

1 [Requiring that the acceptance and expenditure of any grant that would result in the creation
2 of new City positions be approved by an ordinance that includes an appropriate amendment
3 to the annual salary ordinance.]

3 **Ordinance amending the San Francisco Administrative Code by amending**
4 **Section 10.170-1, to require that the acceptance and expenditure of any grant that**
5 **would result in the creation of new City positions be approved by an ordinance that**
6 **includes an appropriate amendment to the annual salary ordinance.**

7 Note: Additions are single-underline italics Times New Roman;
8 deletions are ~~strikethrough italics Times New Roman~~.
9 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. The San Francisco Administrative Code is hereby amended by amending
12 Section 10.170-1, to read as follows:

13 **SEC. 10.170-1. GRANT FUNDS - ACCEPTANCE AND EXPENDITURE.**

14 The acceptance and expenditure of federal, State, or other grant funds is subject to the
15 approval by resolution of the Board of Supervisors, or by ordinance as required under subsection
16 (b), in the following manner:

17 (a) Any department, board, or commission that requests the approval to accept and
18 expend grant funds by the Board of Supervisors shall submit the following documents to the
19 Board prior to its consideration:

20 (1) A proposed resolution approving the acceptance and expenditure of grant funds, or
21 a proposed ordinance as required under subsection (b), signed by the department head, the Mayor
22 or his or her designee, and the Controller;

23 (2) A completed "Grant Information Form." The Clerk of the Board shall prepare the
24 form; it shall include a disability access checklist, indirect cost recovery, and other information
25 as the Board of Supervisors may require;

- 1 (3) A copy of the grant application;
- 2 (4) A letter of intent to award the grant or acknowledgment of grant award from the
- 3 granting agency;
- 4 (5) A cover letter to the Clerk of the Board of Supervisors substantially conforming to
- 5 the specifications of the Clerk of the Board.

6 (b) **Grant Funded Positions.** No position funded by a grant shall be authorized or

7 filled unless the classification, duration, and number of positions to be funded by the grant are

8 specifically set forth in an ordinance ~~the resolution~~ approving acceptance and expenditure, which

9 ordinance shall also contain appropriate amendments to the annual salary ordinance to reflect the

10 positions proposed to be funded through the grant ~~or in the grant budget submitted to and in the file of~~

11 ~~the Board of Supervisors.~~

12 (c) **Recurring Grants.** Grants that provide funding to departments or programs of the

13 City and County in a recurring manner or continue funding from one year to the next shall be

14 included in the annual budget submission by the department.

15 The departmental budget submission shall also include a budget detail, explanations

16 and substantiations of the grant funding. If it is not possible for the department to include

17 recurring grant funds in its annual departmental budget submission, the acceptance and

18 expenditure of a recurring grant shall follow the procedure set forth in paragraph (a) of this

19 Section.

20 (d) **Indirect Costs.** Every grant budget shall contain provisions for the reimbursement

21 of indirect costs. Such indirect costs provisions shall reimburse the City and County from grant

22 funds for administrative services that are necessary for the administration and performance of

23 the project or program. Every department, office, board or commission shall establish a rate

24 for such indirect costs that is approved by the Controller and fixed in accordance with a

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1 directive issued by the Controller. The indirect cost rate shall be included in the grant budget
2 that is submitted to the Board of Supervisors and in the authorizing resolution.

3 The receipt and expenditure of grant funds shall not be approved by the Board of
4 Supervisors unless the Controller has certified that provisions for appropriate indirect cost
5 reimbursement is included in the grant budget.

6 If indirect costs are not allowed by the funding agency, or for other reasons indirect
7 costs cannot be included in the budget, these reasons shall be stated in the authorizing
8 resolution. Upon approving acceptance and expenditure, the Board of Supervisors may waive
9 the requirement for the inclusion of reimbursement of indirect costs.

10 (e) **Grant Budget.** Every department, board, commission, agency, or office submitting
11 a budget for a grant of public funds to the Board of Supervisors pursuant to this Section shall
12 submit such budget in a format that conforms to and provides the detail substantiation that is
13 required of similar appropriations in the annual budget for the City and County. The mission
14 and goals statement, which is required as part of the annual budget, is not required by this
15 Section for submittal of a grant budget.

16 (f) **Grant Budget - Revision.** A department, agency, or office may reallocate or
17 transfer funds of line item expenditures within an approved grant budget, if such reallocations
18 or transfers are within the total of the approved budget and are allowed by the granting
19 agency. If any line item of a federal or State grant is modified or increased by more than 15
20 percent, copies of documentation of such modification or increase which are transmitted to
21 federal or State agencies shall also be transmitted to the Board of Supervisors.

22 (g) **Grant - Draw Down of Funds.** Departments, agencies, boards, and commissions
23 shall promptly draw down grant funds from a federal, State, or other funding agency and
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1 deposit such funds in the Treasury of the City and County of San Francisco to minimize the
2 displacement of City funds that support grant activities.

3 (h) **Grant - Transportation Authority.** The provisions of this Section shall not be
4 applicable to applications for or expenditure of funds from the San Francisco County
5 Transportation Authority. The Controller shall prescribe rules for the acceptance and
6 expenditure of such funds.

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10 APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

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12 By: _____
13 THOMAS J. OWEN
Deputy City Attorney

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