planning Process.** No later than six months after the effective date of this measure,~~  
13 ~~the School District shall submit to the Board of Supervisors proposals for in kind services that~~  
14 ~~could be provided by the City to the District to further the educational goals and operations of~~  
15 ~~the District. The Board shall distribute those proposals to all City departments having expertise~~  
16 ~~in providing or capability to provide such in kind services, and no later than nine months after~~  
17 ~~the effective date of this measure, the departments will respond to the Board with proposals to~~  
18 ~~provide such in kind services to the District. The School District may use any direct financial~~  
19 ~~support provided under this Section to hire consultants to help identify possible in kind services.~~  
20 ~~The Board of Supervisors may, by ordinance, provide for continuation of this planning process~~  
21 ~~during the subsequent term of the measure.~~

22 ~~(a) (e) **Annual Disbursements.** Each year during the term of this measure, the City~~  
23 ~~shall appropriate one-third of the money in provide direct financial assistance from the Public~~  
24 ~~Education Enrichment Fund to the San Francisco Unified School District as direct financial~~  
25

1 ~~support. in an amount equal to one third of the money in the Fund, or in kind support services of~~  
2 ~~equal value.~~

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

12 ~~(e) Within one year of the effective date of this measure, the School District, with the~~  
13 ~~assistance of the City's Department of Public Health, Department of Human Services, and~~  
14 ~~Department of Children, Youth, and Their Families, shall conduct an assessment of health,~~  
15 ~~counseling, social work, and nutritional needs of pupils in the District, including problems~~  
16 ~~related to asthma and other chronic diseases. The City may appropriate a specific portion of the~~  
17 ~~disbursement under this Section through its annual appropriation process for these purposes,~~  
18 ~~pursuant to recommendations from the School District.~~

19  
20 **SEC. 16.123-6. EXPENDITURE PLANS.**

21 (a) No later than ~~April 1 February 1~~ of each year during the term of this measure, the  
22 San Francisco Unified School District and ~~the OECE the First Five Commission~~ shall each  
23 submit an expenditure plan for funding to be received from the Public Education Enrichment  
24 Fund for the upcoming fiscal year to the Mayor and the Board of Supervisor, in response to the  
25 Controller's March fund estimate for the coming fiscal year. ~~The proposed expenditure plans~~

1 ~~must include prior year total budgeted and expended appropriations and Fund budgeted and~~  
2 ~~expended appropriations by category, as well as average daily attendance information for the~~  
3 ~~prior year and anticipated average daily attendance information for the plan year, to facilitate~~  
4 ~~multi-year comparison.~~

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

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

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

15  
16 **SEC. 16.123-7. [Reserved] ~~STRUCTURAL SAVINGS TO THE CITY'S BUDGET.~~**

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

23 ~~(b) **Board of Supervisors' Proposals.** Not later than December 15 of each fiscal year~~  
24 ~~from Fiscal Year 2005-06 through Fiscal Year 2009-10, the Board of Supervisors shall hold~~

1 ~~hearings on the recommendations made by the Controller and the Budget Analyst and shall~~  
2 ~~forward its proposals to the Mayor.~~

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

8  
9 **SEC. 16.123-8. ADJUSTMENTS.**

10 ~~(a) In any year of this measure, if the joint budget report as prepared by the Controller,~~  
11 ~~the Mayor's Budget Director and the Board of Supervisors' Budget Analyst projects a budgetary~~  
12 ~~shortfall of \$100 million dollars or more, the Mayor and the Board of Supervisors may reduce~~  
13 ~~the City's contribution to the Public Education Enrichment Fund under Section 16.123-2, and its~~  
14 ~~disbursements under Sections 16.123-3, 16.123-4, or 16.123-5, by up to 25 percent; provided,~~  
15 ~~however, that the City must pay back the amount deferred within the period from June 30, 2015,~~  
16 ~~the last day of the term of this measure, and June 30, 2018, a date three years later, unless the~~  
17 ~~voters extend this measure beyond July 1, 2015 or authorize a substantially similar measure at~~  
18 ~~that time.~~

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

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

4 (1) Fund dollars spent for services, materials, and supplies permitted under the

5 Charter;

6 (2) Fund dollars spent as reported to the City;

7 (3) Supporting documentation of Fund expenditures; and,

8 (4) Progress towards established workload, efficiency and effectiveness

9 measures.

