

BOARD of SUPERVISORS



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

## MEMORANDUM

TO: Ed D. Shaw, Director, MOHCD  
Sheryl Evans Davis, Director, Human Rights Commission  
Sophia Kittler, Mayor's Office

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: October 24, 2020

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Rules Committee received the following proposed legislation:

**File No. 201190**

**Ordinance amending the Administrative Code to establish the African American Reparations Advisory Committee to advise the Board of Supervisors, the Mayor, the Human Rights Commission, and the public regarding the development, adoption, and implementation of a San Francisco Reparations Plan that determines the scope and eligibility for a citywide reparations program, examines current structural discrimination within San Francisco, and proposes institutional reforms to guard against the need for future redress.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [linda.wong@sfgov.org](mailto:linda.wong@sfgov.org).

c: Eugene, Flannery, MOHCD  
Amy Chan, MOHCD  
Tyra Fennel, Mayor's Office  
Rebecca Peacock, Mayor's Office  
Andres Power, Mayor's Office



# City and County of San Francisco

## Master Report

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 201190      **File Type:** Ordinance      **Status:** 30 Day Rule

**Enacted:** \_\_\_\_\_ **Effective:** \_\_\_\_\_

**Version:** 1      **In Control:** Rules Committee

**File Name:** Administrative Code - Establishing African American Reparations Advisory Committee      **Date Introduced:** 10/20/2020

**Requester:** \_\_\_\_\_ **Cost:** \_\_\_\_\_ **Final Action:** \_\_\_\_\_

**Comment:** \_\_\_\_\_ **Title:** Ordinance amending the Administrative Code to establish the African American Reparations Advisory Committee to advise the Board of Supervisors, the Mayor, the Human Rights Commission, and the public regarding the development, adoption, and implementation of a San Francisco Reparations Plan that determines the scope and eligibility for a citywide reparations program, examines current structural discrimination within San Francisco, and proposes institutional reforms to guard against the need for future redress.

**Sponsor:** Walton

### History of Legislative File 201190

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	President	10/20/2020	ASSIGNED UNDER 30 DAY RULE	Rules Committee	11/19/2020	

1 [Administrative Code - Establishing African American Reparations Advisory Committee]

2  
3 **Ordinance amending the Administrative Code to establish the African American**  
4 **Reparations Advisory Committee to advise the Board of Supervisors, the Mayor, the**  
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6 **implementation of a San Francisco Reparations Plan that determines the scope and**  
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16 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
17 subsections or parts of tables.

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

19 Section 1. Chapter 5 of the Administrative Code is hereby amended by adding Article  
20 XLVI, consisting of Sections 5.46-1 through 5.46-7, to read as follows:

21 **ARTICLE XLVI:**

22 **AFRICAN AMERICAN REPARATIONS ADVISORY COMMITTEE**

23 **SEC. 5.46-1. CREATION OF ADVISORY COMMITTEE.**

24 *The Board of Supervisors hereby establishes the African American Reparations Advisory*  
25 *Committee (the “Advisory Committee”) of the City and County of San Francisco.*

**SEC. 5.46-2. PURPOSE.**

1            The purpose of the Advisory Committee is to advise the Board of Supervisors, Mayor, the  
2 Human Rights Commission, and the public on the development of a San Francisco Reparations Plan  
3 that: 1) chronicles the legacy of American chattel slavery, post-Civil War government-sanctioned  
4 discrimination against African Americans, and ongoing institutional discrimination that has prevented  
5 the enslaved and their descendants from fully benefiting from the growth of the U.S. economy, with an  
6 emphasis on systemic, City-sanctioned discrimination that has adversely impacted the lives of Black  
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8 means of disbursing reparations in order to make whole those who have been wronged or who continue  
9 to suffer harm from past wrongs, to close racial wealth gaps, and to address ongoing discrimination,  
10 anti-Black prejudice, and inequities; 3) improves education, housing, workforce development,  
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12 reducing violence, health disparities, and over-criminalization, experienced by Black people; and 4)  
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16            **SEC. 5.46-3. MEMBERSHIP.**

17            (a) The Advisory Committee shall consist of 15 voting members, appointed by the Board of  
18 Supervisors.

19            (1) Seat 1 shall be held by a person who works for a media outlet that principally  
20 serves the African American community, is a storyteller of African American stories, or is a historian  
21 with expertise in African American history.

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20 inclusive, with experience working with community groups serving the African American community.
- 21           (13) Seat 13 shall be held by a person representing the sectors served by the Office of  
22 Economic and Workforce Development (construction, building and trades, hospitality, and medical  
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8           (3) Have experience living or working in predominantly African American  
9 neighborhoods or communities in San Francisco;

10           (4) Appreciate the diversity of viewpoints and experiences that exists within San  
11 Francisco's Black communities; and

12           (5) Have personally experienced discrimination in employment, access to  
13 healthcare, or access to social services.

