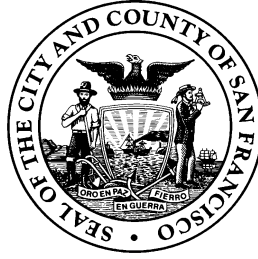


BOARD of SUPERVISORS



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Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
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## MEMORANDUM

TO: Ben Rosenfield, City Controller, Office of the Controller

FROM: Victor Young, Assistant Clerk, Rules Committee  
Board of Supervisors

DATE: May 28, 2019

SUBJECT: CHARTER AMENDMENT INTRODUCED  
November 5, 2019 Election

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The Board of Supervisors' Rules Committee has received the following Charter Amendment for the November 5, 2019, Election. This matter is being referred to you in accordance with Rules of Order 2.22.3.

**File No. 190569**

**Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to create the Homelessness Oversight Commission to oversee the Department of Homelessness and Supportive Housing; to require the Commission to review and approve, disapprove, or modify: criteria to be used to ascertain eligibility or priority for programs and/or services operated or provided by the Department; the opening or closing of homeless shelters, navigation centers, or other facilities that provide shelter to unsheltered persons; and contracts and grant agreements with an annual value exceeding \$200,000; and to authorize the Commission to conduct public education and outreach concerning programs and services for homeless persons in San Francisco, and issues concerning homelessness; at an election to be held on November 5, 2019.**

Please review and prepare a financial analysis of the proposed measure prior to the first Rules Committee hearing.

If you have any questions or concerns, please call me at (415) 554-7723 or email: victor.young@sfgov.org. To submit documentation, please email or forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Todd Rydstrom, Deputy City Controller  
Peg Stevenson, City Performance Director  
Natasha Mihal, City Services Auditor

1 [Charter Amendment - Homelessness Oversight Commission]

2  
3 **Describing and setting forth a proposal to the voters at an election to be held on November**  
4 **5, 2019, to amend the Charter of the City and County of San Francisco to create the**  
5 **Homelessness Oversight Commission to oversee the Department of Homelessness and**  
6 **Supportive Housing; to require the Commission to review and approve, disapprove, or**  
7 **modify: criteria to be used to ascertain eligibility or priority for programs and/or services**  
8 **operated or provided by the Department; the opening or closing of homeless shelters,**  
9 **navigation centers, or other facilities that provide shelter to unsheltered persons; and**  
10 **contracts and grant agreements with an annual value exceeding \$200,000; and to authorize**  
11 **the Commission to conduct public education and outreach concerning programs and**  
12 **services for homeless persons in San Francisco, and issues concerning homelessness.**

13  
14 NOTE: **Unchanged Charter text and uncodified text** are in plain font.  
15 **Additions** are *single-underline italics Times New Roman font*.  
16 **Deletions** are *strike-through italics Times New Roman font*.  
17 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Charter  
18 subsections.

19 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City  
20 and County, at an election to be held on November 5, 2019, a proposal to amend the Charter of  
21 the City and County by adding Section 4.133, to read as follows:

22 **SEC. 4.133. HOMELESSNESS OVERSIGHT COMMISSION.**

23 *(a) There shall be a Homelessness Oversight Commission ("Commission") to*  
24 *oversee the Department of Homelessness and Supportive Housing ("Department"). The*  
25 *Department shall, to the extent prescribed by ordinance, manage and direct housing programs.*

1 and services for persons experiencing homelessness in the City, including, but not limited to,  
2 street outreach, homeless shelters, transitional housing, and permanent supportive housing.

3 (b) The Commission shall consist of seven members, appointed as follows:

4 (1) Seats 1, 2, and 3, shall be appointed by the Mayor subject to confirmation  
5 by the Board of Supervisors. Each nomination shall be the subject of a public hearing and vote  
6 within 60 days. If the Board of Supervisors fails to act on a nomination within 60 days of the  
7 date the nomination is transmitted to the Clerk of the Board of Supervisors, the nominee shall be  
8 deemed confirmed. Seat 1 shall be held by a person who has personally experienced  
9 homelessness. Seat 2 shall be held by a person with significant experience providing services to  
10 or engaging in advocacy on behalf of persons experiencing homelessness. Seat 3 shall be held  
11 by a person with expertise in mental health service delivery or substance abuse treatment.

