riie No	140141	Board Item	No1
(COMMITTEE/BOAR AGENDA PACKE		
Committee:	Government Audit and C	versight	Date May 8, 2014
Board of Supervisors Meeting			Date June 3, 2014
Cmte Boa	rd .		
	Motion Resolution Ordinance Legislative Digest Budget and Legislative Youth Commission Rep Introduction Form Department/Agency Cov MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 – Ethics Com Award Letter Application Public Correspondence	ort /er Letter and	
OTHER	(Use back side if addition	onal space is	needed)
	Reentry Council Letter, dt	d 2/11/2014	
	by: Alisa Miller	Date	May 2, 2014

NOTE:

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[Administrative Code - Reauthorizing Reentry Council]

Ordinance amending the Administrative Code to reauthorize the Reentry Council and revise the membership, powers and duties, and sunset date.

> **Unchanged Code text and uncodified text** are in plain Arial font. **Additions to Codes** are in *single-underline italics Times New Roman font*. Deletions to Codes are in strikethrough italies Times New Roman font. Board amendment additions are in double-underlined Arial font. Board amendment deletions are in strikethrough Arial font. Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco: Section 1. Background.

- (a) The Reentry Council was established by Ordinance No. 215-08 to coordinate local efforts to support adults exiting San Francisco County Jail, San Francisco juvenile justice system out-of-home placements, the California Department of Corrections and Rehabilitation facilities, and the United States Federal Bureau of Prison facilities. Codified at Chapter 5, Article I of the Administrative Code, which was subsequently amended by Ordinance No. 26-09 and Ordinance No. 44-11, the Reentry Council is scheduled to sunset on June 1, 2014 pursuant to Administrative Code Section 5.1-6.
- (b) Section 5.1-6 provides, however, that Chapter 5, Article I will not sunset if the Board of Supervisors adopts an ordinance continuing its existence. Section 5.1-6 states that the Reentry Council shall submit a report to the Board recommending whether the Reentry Council should continue to operate and, if so, whether the Board should consider amendments that would enhance the capacity of the Reentry Council to further its goals, along with draft amendments to implement its recommendations.

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(c) At the Reentry Council meeting of February 11, 2014, the Reentry Council decided to recommend that it continue to operate, and also recommended several changes in various provisions in Chapter 5, Article I. These recommendations are contained in a report dated February 11, 2014, in the form of a letter to all members of the Board of Supervisors, including a draft of recommended amendments to Chapter 5, Article I, contained in Attachment A to the letter. The letter, including all attachments, is on file with the Clerk of the Board of Supervisors in File No. 140141.

Section 2. Reauthorization of Reentry Council.

Chapter 5, Article I of the Administrative Code is hereby continued in its entirety, with the amendments as shown in Section 3 of this ordinance.

Section 3. The Administrative Code is hereby amended by revising Sections 5.1-3, 5.1-4, and 5.1-6 of Chapter 5, Article 1, to read as follows:

SEC. 5.1-1. REENTRY COUNCIL.

The City hereby establishes a Reentry Council ("Council"). Subject to the fiscal and budgetary provisions of the Charter, the Public Defender's Office, the District Attorney's Office, the Adult Probation Department, and the Mayor's Office shall each designate staff to provide administrative support to the Council.

SEC. 5.1-2. PURPOSE.

The purpose of the Council is to coordinate local efforts to support adults exiting San Francisco County Jail, San Francisco juvenile justice system out-of-home placements, the California Department of Corrections and Rehabilitation facilities, and the United States Federal Bureau of Prison facilities. The Council shall provide the Mayor, the Board of

Supervisors, the public, and any other appropriate agency with accurate and comprehensive information about programs that serve this population, barriers faced by this population, best practices to meet the needs of this population, and funding sources for programs and practices that address the needs of this population. The Council shall coordinate information sharing, planning, and engagement among all interested private and public stakeholders to the extent permissible under Federal and State law.

SEC. 5.1-3. MEMBERSHIP AND ORGANIZATION.