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

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

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

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

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

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

24 (b) (e) Reserve Policies. The Mayor and the Board of Supervisors may suspend the  
25 City's disbursements from the baseline appropriations or the Public Education Enrichment Fund

1 under Sections 16.123-2, 16.123-4, or 16.123-5 in whole or in part for any year where the  
2 Controller certifies that the San Francisco Unified School District or *the OECE the First Five*  
3 *Commission* has failed to adopt reserve policies recommended by the Controller.

4 ~~(c)~~ **Transfer and Use of Suspended Distributions.** If the Mayor and the Board of  
5 Supervisors suspend City distributions from the baseline appropriations or the Public Education  
6 Enrichment Fund under subsections (a) or (b) ~~or (c)~~, the City shall transfer the amount that  
7 would otherwise be distributed from the baseline appropriations or the Public Education  
8 Enrichment Fund for that year to the Children's Fund established in Charter Section 16.108, as  
9 amended, or any successor legislation, for the provision of substantially equivalent services and  
10 programs.

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

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

23 The Board of Supervisors may, by ordinance, proportionally reduce the contribution to  
24 the Public Education Enrichment Fund and the disbursements to *the OECE the First Five*

1 ~~Commission~~ if the State of California provides funding to the City for universal preschool,  
2 provided that such disbursements are not required to match state and/or other funding.

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

10  
11 **SEC. 16.123-10. SUNSET.**

12 The provisions of Sections 16.123-1 through 16.123-10 ~~this measure~~ shall expire ~~in~~  
13 ~~eleven years~~, at the end of Fiscal Year 2040-2041 ~~2014-15~~, unless extended by the voters.

14  
15 **SEC. 16.127-1. OUR CHILDREN, OUR FAMILIES COUNCIL; PREAMBLE.**

16 (a) San Francisco has historically shown great concern and compassion for its most  
17 vulnerable residents—its children. The City and the community have demonstrated this  
18 commitment through the adoption of progressive, innovative and creative ideals supporting the  
19 well-being of San Francisco's children and families.

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

22 (c) The people of the City and County of San Francisco previously supported the  
23 passage of the unprecedented Children's Amendment in 1991 and 2000 and the Public  
24 Education Enrichment Fund in 2004. While these initiatives dedicated funding to services, the  
25 level of unmet needs in providing critical programming and services still falls short.

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

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

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

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

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

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

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

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

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

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

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

5  
6 **SEC. 16.127-2. OUR CHILDREN, OUR FAMILIES COUNCIL; CREATION.**

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

10  
11 **SEC. 16.127-3. OUR CHILDREN, OUR FAMILIES COUNCIL; PURPOSE.**

12                   In order to advance a Citywide vision centered on the needs of children and families, City  
13 leaders and departments, the San Francisco Unified School District (the School District), and  
14 community partners must come together to coordinate their efforts across agencies and develop  
15 a strategy for achieving shared goals. The purpose of the Children and Families Plan to be  
16 developed by the Council will be to create an aligned and connected system of programs and  
17 services, in order to strengthen the City’s ability to best serve children, youth and their families,  
18 with the specific goals of promoting coordination among and increased accessibility to such  
19 programs and services, and enhancing their overall effectiveness.

20  
21 **SEC. 16.127-4. OUR CHILDREN, OUR FAMILIES COUNCIL; COMPOSITION.**

22                   The Mayor shall chair the Council, and shall invite the Superintendent of the School  
23 District to serve as a co-chair of the Council. Other members of the Council shall include the  
24 heads of City departments with responsibilities for services to children and families, members of

1 the community, and stakeholders. The Mayor shall also invite the heads of School District  
2 divisions identified by the Superintendent to serve as members of the Council.

