

File No. 221149

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date Nov. 28, 2022

Board of Supervisors Meeting

Date _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- Memorandum of Understanding (MOU)
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 - Ethics Commission
- Award Letter
- Application
- Form 700
- Information/Vacancies (Boards/Commissions)
- Public Correspondence

OTHER (Use back side if additional space is needed)

- BOS Resolution No. 160-22
- Admin Code, Section 16.93
- _____
- _____
- _____
- _____
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- _____
- _____

Completed by: Victor Young

Date Nov 22, 2022

Completed by: _____

Date _____

1 [Updated Annual Fundraising Drive - 2022]

2

3 **Resolution updating the proposed designation of agencies qualified to participate**
4 **in the 2022 Annual Joint Fundraising Drive for officers and employees of the City**
5 **and County of San Francisco.**

6

7 WHEREAS, City and County of San Francisco Administrative Code, Section
8 16.93-4 requires that by May 1st of each year, the Board of Supervisors, by Resolution,
9 shall designate agencies that qualify to participate in the City's Annual Fundraising Drive
10 for that year; and

11 WHEREAS, Pursuant to Administrative Code, Section 16.93-2, participation in the
12 Annual Fundraising Drive is limited to any Mayor's fund which is created to further social
13 causes, those funds being the Mayor's Youth Fund, the Mayor's Homeless Fund, and
14 the Mayor's Youth Employment Summer Program, and to all federated agencies that
15 meet the following criteria, as determined by the Board of Supervisors:

- 16 1. Represents ten or more charitable organizations, of which at least 50
17 percent represent organizations located in the counties of San Francisco,
18 San Mateo, Santa Clara, Alameda, Contra Costa, and Marin;
- 19 2. Certifies to the Board that the Internal Revenue Service has determined that
20 contributions to the represented charitable organizations are tax deductible;
- 21 3. Has been in existence with ten or more qualified charities for at least one
22 year prior to the date of application and provide satisfactory evidence to that
23 effect at the time of filing an application with the Board;
- 24 4. Submits its most recent certified audit at the time of filing an application with
25 the Board;

1 5. Submits an application to the Board that includes all information that may be
2 relevant to the criteria listed above; and,

3 WHEREAS, The following federated agencies each submitted an application for
4 participation in the 2022 Annual Fundraising Drive: America's Best Local Charities;
5 EarthShare; Global Impact; and CHC: Creating Healthier Communities (formerly
6 Community Health Charities California); and

7 WHEREAS, Pursuant to Administrative Code, Section 16.93-3, the City
8 Administrator's Office reviewed all applications and recommended to the Board of
9 Supervisors that all the above federated agencies met the criteria set out in Section
10 16.93-2; and

11 WHEREAS, On April 19, 2022, the Board approved a Resolution in Board File No.
12 220251 designating all the federated agencies as qualified to participate in the Annual
13 Fundraising Drive because they met the requirements contained in the Administrative
14 Code, Section 16.93-2; and

15 WHEREAS, The City Administrator's Office wishes to clarify its interpretation of
16 the criteria in Administrative Code, Section 16.93-2(a), as follows:

17 An applicant must be a federated agency representing 10 or more charitable
18 organizations that meets one of the following criteria:

- 19 a. Has an office located in the Bay Area (defined as Alameda, Contra
20 Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano,
21 and Sonoma counties, as well as the PUC jurisdictions of Stanislaus
22 County, Calaveras County, and Tuolumne County); or,
- 23 b. Provides services in the Bay Area, defined as Alameda, Contra
24 Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano,
25

1 and Sonoma counties, as well as the PUC jurisdictions of Stanislaus
2 County, Calaveras County, and Tuolumne County);

3 In addition, each federated agency must commit to directing donations received
4 through the 2022 Joint Fundraising Drive to support those Bay Area offices and/or
5 services; now, therefore, be it

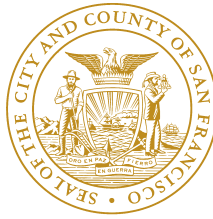
6 RESOLVED, That the Board of Supervisors hereby finds and determines that
7 the requirements of Administrative Code, Section 16.93-2, have been met by the
8 following applicants:

9 America’s Best Local Charities; EarthShare; and CHC: Creating Healthier
10 Communities (formerly Community Health Charities California); and, be it

11 FURTHER RESOLVED, That this updated list of designated agencies
12 supersedes the list approved in Board File No. 220251; and, be it

13 FURTHER RESOLVED, That the designated federated agencies shall fulfill all
14 obligations and responsibilities required of participants in the City’s 2022 Annual
15 Fundraising Drive.