(a) Members. The Council shall consist of 23 members, seven of whom shall be former inmates in the San Francisco County Jail, a California Department of Corrections and Rehabilitation adult facility, and/or a United States Bureau of Prison facility. The Mayor, or his designee, shall serve as a member, and shall also appoint three of these seven members. Of these three members, at least one must be between the ages of 18 to 24 at the time of appointment, and at least one shall have expertise in providing services to individuals exiting the criminal justice system. The Board of Supervisors shall designate one of its members to serve as a member of the Council, and shall appoint the other four of the seven members who are former inmates. Of these four members, at least one shall have expertise in providing services to individuals exiting the criminal justice system, at least one must have been released from custody within two years of his or her appointment, and at least one must have served multiple terms of incarceration, and at least one must self-identify as a survivor of violence or crime. All members of the Council shall be exempt from the Charter requirement that they be electors of the City and County of San Francisco.

The following City departments or agencies shall appoint one member each to the Council: the Public Defender's Office, the District Attorney's Office, the Sheriff's Department, the Police Department; the Adult Probation Department, the Juvenile Probation Department,

the Department of Economic and Workforce Development; the Human Services Agency, the Department of Children Youth and Families, and the Department of Public Health. In addition, Council co-chairs shall invite the San Francisco Superior Court, the Department of Child Support Services, the California Department of Corrections and Rehabilitation Division of Adult Parole Operations, and the United States Probation and Pretrial Services System to appoint one member each to the Council. If any of these four agencies does not appoint a representative, the Council co-chairs shall appoint an additional member.

Members shall serve two-year terms and shall serve at the pleasure of the appointing authority. Members may serve multiple terms.

- (b) Quorum. *Eleven Twelve* members of the Council shall constitute a quorum, and the Council shall have the authority to act on the vote of the majority of the quorum.
- (c) Officers. The four members appointed by the Adult Probation Department,
 District Attorney's Office, the Public Defender's Office, and the Sheriff's Department,
 respectively, as well as the Mayor or the Mayor's representative, shall co-chair the Council.
- (d) Subcommittees. The Council may establish subcommittees to be convened as directed by the Council. The Council's co-chairs shall appoint members to the subcommittees. Subcommittees shall report findings and make recommendations to the full Council for their consideration. The membership of these subcommittees shall be open to non-members of the Council who shall be drawn from a range of diverse experiences, identities, and interests related to the issue of reentry.
 - (e) Meeting Frequency. The Council shall meet in full at least three times per year.
- (f) Roles of Council Members. Each member of the Council shall retain his or her official authority and duties granted under State law. In adopting this legislation, the Board of Supervisors recognizes that each member of the Council retains his or her authority and duties under State law and that where conflicts may arise out of members' dual roles, State

powers and duties shall supersede the duties that the ordinance creating the *council imposes*Council imposes on Council members.

SEC. 5.1-4. POWERS AND DUTIES.

The Council shall have the following powers and duties:

- (a) Identifying Funding Streams. The Council shall identify funding at the local, State, and Federal level that is earmarked or available for services or programs designed to serve individuals exiting the criminal justice system. In addition, the Council shall identify conditions, restrictions, or limitations on each funding stream, and shall document these findings in its reports to the Mayor, the Board of Supervisors, and other appropriate entities consistent with subsection (d) below.
- (b) Identifying Programs Serving Individuals Exiting the Criminal Justice System.

 The Council shall identify programs serving individuals exiting the criminal justice system who reside in San Francisco or who will be released to San Francisco, including program capacity.
- (c) Identifying Needs of Reentry Population. The Council shall identify any unmet needs of this population, and propose ways to meet those needs based on existing research and best practices.
- (d) Identifying Barriers. The Council shall also identify barriers to safe and successful reentry presented by local, State, and Federal law, and propose ways to reduce the impact of these barriers.
- (e) Reports. At least once a year, the Council shall prepare and submit a report that shall include but not be limited to information required under subsections (a), (b), (c), and (d) above. City departments shall respond within 30 days to reasonable requests for information submitted by the Council relevant to its ability to discharge its powers and duties under this Chapter, provided that the disclosure of such information shall not be required where it would

violate Federal or State law. The Council shall provide the reports to: 1) the Mayor, 2) the Board of Supervisors, 3) any City department or program identified by the Council in a report: and 4) the public. These reports shall be public documents. Any City department identified in a report may provide a response, within 30 days of issuance of the report, for inclusion into the final report submitted to the Mayor and the Board of Supervisors, among others, consistent with this subsection.