3  
4 **SEC. 16.127-5. OUR CHILDREN, OUR FAMILIES COUNCIL; RESPONSIBILITIES.**

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

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

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

15 (2) Educational milestones developed by the School District and youth  
16 development milestones developed by the Department of Children, Youth, and Their Families  
17 ("DCYF") and the Council;

18 (3) Existing quality of service benchmarks established by City and School  
19 District Departments;

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

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

24 (c) No later than May 1, 2016, and every fifth year thereafter, the Council shall develop  
25 and adopt a set of proposed Citywide outcomes for services to children and families, including

1 an outcomes framework responsive to the evolving needs of the community. No later than July 1,  
2 2016, and every fifth year thereafter, the Council shall prepare and adopt a Children and  
3 Families Plan for the City, which shall include a comprehensive assessment of City policies and  
4 programs, both public and private, addressing the needs of children and families in San  
5 Francisco, and policy-level recommendations for making the City more supportive of children  
6 and families. The Council shall emphasize solicitation and incorporation of community input in  
7 the development of the initial Children and Families Plan and subsequent Plans.

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

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

14 (f) **Planning.** Following the adoption of implementing legislation under  
15 Section 16.126-7, the Mayor shall appoint members to the Council and the Council shall  
16 convene to make initial decisions regarding staffing, organization, and implementation. The  
17 Council shall also begin planning for the start of the five-year planning cycle in Fiscal  
18 Year 2016-2017. The Council may recommend, and the Board of Supervisors may approve by  
19 ordinance, changes to the due dates and timelines provided in this Section 16.127-5.

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

23 (h) **Coordination of Departments.** The Council shall facilitate cooperation and  
24 coordination between relevant departments of the City and the School District to maximize  
25 alignment and improve outcomes for children and youth. The Council shall oversee development

1 and implementation of a data-sharing agreement between the School District and relevant City  
2 departments. The Council, in cooperation with the Board of Supervisors, the San Francisco  
3 Board of Education, and community groups, shall work to ensure that funds spent to benefit  
4 children and families are targeted to those most in need of specific services and that the funds  
5 are used strategically to leverage and complement existing and anticipated federal, state, and  
6 local resources.

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

13 (j) **Evaluation.** Every five years, the Controller shall review the Council's operations  
14 and the Plan. The Controller shall submit the results of the review to the Council, the Board of  
15 Supervisors and the Board of Education. The Council shall consider the results of the  
16 Controller's review in the preparation of the next Plan. The Council will also report to the  
17 general public on the Council's efforts and achievements through the creation of an annual San  
18 Francisco Kids First Agenda. The Agenda shall serve as a report card on the results of the  
19 efforts of the City, the School District, and the community to serve children and families under  
20 the Plan, measured against quantifiable standards and metrics and in light of the Council's  
21 previously-adopted goals and priorities.

22  
23 **SEC. 16.127-6. OUR CHILDREN, OUR FAMILIES COUNCIL; STAFFING.**  
24  
25

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

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

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

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

10                   (3) Provide support for the Council, including developing a joint data-sharing  
11 agreement between the City and the School District, monitoring the planning cycle, providing  
12 technical support, and developing policy briefs on key issues relevant to implementation of the  
13 Plan;

14                   (4) Support the development of an inventory of all Citywide services for children  
15 and youth, including state and federally funded programs; and,

16                   (5) Support the development of a “Kids First” Agenda.