12 (2) Seats 4, 5, and 6 shall be appointed by the Board of Supervisors. Seat 4  
13 shall be held by a person who has personally experienced homelessness. Seat 5 shall be held by  
14 a person with significant experience providing services to or engaging in advocacy on behalf of  
15 persons experiencing homelessness. Seat 6 shall be held by a person with significant experience  
16 in financial management and oversight, accounting, or auditing.

17 (3) Seat 7 may be appointed by the San Francisco Unified School District's  
18 Board of Education, subject to confirmation by the Board of Supervisors, and held by a person  
19 with significant experience working with homeless families with children and/or homeless youth.  
20 Each nomination shall be the subject of a public hearing and vote within 60 days. If the Board  
21 of Supervisors fails to act on a nomination within 60 days of the date the nomination is  
22 transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed confirmed. If  
23 the Board of Education fails to make an initial appointment by March 1, 2020, or to fill a  
24 vacancy within 60 days, the Board of Supervisors shall fill the seat by appointing a person  
25 meeting the qualifications for Seat 7.

1                   (4) Section 4.101 shall apply to these appointments, with a particular  
2 emphasis on diversity in ethnicity, race, age, sexual orientation, and types of disabilities.

3                   (c) Commission members shall serve at the pleasure of their respective appointing  
4 authorities. Vacancies shall be filled by the respective appointing authorities as prescribed in  
5 subsections (b)(1), (2), and (3).

6                   (d) Commissioners shall serve four-year terms, beginning at noon on March 1, 2020;  
7 provided, however, the term of the initial appointees in Seats 1, 4, and 6 shall be a two-year  
8 term, expiring at noon on March 1, 2022.

9                   (e) The Commission shall have the following powers and duties.

10                   (1) With respect to the Department, the Commission shall exercise all of the  
11 powers and duties of boards and commissions as set forth in Sections 4.102, 4.103, and 4.104,  
12 including but not limited to, approving applicable departmental budgets and formulating goals  
13 consistent with the overall objectives of the City and County.

14                   (2) The Commission shall review and approve, disapprove, or modify:

15                   (A) All criteria determined by the Director of the Department  
16 ("Director") to be used to ascertain eligibility or priority for programs and/or services operated  
17 or provided by the Department, except criteria that are established by federal, state, or City law  
18 or as a condition of the receipt of funding;

19                   (B) All determinations by the Director to open or close homeless  
20 shelters, navigation centers, or other facilities that provide shelter to unsheltered persons, except  
21 shelters provided in response to a public emergency;

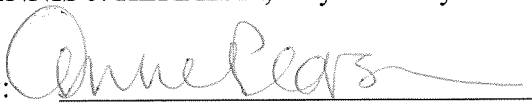
22                   (C) All contracts and grant agreements entered into by the Department  
23 with an annual value exceeding \$200,000.

1           The Commission's powers and duties prescribed in this subsection (e)(2) shall not  
2 override or be in derogation of the powers of the Board of Supervisors and Mayor as set forth in  
3 other provisions of this Charter.

4           (3) The Commission may conduct public education and outreach concerning  
5 programs and services for homeless persons in San Francisco, and issues concerning  
6 homelessness.

7           (f) The Mayor and the Board of Supervisors shall make their initial appointments to  
8 Seats 1-6, respectively, on the Commission by no later than noon, March 1, 2020, and the  
9 Commission shall come into existence upon the appointment and confirmation, where required,  
10 of four members. The Commission shall have its inaugural meeting within 30 days of its  
11 establishment. The inaugural meeting shall be announced on the Department's website at least  
12 ten days in advance of the inaugural meeting.

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

17 By:   
18 ANNE PEARSON  
19 Deputy City Attorney

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