

1 [Temporary Shelter and Homeless Services - Behested Payment Waiver]

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3 **Resolution authorizing the Office of the Mayor and the Department of Homelessness**  
4 **and Supportive Housing to solicit donations from various private entities and**  
5 **organizations to support the expansion of temporary shelter and other homeless**  
6 **services to support people experiencing homelessness, notwithstanding the**  
7 **Behested Payment Ordinance.**

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9 WHEREAS, The Mission of the Department of Homelessness and Supportive  
10 Housing (“HSH” or “Department”) is to prevent homelessness when possible and make  
11 homelessness rare, brief and one-time in the City and County of San Francisco (“the City”)  
12 through the provision of coordinated, compassionate and high-quality services; and

13 WHEREAS, With the enactment of Resolution No. 319-18 in October 2018, the  
14 Board of Supervisors and Mayor London N. Breed declared a shelter crisis and affirmed  
15 San Francisco’s commitment to a continuum of shelter and service options for people  
16 experiencing homelessness; and

17 WHEREAS, As of the 2024 Point-in-Time Count, there were approximately 8,323  
18 people experiencing homelessness in San Francisco on any given night, 52% of whom  
19 were unsheltered; and

20 WHEREAS, In April 2023, the city released the five-year strategic plan “Home by the  
21 Bay: An Equity-Driven Plan to Prevent and End Homelessness in San Francisco” which  
22 calls for resources including 1,075 new shelter beds to meet the goals set out in the plan,  
23 including the goal to reduce unsheltered homelessness by 50%; and

24 WHEREAS, As of July 18, 2024, HSH had 3,626 temporary shelter or crisis  
25 interventions slots with a 93% occupancy rate; and

1           WHEREAS, While HSH continues to expand shelter, prevention, housing and other  
2 resources, we know that more resources need to be made available to address the crisis  
3 on our streets; and

4           WHEREAS, HSH and the Office of the Mayor have established successful and  
5 innovative public-private partnerships to expand shelter and other services to meet the  
6 critical needs of people experiencing unsheltered homelessness; and

7           WHEREAS, The Mayor’s Fund for the Homeless (Administrative Code, Section  
8 10.100-106) was established as a category eight fund to receive all private donations,  
9 grants, gifts and bequests of money, to assist people in need finding long-term housing and  
10 overcome barriers to employment by supporting outreach services, shelters, navigation  
11 centers, flexible housing assistance, housing and other resources; and

12           WHEREAS, HSH, as the designated administrator of the Mayor’s Fund for the  
13 Homeless (Administrative Code, Section 10.100-106) is required to report regularly to the  
14 Homeless Oversight Commission on deposits and expenditures from the fund, as well as  
15 furnish an annual report to the Board of Supervisors showing such gifts received, the  
16 nature or amount of said gifts, and the disposition thereof (Administrative Code, Section  
17 10.100); and

18           WHEREAS, HSH works with philanthropic organizations, private companies and  
19 community stakeholders including homeless service providers, often through grant  
20 agreements; and

21           WHEREAS, On October 17, 2023, the Board of Supervisors unanimously approved  
22 Resolution No. 483-23 authorizing a waiver of the City’s Behested Payment Ordinance  
23 (Campaign and Governmental Conduct Code, Section 3.600 et seq.) for the Office of the  
24 Mayor and HSH, to the extent that it restricts the Mayor, Executive Director of HSH and  
25 officers and employees of the Office of the Mayor and HSH from soliciting financial support

1 or in-kind goods or services, from persons or entities that would be considered interested  
2 parties, to support expansion of temporary shelter or other homeless services; and

3 WHEREAS, On March 26, 2024, the Board of Supervisors unanimously approved  
4 Resolution No. 125-24 authorizing a 6-month waiver of the City's Behested Payments  
5 Ordinance (Campaign and Governmental Conduct Code, Section 3.600 et seq.) for the  
6 Office of the Mayor and HSH that is set to expire on October 18, 2024; and

7 WHEREAS, The Office of the Mayor and HSH seek a new waiver of the City's  
8 Behested Payments Ordinance (Campaign and Governmental Conduct Code, Sections  
9 3.600 et seq.) for a period of six months beginning on October 17, 2024; now, therefore, be  
10 it

11 RESOLVED, That under Section 3.620(f) of the Campaign and Governmental  
12 Conduct Code, the Board of Supervisors hereby waives application of the Behested  
13 Payment Ordinance as to the Mayor, Executive Director of HSH and officers and  
14 employees of the Office of the Mayor and HSH so that they may solicit donations from  
15 private organizations and philanthropists to support the expansion of temporary shelter and  
16 other homeless services to support people experiencing homelessness for a period of six  
17 months, beginning on October 17, 2024; and, be it

18 FURTHER RESOLVED, That granting this waiver serves the public interest by  
19 supporting the Office of the Mayor and HSH to explore innovative opportunities to expand  
20 the availability of resources to support people experiencing homelessness, specifically  
21 temporary shelter and other homeless services to support bringing more people inside and  
22 off the streets; and, be it

23 FURTHER RESOLVED, That granting this waiver does not create an appearance of  
24 impropriety.

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RECOMMENDED:

                  /s/                                

Shireen McSpadden  
Homelessness and Supportive Housing  
Executive Director