

[Department of Neighborhood and Empowerment]

## CHARTER AMENDMENT

## PROPOSITION \_\_\_\_

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Section 16.121 to establish the Department of Neighborhood Empowerment and create neighborhood councils.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 5, 2002, a proposal to amend the Charter of the City and County by adding Section 16.121.

Note: Additions are *single-underline italics Times New Roman*.  
Deletions are ~~*strikethrough italics Times New Roman*~~.

SEC. 16.121. DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

- (a) To promote more citizen participation in government and make government more efficient to local needs, a Citywide system of neighborhood councils, and a Department of Neighborhood Empowerment is created. Neighborhood councils shall include representatives of the many diverse interests in communities and shall have an advisory role on issues of concern to the neighborhood.
- (b) The Department of Neighborhood Empowerment shall have the duties and responsibilities set forth in this Section and elsewhere in the Charter to implement and oversee the ordinances and regulations creating the system of neighborhood councils. The Department of Neighborhood Empowerment shall:
1. Prepare a plan for the creation of a system of neighborhood councils to ensure that every part of the City is within the boundary of a neighborhood council, and has an opportunity to form a neighborhood council.

2. Assist neighborhoods in preparing petitions for recognition or certification, identifying boundaries that do not divide communities, and organizing themselves, in accordance with the plan.
  3. Arrange a congress of neighborhood councils meetings if requested to do so by recognized neighborhood councils.
  4. Assist neighborhood councils with the election or selection of their officers.
  5. Arrange training for neighborhood councils' officers and staff.
  6. Assist neighborhood councils to share resources, including offices, equipment, and other forms of support for them to communicate with constituents, other neighborhood councils, and with government officials.
  7. Perform other duties as prescribed by ordinance.
- (c) Board of Neighborhood Commissioners. There shall be a board of seven commissioners to be known as the Board of Neighborhood Commissioners ("board"). Three commissioners shall be appointed by the Mayor, three commissioners shall be appointed by the Board of Supervisors, and one commissioner shall be appointed by the Public Advocate. Commissioners shall be from diverse geographic areas, as further specified by ordinance. Appointment and removal of commissioners shall otherwise be in accordance with Section 15.105 of the Charter. The board shall be responsible for policy setting and policy oversight including the approval of contracts and leases and the promulgation of rules and regulations, but shall not be responsible for day-to-day management.
- (d) General Manager. There shall be a general manager of the Department of Neighborhood Empowerment who shall be appointed by the Public Advocate, subject to confirmation by the Board of Supervisors and who may be removed as provided for in Section 15.105 of the Charter. The general manager shall appoint, discharge and prescribe the duties of staff consistent with the civil service provisions of the Charter.

- (e) Development of the Neighborhood Council Plan. The Department of Neighborhood Empowerment shall develop a Plan for a Citywide system of neighborhood councils, in conformance with the following requirements:
1. The Department of Neighborhood Empowerment shall seek public input in the formulation of the plan.
  2. The plan shall contain a statement of goals, policies and objectives of the Neighborhood Council system, and shall contain specific regulations, in draft ordinance format which, if adopted by ordinance, would be sufficient to implement the plan.
  3. The regulations shall establish the method by which boundaries of neighborhood councils will be determined. The system for determining boundaries shall maintain neighborhood boundaries to the maximum extent feasible, and may consider City planning district and supervisorial district boundaries when appropriate.
  4. The regulations must ensure that all areas of the City are given an equal opportunity to form neighborhood councils.
  5. The regulations shall establish the procedure and criteria for recognition or certification of neighborhood councils.
  6. The regulations shall not restrict the method by which members of a neighborhood council are chosen, if the process otherwise satisfies the requirements of this article.
  7. The regulations shall require that neighborhood councils adopt fair and open procedures for the conduct of their business.
  8. The Board of Supervisors shall provide for the creation of the Department of Neighborhood Empowerment and appointment of the general manager no later than 120 days after the Public Advocate assumes office.
- (f) Implementation of the Plan. The Department of Neighborhood Empowerment shall complete development of the Plan and present the Plan and all necessary regulations for

a system of neighborhood councils to the Board of Supervisors within one year of the establishment of the department and commission. The Board of Supervisors shall consider the regulations, and within six months after presentation of the plan the Board of Supervisors may adopt ordinances to implement the regulations as proposed, or as modified consistent with the requirements of the plan set forth herein. If implementing ordinances are not adopted within this time period, the regulations shall become effective, and to the extent not inconsistent with law shall be binding upon all departments and offices.

- (g) Certification of Neighborhood Councils. Each neighborhood council seeking official certification or recognition from the City shall submit an organizational plan and by-laws to the Department of Neighborhood Empowerment, showing, at a minimum:
- (h) Early Warning System. The regulations shall establish procedures for receiving input from neighborhood councils prior to decisions by the Board of Supervisors, Board of Supervisors Committees, and boards and commissions. The procedures shall include, but need not be limited to, notice to neighborhood councils as soon as practical, and a reasonable opportunity to provide input before decisions are made. Notices to be provided include matters to be considered by the Board of Supervisors, Board of Supervisors committees, and City boards and commissions.
- (i) Powers to Neighborhood Councils. Subject to applicable law, the Board of Supervisors may delegate its authority to neighborhood councils to hold public hearings prior to the Board of Supervisors making a decision a matter of local concern.
- (j) Annual City Budget Priorities. Each neighborhood council may present to the Mayor and Board of Supervisors an annual list of priorities for the City budget. The Mayor shall inform certified neighborhood councils of the deadline for submission so that the input may be considered in a timely fashion.

- (k) Monitoring of City Services. In concert with the Public Advocate, neighborhood councils shall monitor the delivery of City services in their respective areas and have periodic meetings with responsible officials of City departments, subject to their reasonable availability.
- (l) Appropriation. The Mayor and Board of Supervisors shall appropriate funds for the Department of Neighborhood Empowerment and for the startup and functioning of neighborhood councils for the first two fiscal years after the effective date of this Section. Funds shall be appropriated into a special fund to be established by ordinance.
- (m) Review. The Mayor and Board of Supervisors shall appoint a commission as prescribed by ordinance to evaluate the provisions of this Section, the regulations adopted pursuant to this Section, and the efficacy of the system of neighborhood councils no later than seven years after the adoption of this Section. The commission shall make recommendations to the Board of Supervisors regarding changes to the Charter or the regulations as it deems appropriate.
- (n) Effect of Ordinances. The Board of Supervisors may adopt ordinances concerning neighborhood councils consistent with requirements for the plan at any time. These ordinances shall supercede any inconsistent regulations that have become effective pursuant to this Section.

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

By: \_\_\_\_\_  
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