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

19  
20 **SEC. 16.127-7. OUR CHILDREN, OUR FAMILIES COUNCIL; IMPLEMENTATION.**

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

24  
25 / / /

1     **SEC. 9.113.5. RAINY DAY RESERVES RESERVE.**

2             (a) *Beginning January 1, 2015, there ~~There~~ shall be a City Rainy Day Reserve (the City*  
3 *Reserve) and a School Rainy Day Reserve (the School Reserve), collectively referred to as the*  
4 *Rainy Day Reserves ~~which may also be known as an economic stabilization reserve.~~*

5     **Allocations to the Reserves Reserve**

6             (b) If the Controller projects that total General Fund revenues for the upcoming budget  
7 year will exceed total General Fund revenues for the current year by more than five percent, the  
8 budget shall allocate the anticipated General Fund revenues in excess of that five percent growth  
9 (the excess revenues) as follows:

10             1. 50 percent of the excess revenues to the Rainy Day Reserves Reserve, with 75  
11 percent of that amount deposited to the City Reserve and 25 percent to the School Reserve;

12             2. 25 percent of the excess revenues to capital and other one-time expenditures;  
13 and,

14             3. 25 percent of the excess revenues to any lawful governmental purpose.

15             (c) Total monies in the City Reserve may not exceed 10 percent of actual total general  
16 fund revenues, as stated in the City's most recent independent annual audit. The budget shall  
17 allocate excess revenues that would otherwise be allocated to the City Reserve above the 10  
18 percent cap instead to capital and other one-time expenditures.

19             (d) The Mayor and the Board of Supervisors may, at any time, appropriate monies from  
20 the capital and other one-time expenditures allocation for capital projects or for expenditures  
21 such as, but not limited to, acquisition of equipment or information systems.

22             (e) The Mayor and the Board of Supervisors may, at any time, appropriate monies from  
23 the general purpose allocation for any lawful governmental purpose.

24     **Withdrawals from the City Reserve**

1 (f) If the Controller projects that total General Fund revenues for the upcoming budget  
2 year will be less than the current year's total General Fund revenues, or the highest of any other  
3 previous year's total General Fund revenues, the budget may appropriate up to 50 percent of the  
4 current balance in the City Reserve, but no more than the shortfall in total General Fund  
5 revenues, for any lawful governmental purpose in the upcoming budget year.

6 1. If the trigger for withdrawals from the City Reserve was not met in the current  
7 year, the Controller shall calculate the shortfall for the upcoming budget year by subtracting the  
8 total projected General Fund revenues for the upcoming budget year from the total projected  
9 General Fund revenues for the current year.

10 2. If the trigger for withdrawals from the City Reserve was met in the current  
11 year, the shortfall shall be calculated by subtracting the total projected General Fund revenues  
12 for the upcoming budget year from the highest of any previous year's total General Fund  
13 revenues, plus two percent for each intervening year.

14 ***Adjustments***

15 (g) If the City made appropriations from the City Reserve in the current year and in the  
16 immediately preceding budget year pursuant to subsection (f), the City is not required to allocate  
17 any anticipated excess revenues to the Rainy Day Reserves Reserve or to capital and other one-  
18 time expenditures for the upcoming budget year.

19 (h) If the Controller projects that the Consumer Price Index for the upcoming budget  
20 year shall exceed the index for the current year by more than five percent, the trigger for  
21 allocations to the Reserve as set forth in Subparagraph (b) above shall instead be the percentage  
22 of growth in the index plus two percent. If the Controller projects that the Consumer Price Index  
23 for the upcoming budget year shall be less than the index for the current year, the trigger for  
24 withdrawals from the Reserve as set forth in Subparagraph (f) above shall instead be the  
25 percentage of negative growth in the index. The Controller shall use for these purposes the San

1 Francisco All Items Consumer Price Index for All Urban Consumers (CPI-U), or its successor, as  
2 reported by the U.S. Department of Labor's Bureau of Labor Statistics.

3 (i) If the Board of Supervisors or the voters take an action that changes the amount of  
4 total General Fund revenues in any material manner, such as reducing a tax or imposing a new  
5 fee, the revenue changes caused by that action will not be counted as part of the triggers for  
6 allocations to the Rainy Day Reserves or withdrawals from the City Reserve during the year or  
7 years in which the action is first implemented.

8 (j) In conjunction with the year-end close of the budget, the Controller shall reconcile the  
9 revenue projections triggering any budgeted allocations to or withdrawals from the Rainy Day  
10 Reserves Reserve with actual revenue results, as stated in the City's independent annual audit for  
11 the years in question, and rebalance the Rainy Day Reserves Reserve, the capital and other one-  
12 time expenditures allocation, and the general purpose allocation accordingly.