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15           **SEC. 5.46-4. ORGANIZATION AND TERMS OF OFFICE.**

16           (a) Members of the Advisory Committee shall serve at the pleasure of the Board of  
17 Supervisors and may be removed by the Board at any time. Each member may remain on the Advisory  
18 Committee until the termination of the Advisory Committee under Section 5.46-7, unless removed by  
19 the Board.

20           (b) Service on the Advisory Committee shall be voluntary. Subject to the availability of  
21 funds and pursuant to written policies and procedures adopted by the Human Rights Commission,  
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23 set by the Human Rights Commission based on a finding that such amount is no more than necessary to  
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5           (d) The Human Rights Commission shall provide administrative support for the Advisory  
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7           (e) At the request of the Advisory Committee, and subject to the fiscal, budgetary, and civil  
8 service provisions of the Charter and all applicable rules regarding competitive selection, the Human  
9 Rights Commission may retain consultants with appropriate expertise to assist the Advisory Committee  
10 in its development of the draft and final San Francisco Reparations Plans.

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12           **SEC. 5.46-5. POWERS AND DUTIES.**

13           (a) The Advisory Committee shall have the power and the duty to advise the Board of  
14 Supervisors, Mayor, the Human Rights Commission, and the public in the development, adoption, and  
15 implementation of a San Francisco Reparations Plan.

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19 preparation of a San Francisco Reparations Plan.

20           (c) By no later than 18 months after its inaugural meeting, the Advisory Committee shall  
21 submit to the Board of Supervisors a draft San Francisco Reparations Plan (“Draft Plan”), along with  
22 a proposed resolution to accept the Draft Plan, and the Board may act by resolution to accept, reject,  
23 or modify the Draft Plan. The Advisory Committee shall also submit the Draft Plan to the Mayor and  
24 the Human Rights Commission, and the Director of the Human Rights Commission shall post the Draft  
25 Plan on the Human Rights Commission’s website.

1            (d) By no later than 24 months after its inaugural meeting, the Advisory Committee shall  
2 submit to the Board of Supervisors a final San Francisco Reparations Plan (“Final Plan”), which shall  
3 incorporate feedback received from the Board of Supervisors, the Mayor, the Human Rights  
4 Commission, and the public in response to the Draft Plan. The Final Plan shall be accompanied by a  
5 resolution to accept the Final Plan, and the Board may act by resolution to accept, reject, or modify the  
6 Final Plan.

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8            **SEC. 5.46-6. MEETINGS AND PROCEDURES.**

9            (a) The Advisory Committee shall hold its inaugural meeting not more than 90 days after  
10 the effective date of the ordinance in Board File No. \_\_\_\_\_ enacting this Article XLVI. There shall  
11 be at least ten days’ public notice of the inaugural meeting. Following the inaugural meeting, the  
12 Advisory Committee shall hold a regular meeting not less than once each month.

13            (b) The Advisory Committee shall elect a chair and such other officers as it deems  
14 appropriate, and may establish bylaws and rules for its organization and procedures.

15  
16            **SEC. 5.46-7. SUNSET.**

17            Unless the Board of Supervisors by ordinance extends the term of the Advisory Committee, this  
18 Article XLVI shall expire by operation of law, and the Advisory Committee shall terminate, three years  
19 after the effective date of the ordinance in Board File No. \_\_\_\_\_ enacting this Article. In  
20 that event, after the sunset date, the City Attorney shall cause this Article XLVI to be removed from the  
21 Administrative Code.

22  
23            Section 2. Effective Date. This ordinance shall become effective 30 days after  
24 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
25





## **LEGISLATIVE DIGEST**

[Administrative Code - Establishing African American Reparations Advisory Committee]

**Ordinance amending the Administrative Code to establish the African American Reparations Advisory Committee to advise the Board of Supervisors, the Mayor, the Human Rights Commission, and the public regarding the development, adoption, and implementation of a San Francisco Reparations Plan that determines the scope and eligibility for a citywide reparations program, examines current structural discrimination within San Francisco, and proposes institutional reforms to guard against the need for future redress.**

### Existing Law

There is currently no City advisory body dedicated to providing advice regarding the development, adoption, and implementation of a San Francisco Reparations Plan.

