

BOARD of SUPERVISORS



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MEMORANDUM

TO: Thomas Paulino, Liaison to the Board of Supervisors, Office of the Mayor

FROM: Monique Crayton, Assistant Clerk, Government Audit and Oversight Committee, Board of Supervisors

DATE: March 8, 2024

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by Mayor Breed on February 13, 2024:

File No. 240129

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

If you have any additional comments or reports to be included with the file, please forward them to the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: monique.crayton@sfgov.org.

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 2022 Point-in-Time Count, there were approximately 7,750
18 people experiencing homelessness in San Francisco on any given night, 56% of whom
19 were unsheltered; and

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

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1 WHEREAS, The Fiscal Year (FY) 2023-2025 HSH budget included funding for
2 approximately 594 new shelter beds over the next two years, or 55% of the strategic
3 plan goal; and

4 WHEREAS, As of September 8, 2023, HSH had 2,952 temporary shelter or
5 crisis intervention slots, with a 91% occupancy rate; and

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

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

12 WHEREAS, The Mayor’s Fund for the Homeless (Administrative Code, Section
13 10.100-106) was established as a category eight fund to receive all private donations,
14 grants, gifts and bequests of money, to assist people in need finding long-term housing and
15 overcome barriers to employment by supporting outreach services, shelters, navigation
16 centers, flexible housing assistance, housing and other resources; and

17 WHEREAS, HSH, as the designated administrator of the Mayor’s Fund for the
18 Homeless (Administrative Code, Section 10.100-106) is required to report regularly to the
19 Homeless Oversight Commission on deposits and expenditures from the fund, as well as
20 furnish an annual report to the Board of Supervisors showing such gifts received, the
21 nature or amount of said gifts, and the disposition thereof (Administrative Code, Section
22 10.100); and

23 WHEREAS, HSH works with philanthropic organization, private companies and
24 community stakeholders including homeless services providers, often through grant
25 agreements; and

1 WHEREAS, On October 17, 2023 the Board of Supervisors unanimously approved
2 Resolution No. 483-23 authorizing a waiver of the City’s Behested Payment Ordinance
3 (Campaign and Governmental Conduct Code, Sections 3.600 et seq.) for the Office of the
4 Mayor and HSH, to the extent it restricts the Mayor, Executive Director of HSH and officers
5 and employees of the Office of the Mayor and HSH from soliciting financial support or in-
6 kind goods or services, from persons or entities that would be considered interested
7 parties, to support expansion of temporary shelter or other homeless services; and

8 WHEREAS, Resolution No. 483-23 expires on April 19, 2024, under San Francisco
9 Campaign and Governmental Conduct Code, Section 3.620(f); and

10 WHEREAS, The Office of the Mayor and HSH seek a new waiver of the City’s
11 Behested Payments Ordinance (Campaign and Governmental Conduct Code, Sections
12 3.600 et seq.) for a period of six months beginning on April 18, 2024; now, therefore, be it

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

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

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

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RECOMMENDED:

/s/

Shireen McSpadden
Homelessness and Supportive Housing
Executive Director