13 **Withdrawals from the School Reserve for the Benefit of the Unified School District**

14 (k) If the San Francisco Unified School District (SFUSD) projects that inflation-adjusted  
15 per-pupil discretionary revenues for the upcoming fiscal year will be reduced and that a  
16 significant number of layoffs would be required to balance its budget, the SFUSD Board of  
17 Education may approve, by majority vote, a draw from the School Reserve of up to 50 percent of  
18 the current balance in the School Reserve but no more than the shortfall in inflation-adjusted  
19 per-pupil discretionary revenues. Such action shall be transmitted to the Controller, who upon  
20 certification of the SFUSD calculation shall transfer such funds to the SFUSD. For purposes of  
21 this Section, allocations provided from the City to the SFUSD through the Public Education  
22 Enrichment Fund shall not be deemed discretionary.

23 (l) If the triggers for withdrawal from the School Reserve were met in the current fiscal  
24 year, the decline in per-pupil discretionary spending shall be calculated by subtracting the  
25

1 inflation-adjusted per-pupil discretionary revenues for the upcoming budget year from the  
2 highest of any previous year's inflation-adjusted per-pupil discretionary revenues.

3 (m) In conjunction with the year-end close of the SFUSD budget, the SFUSD shall  
4 reconcile the revenue projections triggering a budgeted withdrawal from the School Reserve  
5 with actual revenue results, as stated in the SFUSD's independent audit for the years in  
6 question. The SFUSD shall rebalance the withdrawal allocation and, if necessary, return funds  
7 required to rebalance the Reserve.

8 (n) Given possible changes in State school funding formulae, changes in local  
9 demographic or economic conditions, or other factors, the SFUSD may for a given fiscal year  
10 draw from the School Reserve amounts in excess of the limitations in subsection (k) or to offset  
11 revenue losses that are less than those that would otherwise permit a draw under subsections (k)  
12 and (l). Such action shall become operative for that fiscal year following approval of two-thirds  
13 of the SFUSD School Board and certification of the School Board's approval by the Controller.

14 ~~(k) If the Controller projects that inflation-adjusted per-pupil revenues for the San~~  
15 ~~Francisco Unified School District will be reduced in the upcoming budget year and the School~~  
16 ~~District has noticed a significant number of layoffs, the Board of Supervisors and the Mayor~~  
17 ~~may, in their discretion, appropriate funds from the Reserve to the School District to offset the~~  
18 ~~costs of maintaining education during the upcoming budget year. Such appropriations may not~~  
19 ~~exceed the dollar value of the total decline in inflation-adjusted per-pupil revenues for the year,~~  
20 ~~or 25 percent of the Reserve balance, whichever is lower. If the triggers for withdrawals from~~  
21 ~~the Reserve for the benefit of the School District were met in the current year, the decline in per-~~  
22 ~~pupil revenues shall be calculated by subtracting the inflation-adjusted per-pupil revenues for~~  
23 ~~the upcoming budget year from the highest of any previous year's inflation-adjusted per-pupil~~  
24 ~~revenues, plus two percent for each intervening year.~~

25 **Transition to New Reserve Structure**

1           (o) No later than January 1, 2015, the Controller shall transfers 50 percent of the Rainy  
2 Day Reserve existing as of that date to the City Reserve and 50 percent to the School Reserve.

3 **Two-Year Budget**

4           

~~(p)~~(t) The Controller shall promulgate procedures modifying the Rainy Day Reserve  
5 system, as necessary, to be consistent with the City's adoption of biennial rather than annual  
6 budgets.

7  
8 **~~SEC. 4.133. TAXI COMMISSION.~~**

9           

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

15           

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

20           

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

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

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

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

18  
19 APPROVED AS TO FORM:  
20 DENNIS J. HERRERA, City Attorney

21  
22 By: \_\_\_\_\_  
23 THOMAS J. OWEN  
24 Deputy City Attorney

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