### Amendments to Current Law

The proposed ordinance would create a 15-member advisory body called the African American Reparations Advisory Committee (“Advisory Committee”). All members would be appointed by the Board of Supervisors (“Board”). The Advisory Committee would advise the Board, the Mayor, the Human Rights Commission (“HRC”), and the public on the development of a San Francisco Reparations Plan that: 1) chronicles the legacy of American chattel slavery, post-Civil War government-sanctioned discrimination against African Americans, and ongoing institutional discrimination; 2) determines the scope of and eligibility for a citywide reparations program; 3) improves education, housing, workforce development, economic opportunities, financial stability, small businesses, transit access, and food security, while reducing violence, health disparities, and over-criminalization, experienced by Black people; and 4) examines current and historic structural discrimination within the City and County of San Francisco and proposes institutional reforms to guard against the need for future redress.

Within 18 months of its inaugural meeting, the Advisory Committee would prepare and submit to the Board, the Mayor, and the HRC a Draft San Francisco Reparations Plan, which may be accepted, rejected, or modified by the Board. Within 24 months of its inaugural meeting, and after receiving and considering feedback on the Draft Plan, the Advisory Committee would submit to the Board, the Mayor, and HRC a Final San Francisco Reparations Plan, which may be accepted, rejected, or modified by the Board. The Advisory Committee would terminate in three years, unless extended by ordinance adopted by the Board.

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# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor  inquiries"
- 5. City Attorney Request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Walton

Subject:

Administrative Code - Establishing African American Reparations Advisory Committee

The text is listed:

Ordinance amending the Administrative Code to establish the African American Reparations Advisory Committee to advise the Board of Supervisors, the Mayor, the Human Rights Commission, and the public regarding the development, adoption, and implementation of a San Francisco Reparations Plan that determines the scope and eligibility for a citywide reparations program, examines current structural discrimination within San Francisco, and proposes institutional reforms to guard against the need for future redress.

Signature of Sponsoring Supervisor: /s/ Shamann Walton

For Clerk's Use Only

**From:** [Gee, Natalie \(BOS\)](#)  
**To:** [BOS Legislation, \(BOS\)](#)  
**Cc:** [Walton, Shamann \(BOS\)](#); [PEARSON, ANNE \(CAT\)](#)  
**Subject:** Walton - Ordinance - Reparations Advisory Committee  
**Date:** Tuesday, October 20, 2020 5:28:57 PM  
**Attachments:** [01487265.docx](#)  
[01487311.DOCX](#)  
[Walton - Intro - AA Reparations Committee.pdf](#)

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Good evening Clerks,

Here is Supervisor Walton's introduction for a Reparations Advisory Committee. Included in the attachments are: introduction form, legislation, and legislative digest.

I've including Supervisor Walton and Deputy City Attorney Anne Pearson to confirm their signatures.

Thank you,  
Natalie

**Natalie Gee** 朱凱勤, Chief of Staff  
Office of District 10 **Supervisor Shamann Walton**  
1 Dr. Carlton B. Goodlett Pl, San Francisco | Room 282  
**Direct:** 415.554.7672 | **Office:** 415.554.7670  
*Sign up for Supervisor Walton's [monthly newsletter!](#)*  
*Follow Supervisor Walton on [Facebook.](#)*

---

**From:** Pearson, Anne (CAT) <Anne.Pearson@sfcityatty.org>  
**Sent:** Tuesday, October 20, 2020 2:05 PM  
**To:** Gee, Natalie (BOS) <natalie.gee@sfgov.org>  
**Subject:** Reparations Advisory Committee

Hi Natalie,

Attached please find a final draft of the ordinance creating the African American Reparations Advisory Committee, and related legislative digest. The ordinance is approved as to form.

Thanks,  
Anne

**Anne Pearson – available by cell phone at 646-241-7670**

Deputy City Attorney  
Office of the City Attorney  
1 Dr. Carlton B. Goodlett Place, Suite 234  
San Francisco, CA 94102  
Tel: (415) 554-4706  
[anne.pearson@sfcityatty.org](mailto:anne.pearson@sfcityatty.org)

**Attorney-Client Communication - Do Not Disclose**  
**Confidential Attorney-Work Product - Do Not Disclose**

1 [Administrative Code - Establishing African American Reparations Advisory Committee]

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8            **SEC. 5.46-6. MEETINGS AND PROCEDURES.**

9            (a) The Advisory Committee shall hold its inaugural meeting not more than 90 days after  
10 the effective date of the ordinance in Board File No. \_\_\_\_\_ enacting this Article XLVI. There shall  
11 be at least ten days’ public notice of the inaugural meeting. Following the inaugural meeting, the  
12 Advisory Committee shall hold a regular meeting not less than once each month.

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23            Section 2. Effective Date. This ordinance shall become effective 30 days after  
24 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
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