

BOARD of SUPERVISORS



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MEMORANDUM

Date: June 22, 2022

To: The Honorable Members, Board of Supervisors

From:  Angela Calvillo, Clerk of the Board

Subject: Charter Amendment – Homelessness Oversight Commission
(File No. 220535)

Board of Supervisors Rules of Order 2.21 establishes certain criteria that must be included in legislation creating and establishing, or reauthorizing, new bodies (boards/commissions/task forces/advisory bodies) and requires the Clerk of the Board to advise the Board on certain matters. In order to fulfill these requirements, the following is provided:

File No. 220535 Charter Amendment – Homelessness Oversight Commission (HOC)

- Does a current body address the same or similar subject matter?

No. There is no active body with similar powers or duties. HOC shall oversee the Department of Homelessness and Supportive Housing; however, the following existing bodies address homeless-related issues:

- *Local Homeless Coordinating Board (LHCB)*
- *Shelter Monitoring Committee (SMC)*
- *Our City, Our Home Oversight Committee (OCOHOC)*

- Language requiring the body to meet at least once every four months

The Charter Amendment does not address or set a minimum meeting requirement. It is suggested that the Charter Amendment be amended to insert “shall meet at least once every four months thereafter.”



- Language indicating members serve at the pleasure of the appointing authority

Yes. Section 4.133 (c) states "Commission members shall serve at the pleasure of their respective appointing authorities and may be removed by their appointing authorities at any time. Vacancies shall be filled by the respective appointing authorities as prescribed in Subsections (b)(1) and (2)."

- Language establishing attendance requirements

No. The Charter Amendment does not address attendance requirements. It is suggested that the Charter Amendment be amended to insert "Any member who misses three regular meetings Commission within any 12-month period without the express approval of the Commission at or before each missed meeting shall be deemed to have resigned from the Oversight Committee ten days after the third unapproved absence."

- Number of seats and qualifications

There will be a total of seven (7) members, as follows:

Seats 1, 2, 3 and 4, shall be appointed by the Mayor, subject to confirmation by the Board of Supervisors. Each nomination shall be the subject of a public hearing and vote within 60 days. If the Board of Supervisors fails to act on a nomination within 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed confirmed.

The Board of Supervisors appoints Seats 5 and 6 and 7.

- *Seat 1 shall be held by a person who has personally experienced homelessness.*
- *Seat 2 shall be held by a person with significant experience providing services to or engaging in advocacy on behalf of persons experiencing homelessness.*
- *Seat 3 shall be held by a person with expertise in mental health service delivery or substance abuse treatment.*
- *Set 4 shall be held by a person with a record of participation in a merchants' or small business association, or neighborhood association.*
- *Seat 5 shall be held by a person who has personally experienced homelessness.*
- *Seat 6 shall be held by a person with significant experience providing services to or engaging in advocacy on behalf of persons experiencing homelessness.*



- *Seat 7 shall be held by a person with significant experience working with homeless families with children and/or homeless youth.*

- *Term limits (i.e., commencement date? staggered terms?)*

Yes. Commissioners shall serve for four-years terms, beginning at noon on May 1, 2023; provided, however, the term of the initial appointees in seats 1, 5 and 6, shall be a two-year term, expiring at noon on May 1, 2025.

No Term Limits indicated.

The initial appointments to seats 1-7 shall be made no later than noon on March 1, 2023.

- *Administering department*

None. The Charter Amendment does not address funding or administering HOC. The Charter Amendment should be revised to add a city department to provide administrative support.

Suggested department – Department of Homelessness and Supportive Housing (HSH).

- *Reporting requirements*

The Commission would oversee HSH, and would have all of the powers and duties of commissions set forth in the Charter, including but not limited to formulating, evaluating, and approving goals, objectives, plans and programs, and setting policies consistent with the overall objectives of the City, approving applicable departmental budgets, nominating to the Mayor candidates for department head, removing a department head, and conducting investigations into any aspect of governmental operations within its jurisdiction.

The HOC would not have the authority to approve, disapprove, or modify criteria used to ascertain eligibility or priority for programs and/or services operated or provided by HSH, where such criteria are required as a condition of the receipt of state or federal funding.

The Charter Amendment would also require the Board of Supervisors to enact an ordinance no later than May 1, 2023, that would amend the Municipal Code to provide that:

- *The HOC shall appoint all members of the LHCB and the sole duties of the LHCB shall be to serve as the Continuum of Care governing body, and to advise the Commission on the City's participation in that program;*
- *The HOC shall appoint all members of the SMC, and that body shall advise the HOC in lieu of advising the LHCB; and*



- *The OCOHOC shall advise and make recommendations to the HOC and the Health Commission, in lieu of advising and making recommendations to the Board of Supervisors and the Mayor, on administration of the Our City, Our Home Fund.*
- **Sunset date**

The Charter Amendment does not provide a sunset date for the Commission.