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DATE: November 8, 2022

TO: Members of the Board of Supervisors

FROM: Sophie Hayward, Legislative and Public Affairs Director, Office of the City Administrator
Jennifer Johnston, Deputy City Administrator

RE: Proposed Updated List of Federations to Participate in the 2022 Heart of the City Combined Charities Campaign

Summary

The City Administrator's Office is submitting a revised list of Federations authorized to participate in the City's 2022 Heart of the City Combined Charities Campaign, replacing the previous list adopted by Resolution No. 160-22 at the April 19, 2022 Board of Supervisors meeting. [See Attachment A for the previously adopted Resolution, redlined to highlight the difference between the two lists.]

Discussion

Administrative Code Section 16.93-1 requires that the City hold an Annual Joint Fundraising Drive (known as the "Heart of the City Combined Charities Campaign" or "Annual Drive") to facilitate City employee donations to charitable organizations through payroll deductions. [See Attachment B for Administrative Code Sections 16.93-1 to 16.93-5.] Over 3,000 City employees participate in the Annual Drive each year; and last year City employees donated a combined total of approximately \$1.2 million.

Eligible "charitable organizations" are limited to certain Mayor's funds and to "all federated agencies that meet the [established] criteria, as determined by the Board of Supervisors." Employees also have the option of donating directly to *any* other individual tax-exempt non-profit organization of their choice (referred to as "Donor's Choice" donations), provided that the contribution is tax-deductible.

To qualify, Federations interested in participating in the Annual Drive must establish that they meet the following criteria under Administrative Code Section 16.93-2:

- An eligible federation must represent 10 or more charitable organizations, of which at least 50% must represent organizations located in San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa, or Marin counties;
- The federations must certify to the Board of Supervisors that any contribution to the represented charities are tax deductible;
- Federations must have been in existence and representing at least ten charities for a minimum of one year prior to the date of application to participate in the Campaign;
- Federated agencies must submit annual certified audits with their applications; and,
- Federations must apply annually to the Board of Supervisors.

Administrative Code Section 16.93-3 requires that the City Administrator review applications submitted by federated agencies (“Federations”) and “recommend to the Board of Supervisors whether applicants qualify to participate in the Annual Drive.” The City Administrator’s Office is required to forward the list of all eligible Federations to the Board of Supervisors for consideration; it may not include or exclude any Federation(s) based on other factors. In accordance with the proscribed timelines outlined in Administrative Code Section 16.93-4, the Board of Supervisors approved and adopted the list of four eligible Federations (and their member charities) as forwarded by the City Administrator’s Office, through Resolution No. 160-22 on April 19, 2022 (Again, see Attachment A).

Shortly after the launch of the 2022 Annual Drive in October 2022, a number of employees raised concerns with listed partner charities. The City temporarily paused the Annual Drive on October 12, 2022 to evaluate the program and process.

Working within the Administrative Code requirements, the City Administrator’s Office proposes that additional geographic requirements be placed on Federations interested in participating in the 2022 Annual Drive to ensure a benefit to local communities this year. Specifically, that each participating Federation limit its partner charities to only those that have an office located in the Bay Area and/or that provide services in the Bay Area, as defined by the counties listed under Administrative Code Section 16.93, and that agree to direct donations raised in the Annual Drive to such local offices and/or services.

The proposed amended Resolution identifies the updated list of Federations that have agreed to these additional requirements for the Board’s consideration and approval. In addition, the Federations have also further decided to limit partners for the City’s 2022 Annual Drive to those charities that also have a confirmed nondiscrimination policy.

As reflected in Attachment A, these changes will have a significant impact on the list of participating organizations. Notably, the additional geographic restriction will serve to exclude Global Impact and its partner charities, which are focused on addressing global issues such as international human trafficking and the need for clean drinking water in other countries (as opposed to providing local services). Please see the attached submission from Global Impact requesting that the Board of Supervisors consider its continued inclusion in the Annual Campaign.

