

File No. 200341

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date April 8, 2020

Board of Supervisors Meeting

Date _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
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Completed by: Linda Wong

Date April 3, 2020

Completed by: Linda Wong

Date _____

1 [Appropriation - General Reserve - Human Rights Commission - \$10,000,000 - FY2019-
2020]

2

3 **Ordinance appropriating \$10,000,000 from the General Reserve to provide support**
4 **through the creation of a family relief fund that will serve undocumented and**
5 **extremely low-income families with children 0-18 years old and who do not qualify**
6 **for stimulus relief.**

7

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

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

12

13 Section 1. The sources of funding outlined below are herein appropriated to
14 reflect the projected sources of funding for FY2019-2020.

15

16 **SOURCES Appropriation**

17 Fund /	18 Project &	19 Account	20 Description	21 Amount
22 Department ID	23 Activity /	24 Authority		
10020/ 230018	10023237 - 0001/	598040	Designated	\$10,000,000
GF Continuing	17064	Designated	For General	
Authority Ctrl/ GEN	General Reserve/	For General	Reserve	
General City	General Reserve	Reserve		
Responsibility				
Total SOURCES Appropriation				\$10,000,000

25

1 Section 2. The uses of funding outlined below are herein appropriated in the
 2 Human Rights Commission to provide support through the creation of a family relief fund
 3 that will serve undocumented and extremely low income families with children ages 0-18
 4 and who do not qualify for stimulus relief.

5
 6 **USES Appropriation**

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Fund / Department ID	Project & Activity / Authority	Account	Description	Amount
10020/ 232021 GF Annual Continuing Authority Ctrl/ HRC Human Rights Commission	XXXXXXXX - 0001/ XXXXX/ Family Relief fund for families with children 0-18	XXXXXX	Aid Payments for Families	\$10,000,000
Total USES				\$10,000,000

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19 Section 3. The Controller is authorized to record transfers between funds and
 20 adjust the accounting treatment of sources and uses appropriated in this ordinance as
 21 necessary to conform with Generally Accepted Accounting Principles and other laws.
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 23
 24
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1 APPROVED AS TO FORM:
2 DENNIS J. HERRERA, City Attorney

FUNDS AVAILABLE:
BEN ROSENFELD, Controller

3
4 By: /s/
 JON GIVNER
5 Deputy City Attorney

By: /s/
 BEN ROSENFELD
 Controller

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CITY AND COUNTY OF SAN FRANCISCO
BOARD OF SUPERVISORS
BUDGET AND LEGISLATIVE ANALYST

1390 Market Street, Suite 1150, San Francisco, CA 94102 (415) 552-9292
FAX (415) 252-0461

April 3, 2020


TO: Budget and Finance Committee
FROM: Budget and Legislative Analyst 
SUBJECT: April 8, 2020 Special Budget and Finance Committee Meeting

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Item	File	Page
1, 2 & 3	20-0339	Emergency Ordinance - Administrative Code - COVID-19 Emergency Family Relief Fund
	20-0340	Administrative Code - COVID-19 Emergency Family Relief Fund
	20-0341	Appropriation - General Reserve - Human Rights Commission - \$10,000,000 - FY2019-20201

Items 1, 2, & 3 Files 20-0339, 20-0340, & 20-0341	Department: Human Rights Commission
EXECUTIVE SUMMARY	
<p>Legislative Objectives</p> <ul style="list-style-type: none"> • <u>File 20-0339</u>: The proposed emergency ordinance would amend the Administrative Code to establish the COVID-19 Emergency Family Relief Fund as a “Category 8” fund. Under Administrative Code Section 10.100-1, monies in a Category 8 fund are automatically appropriated and do not require Board of Supervisors’ authorization for spending. The provisions of this ordinance expire sixty days after it becomes effective. • <u>File 20-0340</u>: The proposed ordinance contains the same provisions as File 20-0339 for establishing the COVID-19 Emergency Family Relief Fund. The provisions of this ordinance expire sixty days after the Mayor withdraws the state of emergency proclamation related to COVID-19. • <u>File 20-0341</u>: The proposed ordinance would appropriate \$10 million from the General Reserve to the Human Rights Commission. <p>Key Points</p> <ul style="list-style-type: none"> • Under the proposed ordinances, the Human Rights Commission would administer the COVID-19 Emergency Family Relief Fund. Monies in this fund would be available for up to 5,000 families with a minimum monthly disbursement of \$500. In evaluating applicants, the Department would assess (1) the severity of the financial hardship, (2) the extent to which the family qualifies for federal or state financial relief, and (3) how disbursement may impact eligibility for other public assistance. <p>Fiscal Impact</p> <ul style="list-style-type: none"> • File 20-0341 would appropriate \$10 million from the General Reserve to a General Fund account under the Human Rights Commission. As noted above, spending from the COVID-19 Emergency Family Relief Fund does not require Board of Supervisors’ approval. Upon termination of the fund, any remaining money will revert to the General Fund. <p>Policy Consideration</p> <ul style="list-style-type: none"> • According to the Controller’s March 31, 2020 presentation to the Board of Supervisors, the General Reserve currently contains \$150 million. <p>Recommendations</p> <ol style="list-style-type: none"> 1. Amend the proposed appropriation ordinance (File 20-0341) to clarify that once the COVID-19 Emergency Family Relief Fund is established, the Controller will transfer the funds from that account into the proposed COVID-19 Emergency Family Relief Fund. 2. Amend the proposed ordinances (File 20-0339, 20-0340, and 20-0341) to require a quarterly written report from the Human Rights Commission to the Board of Supervisors detailing the disbursement of funds from the COVID-19 Emergency Family Relief Fund. 3. Approval of the proposed ordinances, as amended, is a policy matter for the Board of Supervisors. 	