- (f) The Council shall share information and work in collaboration with the San Francisco Community Corrections Partnership, as established by the California Community Corrections Performance Incentives Act of 2009 (CA Penal Code Section 1228-1233.8).
- (g) Retaliation Prohibited. No City officer or employee may retaliate against other City staff or the staff of programs identified by the Council for cooperating with the Council or for participating in any activity involving the Council. This section is not intended to create a private right of action against the City and County of San Francisco.
- (h) The Council shall share information and work in collaboration with the San Francisco Juvenile Justice Coordinating Council, as required by the Juvenile Crime Enforcement and Accountability Challenge Grant Program (CA Welfare and Institutions Code Section 749.2-749.27).
- (i) The Council shall appoint one member to the Workforce Investment Community Advisory Committee, as required by San Francisco Ordinance 270-07 (SF Administrative Code Section 30.7).
- (j) The Council shall share information and work in collaboration with the San Francisco

 Sentencing Commission, as required by San Francisco Ordinance 10-12 (SF Administrative Code

 Section 5.250-2).

Sheriff's Department
BOARD OF SUPERVISORS

SEC. 5.1-5. ATTENDANCE REQUIREMENT.

The Council shall monitor the attendance of Council members. In the event that any Council member misses two regularly scheduled Council meetings in a twelve-month period without prior notice to the Council, the Council shall certify that fact in writing to the appointing authority, and the member shall be deemed to have resigned from the Council on the date of such certification. The Council shall request the appointing authority to appoint a new member. The appointing authority shall appoint a successor to the resigned member not later than 60 days after the date of the certification of resignation.

SEC. 5.1-6. SUNSET CLAUSE.

This legislation shall expire June 1, 2014 2019, unless the Board of Supervisors adopts an ordinance continuing its existence. The Council shall submit a report to the Board of Supervisors no fewer than six months prior to the expiration date by January 1, 2019 recommending whether the Council should continue to operate, and if so, whether the Board of Supervisors shall consider legislative changes that would enhance the capacity of the Council to achieve the goals that the ordinance creating the council identifies, amendments that further the Council's goals. The Council's recommendations shall include drafts of ordinances that would implement its recommendations.

Section 4. Effective Date <u>and Retroactivity</u>. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance. <u>The provisions of this ordinance shall be retroactive to June 1, 2014, should the effective date of the ordinance occur after that date.</u>

intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:

DENNIS J. HERRERA City Attorney

Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors

DENNIS J. HERRERA, City Attorney

ZACHARY PORIANDA Deputy City Attorney

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LEGISLATIVE DIGEST

[Administrative Code - Reauthorizing Reentry Council]

Ordinance amending the Administrative Code to reauthorize the Reentry Council and revise the membership, powers and duties, and sunset date.

Existing Law

The Reentry Council was established in 2008 to coordinate local efforts and programs to support adults exiting San Francisco County Jail, San Francisco juvenile justice system out-of-home placements, the California Department of Corrections and Rehabilitation facilities, and the United States Federal Bureau of Prison facilities. The Reentry Council is composed of 23 members, 7 of whom are former inmates. The Reentry Council is scheduled to sunset on June 1, 2014, unless reauthorized.

Amendments to Current Law

The proposed ordinance would revise Sections 5.1-3, 5.1-4, and 5.1-6 of the Administrative Code in these key ways:

- Reauthorize the Reentry Council;
- Establish a new sunset date of June 1, 2019;
- Add the requirement that one of the formerly incarcerated appointed members be a survivor of crime or violence; and
- Increase the number of members constituting a quorum from eleven to twelve.

Background Information

The Reentry Council is scheduled to sunset on June 1, 2014 pursuant to Administrative Code Section 5.1-6 unless the Board of Supervisors adopts an ordinance continuing its existence.