Once the Board adopts an updated list of approved Federations and their member charities, the City will immediately relaunch the 2022 Annual Drive in accordance with the requirements under the Administrative Code to ensure a successful campaign. The Annual Fund materials and donor guide will be updated to specify that the City does not endorse any listed charity and remind employees that they are responsible for ensuring that the organization to which they donate aligns with their own individual values and intent; make clear what each Federation’s administrative fees are for processing designated donations; and remind employees that they also continue to have the option to donate by “Donor’s Choice” if the lists do not include their preferred charities.

Finally, this memorandum recognizes that the Board of Supervisors may also act to amend the Administrative Code requirements in whole or in part. Currently, the Administrative Code requires an annual drive and this memorandum presents an option with that requirement in place. The Board of Supervisors may also consider suspending the Annual Drive or amending the Administrative Code requirements entirely.

Conclusion

We appreciate the Board's partnership and feedback in addressing the concerns raised regarding the 2022 Annual Drive. Under the existing parameters of the Administrative Code, we submit for the Board of Supervisor's consideration a revised list of eligible Federations.

Attachments

Attachment A: Resolution No. 160-22, approved by the Board of Supervisors at the April 19, 2022 Board of Supervisors meeting, redlined to highlight the differences between the Federation lists.

Attachment B: Administrative Code Sections 16.93-1 to 16.93-5.

1 [Annual Fundraising Drive - 2022]

2

3 **Resolution designating those agencies qualified to participate in the 2022 Annual Joint**
4 **Fundraising Drive for officers and employees of the City and County of San Francisco.**

5

6 WHEREAS, City and County of San Francisco Administrative Code, Section 16.93-4
7 requires that by May 1st of each year, the Board of Supervisors, by Resolution, shall
8 designate those agencies that qualify to participate in the City's Annual Fundraising Drive for
9 that year; and

10 WHEREAS, The agencies referred to below have each submitted an application for
11 participation in the 2022 Annual Fundraising Drive; and

12 WHEREAS, Applicants are qualified to participate in the Annual Fundraising Drive if
13 they meet the requirements contained in Administrative Code, Section 16.93-2; now,
14 therefore, be it

15 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
16 finds that applicants who participate in the City's Annual Fundraising Drive must meet the
17 following criteria contained in Administrative Code, Section 16.93-2:

- 18 1. An applicant must be a federated agency representing 10 or more charitable
19 organizations, of which at least 50 percent shall represent organizations located in
20 the counties of San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa,
21 and Marin;
- 22 2. The federated agency must certify to the Board that the Internal Revenue Service
23 has determined that contributions to the represented charitable organizations are
24 tax deductible;

25

- 1 3. The federated agency must have been in existence with 10 or more qualified
- 2 charities for at least one year prior to the date of application and provide satisfactory
- 3 evidence to that effect at the time of filing an application with the Board;
- 4 4. The federated agency must submit its most recent certified audit at the time of filing
- 5 an application with the Board;
- 6 5. The federated agency must submit an application to the Board that includes all
- 7 information that may be relevant to the criteria listed above; and, be it

8 FURTHER RESOLVED, That the Board of Supervisors hereby finds and determines
9 that the requirements of Administrative Code, Section 16.93-2 have been met by the following
10 applicants:

11 America's Best Local Charities; EarthShare; Global Impact; and CHC: Creating
12 Healthier Communities (formerly Community Health Charities California); and, be it

13 FURTHER RESOLVED, That the Board of Supervisors hereby designates the following
14 agencies as agencies that qualify to participate in the City's Annual Fundraising Drive for
15 2022:

16 America's Best Local Charities; EarthShare; Global Impact; and CHC: Creating
17 Healthier Communities (formerly Community Health Charities California); and, be it

18 FURTHER RESOLVED, That the designated agencies shall fulfill all obligations and
19 responsibilities required of participants in the City's Annual Fundraising Drive.



City and County of San Francisco
Tails
Resolution

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

File Number: 220251

Date Passed: April 19, 2022

Resolution designating those agencies qualified to participate in the 2022 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.


April 13, 2022 Budget and Finance Committee - RECOMMENDED

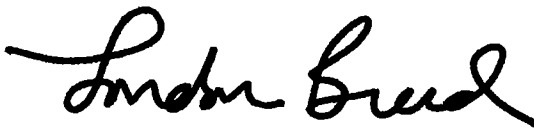
April 19, 2022 Board of Supervisors - ADOPTED

Ayes: 10 - Chan, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani and Walton
Excused: 1 - Melgar

File No. 220251

I hereby certify that the foregoing Resolution was ADOPTED on 4/19/2022 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


London N. Breed
Mayor

4/28/22
Date Approved

SEC. 16.93. ORGANIZATIONS FOR WHICH DEDUCTIONS CAN BE MADE.