MANDATE STATEMENT

City Charter Section 2.105 states that all legislative acts shall be by ordinance, approved by a majority of the members of the Board of Supervisors. Passages of ordinances require two readings by the Board of Supervisors; ordinances are effective 30 days after passage.

City Charter Section 2.107 states that the Board of Supervisors may pass emergency ordinances on their first reading with a 2/3 affirmative vote. Emergency ordinances become effective upon approval by the Mayor, the expiration of the ten-day period for the Mayor to approve or veto, or the Board of Supervisors' override of the Mayor's veto. Emergency ordinances expire sixty days after their passage.

City Charter Section 9.105 states that amendments to the Annual Appropriations Ordinance, after the Controller certifies the availability of funds, are subject to Board of Supervisors approval by ordinance. As with other ordinances, passage of the ordinance requires two readings by the Board of Supervisors and the ordinance is effective 30 days after passage.

BACKGROUND

On February 25, 2020, Mayor London Breed proclaimed a state of emergency in response to the Novel Coronavirus 2019 Disease ("COVID-19") pandemic. On March 16, 2020, the San Francisco Health Officer issued Order C19-07b, generally requiring, among other things, residents to remain at home and most businesses to shutter. On March 31, 2020 the Health Officer issued Order C19-07b, which extends and tightens those rules through May 3, 2020. While necessary to maintain public health, these restrictions have imposed financial hardship to residents.

DETAILS OF PROPOSED LEGISLATION

File 20-0339: The proposed emergency ordinance would amend the Administrative Code to establish the COVID-19 Emergency Family Relief Fund as a "Category 8" fund. Under Administrative Code Section 10.100-1, monies in a Category 8 fund are automatically appropriated and do not require Board of Supervisors' authorization for spending. The provisions of this ordinance expire sixty days after it becomes effective.

File 20-0340: The proposed ordinance contains the same provisions as File 20-0339 for establishing the COVID-19 Emergency Family Relief Fund. The provisions of this ordinance expire sixty days after the Mayor withdraws the state of emergency proclamation related to COVID-19.

In addition, File 20-0341 is an appropriation ordinance pending before the Board of Supervisors that would appropriate \$10 million from the General Reserve to the Human Rights Commission.

Disbursement of COVID-19 Emergency Family Relief Fund

Under the proposed ordinances, the Human Rights Commission would administer the COVID-19 Emergency Family Relief Fund. Monies in this fund would be available for up to 5,000 families¹ in

¹ Families must have at least one dependent that is 18 years old or younger.

San Francisco who are experiencing financial hardship, with a minimum disbursement of \$500 per month per family. In evaluating applicants, the Human Rights Commission would assess:

1. the severity of the financial hardship
2. the extent to which the family qualifies for federal or state financial relief
3. how disbursement may impact eligibility for other public assistance

The Human Rights Commission would conduct outreach through community-based organizations.

FISCAL IMPACT

File 20-0341 would appropriate \$10 million from the General Reserve to a General Fund account under the Human Rights Commission. The proposed ordinance should be amended to clarify that once the COVID-19 Emergency Family Relief Fund is established, the Controller will transfer the funds from that account into the proposed COVID-19 Emergency Family Relief Fund. As noted above, spending from the COVID-19 Emergency Family Relief Fund does not require Board of Supervisors' approval. Upon termination of the fund, any remaining money will revert to the General Fund.

POLICY CONSIDERATION

Administrative Code Section 10.60 (b) provides for a General Reserve equal to 2.75 percent of budgeted General Fund revenues in FY 2019-20. If the General Reserve is drawn down, the Administrative Code provides for appropriation of sufficient funds in the Annual Appropriation Ordinance to restore the required funding level. However, the Board of Supervisors may suspend this provision following a declaration of an emergency due to a natural disaster.

According to the Controller's March 31, 2020 presentation to the Board of Supervisors, the General Reserve currently contains \$150 million.

RECOMMENDATIONS

1. Amend the proposed appropriation ordinance (File 20-0341) to clarify that once the COVID-19 Emergency Family Relief Fund is established, the Controller will transfer the funds from that account into the proposed COVID-19 Emergency Family Relief Fund.
2. Amend the proposed ordinances (File 20-0339, 20-0340, and 20-0341) to require a quarterly written report from the Human Rights Commission to the Board of Supervisors detailing the disbursement of funds from the COVID-19 Emergency Family Relief Fund.
3. Approval of the proposed ordinances, as amended, is a policy matter for the Board of Supervisors.

President, District 7
BOARD of SUPERVISORS



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San Francisco, CA 94102-4689
Tel. No. 554-6516
Fax No. 554-7674
TDD/TTY No. 544-6546

Norman Yee

PRESIDENTIAL ACTION

Date: 3/31/2020

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,
Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No. _____ Walton
(Primary Sponsor)

Title. Appropriation – General Reserve – Human Rights Commission -
\$10,000,000 - FY2019-2020

Transferring (Board Rule No 3.3)

File No. _____
(Primary Sponsor)

Title. _____

From: _____ Committee

To: _____ Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor: _____ Replacing Supervisor: _____

For: _____ Meeting
(Date) (Committee)

Start Time: _____ End Time: _____

Temporary Assignment: Partial Full Meeting

Norman Yee, President
Board of Supervisors

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, Ronen, Yee, Mar, Haney, Preston

Subject:

Appropriation – General Reserve – Human Rights Commission - \$10,000,000 - FY2019-2020

The text is listed:

Ordinance appropriating \$10,000,000 from the General Reserve to provide support through the creation of a family relief fund that will serve undocumented and extremely low-income families with children 0-18 years old and who do not qualify for stimulus relief.

Signature of Sponsoring Supervisor:



For Clerk's Use Only