Deductions and collections as provided by this Article shall be made for the organizations and the purposes designated in the following paragraphs:

(a) Bona fide unions or employee organizations, for dues or assessments, and for premiums or membership fees for automobile, life, accident, health or disability insurance provided under a group plan by said bona fide unions or employee organizations; and when authorized by memorandum of understanding, voluntary political committee contributions.

(b) San Francisco Firemen Federal Credit Union, for the payment of money to or the purchase of shares in.

(c) San Francisco Police Department Federal Credit Union, for the payment of money to or the purchase of shares in.

(d) Provident Central Credit Union, for the payment of money to or the purchase of shares in.

(e) Recreation and Park Federal Credit Union, for the payment of money to or the purchase of shares in.

(f) San Francisco Federal Credit Union, for the payment of money to or the purchase of shares in.

(g) San Francisco Federated Teachers' Credit Union, for the payment of money to or the purchase of shares in.

(h) San Francisco Railway Employees' Federal Credit Union for the payment of money to or the purchase of shares in.

(i) San Francisco Municipal Shopmen's Credit Union, for the payment of money to or the purchase of shares in.

(j) Golden One Credit Union, for dues or assessments.

(k) San Francisco Bay Area Educators' Credit Union, for the payment of money to or the purchase of shares in.

(l) San Francisco Civil Service Commission, for fees relating to the imprinting and processing of fingerprints.

(m) Fire Department League Athletic Musical Events, for the payment of money to.

(n) San Francisco Employees' Benevolent Association, for the payment of money to.

(o) City and County of San Francisco, for payment to the San Francisco City Services Preservation Fund to reduce the City's deficit and preserve City Services.

(Amended by Ord. 485-82, App. 9/30/82; Ord. 429-88, App. 9/16/88; Ord. 162-92, App. 6/10/92; Ord. 146-00, File No. 000630, App. 6/30/2000; Ord. 165-04, File No. 040762, App. 7/22/2004)

SEC. 16.93-1. CHARITABLE DEDUCTIONS AND THE ANNUAL JOINT FUNDRAISING DRIVE.

Deductions from employee pay warrants for charitable organizations shall only be withheld based upon authorizations made by employees in the Annual Joint Fundraising Drive. Each year the City and County of San Francisco shall hold an Annual Joint Fundraising Drive ("Annual Drive") in which its officers and employees are encouraged to participate.

(Added by Ord. 429-88, App. 9/16/88)

SEC. 16.93-2. SELECTION OF AGENCIES ELIGIBLE TO PARTICIPATE IN THE ANNUAL JOINT FUNDRAISING DRIVE.

Participation shall be limited to any Mayor's fund which is created to further social causes, those funds being the Mayor's Youth Fund, the Mayor's Homeless Fund, and the Mayor's Youth Employment Summer Program, and to all federated agencies that meet the following criteria, as determined by the Board of Supervisors:

- (a) An eligible charitable agency must be a federated agency representing 10 or more charitable organizations, of which at least 50 percent shall represent organizations located in the counties of San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa, and Marin.
- (b) The federated agency or Mayor's fund must certify to the Board of Supervisors that the Federal Internal Revenue Service has determined that contributions to all of the represented charitable organizations or Mayor's funds are tax deductible.
- (c) The federated agency must have been in existence with 10 or more qualified charities for at least one year prior to the date of application and provide satisfactory evidence to that effect at the time of filing an application with the Board. Mayor's funds shall submit their most recent financial statement to the Board of Supervisors on an annual basis.
- (d) The federated agency must submit its most recent certified audit at the time of filing an application with the Board.
- (e) Agencies that wish to participate in the Annual Drive are required to submit applications to the Board of Supervisors that include all information that may be relevant to the criteria listed in this Section.

(Added by Ord. 429-88, App. 9/16/88; amended by Ord. 244-97, App. 6/13/97)

SEC. 16.93-3. DUTIES OF THE MAYOR, THE CONTROLLER AND THE DIRECTOR OF ADMINISTRATIVE SERVICES.

- (a) The Mayor shall designate the City's Annual Drive Chair. The Chair will be responsible for providing staff support for the Annual Drive that occurs during the Chair's tenure.

(b) The Controller of the City and County of San Francisco shall provide the technical support necessary for the collection and donor designation process.

(c) The Director of Administrative Services of the City and County of San Francisco shall review all applications to participate in the Annual Drives of the City and recommend to the Board of Supervisors whether applicants qualify to participate in the Annual Drive.

(Added by Ord. 429-88, App. 9/16/88; amended by Ord. 195-89, App. 6/5/89; Ord. 287-96, App. 7/12/96)

SEC. 16.93-4. SCHEDULE OF THE ANNUAL DRIVE.

(a) By March 1st of each year agencies that wish to participate in the upcoming Annual Drive shall submit their applications to participate with the Board of Supervisors. Provided that only for the 2002 Annual Drive, any Mayor's fund that wishes to participate in the 2002 Annual Drive shall submit their request to participate with the Board of Supervisors by April 15, 2002. By March 1st the Mayor shall also designate the Chair for the upcoming Annual Drive.

(b) By March 1st of each year the Chair of the preceding Annual Drive shall report to the Mayor and the Board of Supervisors on the success of the concluded Annual Drive including the level of employee designations to each federated agency.

(c) By May 1st of each year, the Board of Supervisors, by resolution, shall designate those agencies that qualify to participate in the City's Annual Drive for that year. Provided that only for the 2002 Annual Drive, the Board of Supervisors, by resolution, shall designate June 1, 2002, those agencies that qualify to participate in the City's Annual Drive for that year.

(Added by Ord. 429-88, App. 9/16/88; amended by Ord. 129-89, App. 4/26/89; Ord. 134-92, App. 5/21/92; Ord. 151-95, App. 5/5/95; Ord. 244-97, App. 6/13/97; Ord. 76-00, File No. 000479, App. 4/28/2000; Ord. 146-00, File No. 000630, App. 6/30/2000; Ord. 70-02, File No. 020551, App. 5/10/2002)

SEC. 16.93-5. OBLIGATIONS OF PARTICIPATING AGENCIES.

All participating agencies shall have the following obligations and responsibilities:

(a) All participating agencies will jointly prepare and print all Annual Drive materials, including directories and payroll deduction forms and other related documents, with a Bay Area printer that pays prevailing wages, and will provide adequate numbers of such materials as determined by the agencies. The Chair of the Annual Drive and the Controller will work with the participating agencies in the design of these materials, the design to be approved no later than August 1st. The Chair of the Annual Drive shall schedule the distribution of materials and associated promotional activities such that all employee payroll deduction authorizations are provided to the Controller no later than December 1st.

(b) All participating agencies and the City and County shall jointly execute a Memorandum of Agreement concerning the payment of actual costs of the Annual Drive materials, and including any additional terms and conditions the Mayor or his or her designee determines, after consultation with the City Attorney, are in the best interest of the City. The memorandum shall also designate which of the participating agencies shall serve as the coordinating agency.

(c) All warrants issued for Annual Drive payroll deductions shall be issued by the City and County to each participating agency based upon the percentage of cash, checks and pledges designated for each participating agency at the conclusion of the solicitation period of the Annual Drive. The distribution percentage shall be provided to the Controller by the coordinating agency. Distribution of funds to the participating agencies by the Controller of the City and County shall occur within five working days after each regular employee payday.

(d) Employee payroll deductions to a given federated agency shall not be made for less than \$1.00 per pay period, and the authorization for any deduction shall be for 12 months. The sum of an employee's authorizations shall be withheld as a single Annual Drive deduction in the Controller's payroll system.

(e) Payroll deduction privileges shall be reviewed annually to determine if all agencies accorded deduction privileges continue to meet the above criteria.

(f) The City and County of San Francisco, after each pay period, shall charge a processing fee of six cents per employee who had an Annual Drive deduction in the payroll period to reimburse the City and County for the expenses incurred in processing payroll deductions as a part of the Annual Drive. The processing fee will be netted out of the warrant issued to the participating agencies following each payroll period. The Controller may change the processing fee each fiscal year in conformance with Section [16.92](#) of this Code.

(Added by Ord. 429-88, App. 9/16/88; amended by Ord. 146-00, File No. 000630, App. 6/30/2000; Ord. 70-05, File No. 050348, App. 4/15/2005)