Reentry Council City and County of San Francisco

February 11, 2014

Honorable David Chiu, President of the Board of Supervisors
Honorable John Avalos
Honorable London Breed
Honorable David Campos
Honorable Malia Cohen
Honorable Mark Farrell
Honorable Jane Kim
Honorable Eric Mar
Honorable Katy Tang
Honorable Scott Wiener
Honorable Norman Yee
City Hall, 1 Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Members of the Board of Supervisors,

The purpose of this letter is to recommend that the legislation authorizing the Reentry Council of the City and County of San Francisco be renewed with the revisions noted on Attachment A. San Francisco Administrative Code Sec. 5.1 establishes the Reentry Council of San Francisco, the purpose of which is to coordinate local efforts to support adults exiting San Francisco County Jail, San Francisco juvenile justice system out-of-home placements, the California Department of Corrections and Rehabilitation facilities, and the United States Federal Bureau of Prison facilities. The Council provides the Mayor, the Board of Supervisors, the public, and any other appropriate agency with accurate and comprehensive information about programs that serve this population, barriers faced by this population, best practices to meet the needs of this population, and funding sources for programs and practices that address the needs of this population. The Council coordinates information sharing, planning, and engagement among all interested private and public stakeholders to the extent permissible under Federal and State law.

The Council was established in 2009 to sunset June 1, 2014, unless the Board of Supervisors adopts an ordinance continuing its existence. Per the legislation, the Council shall submit a report to the Board of Supervisors "recommending whether the Council should continue to operate, and if so, whether the Board of Supervisors shall consider legislative changes that would enhance the capacity of the Council to achieve the goals that the ordinance creating the council identifies." Please accept this letter, along with attachments, as the report required by Sec. 5.1-6.

The Reentry Council has had a remarkable initial four years, as evidenced by the following highlighted accomplishments and milestones:

The purpose of the Reentry Council is to coordinate local efforts to support adults exiting San Francisco County Jail, San Francisco juvenile justice out-of-home placements, the California Department of Corrections and Rehabilitation facilities, and the United States Federal Bureau of Prison facilities.

- Since 2009, the Reentry Council has met 20 times, or about four times per year, and enjoys robust regular attendance by its members, San Francisco residents, and other stakeholders. Attachment B provides a roster of members. The Reentry Council currently has three subcommittees: the Subcommittee on Assessment and Connections, the Subcommittee on Support and Opportunities, and the Subcommittee on Policy and Operational Practices. Attachment C provides an overview of the issue areas addressed by each subcommittee, which meet bi-monthly.
- The Reentry Council serves as the Reentry Task Force required by the Bureau of Justice Assistance for all applications for Second Chance Act grants, "comprised of relevant state, tribal, territorial, or local leaders and representatives of relevant agencies, service providers, nonprofit organizations, and other key stakeholders. The Task Force should examine ways to pool resources and funding streams and collect data and best practices in offender reentry from stakeholder agencies and organizations...provid[ing] a key opportunity for local policymakers to work together to identify and address local barriers to effective reentry, including barriers that are policy or procedural in nature." San Francisco has received eight federal Second Chance Act grants since 2009, and grantees regularly report to the Reentry Council on implementation progress. Staff presented on the role of the Reentry Council at the 2012 Second Chance Act grantee conference in Washington, D.C.
- The recipient of a federal Justice Reinvestment Initiative (JRI) technical assistance grant, the Reentry Council has since 2011 participated in a rigorous investigation of local criminal justice processes and data during Phase I of the Initiative. An application for a Phase II award is pending review by the Bureau of Justice Assistance. If awarded, the Reentry Council would oversee the exploration of three strategies for reducing costs across San Francisco's criminal justice system: reducing the standard length of probation from three to two years for certain individuals, reducing racial disproportionality across the system, and expanding pretrial alternatives to incarceration. Phase II awards carry up to \$300,000 in seed funds to implement JRI strategies.
- The Reentry Council has earned regional, statewide, and even national recognition for its unique membership structure, particularly the inclusion of formerly incarcerated appointed members. Reentry Council staff spurred the creation of a California Reentry Council Network, funded by the Rosenberg Foundation and administered by Californians for Safety and Justice, which connects individuals involved in formalized and ad hoc reentry councils and task forces throughout California. The Reentry Council is listed as a resource on the website of the National Reentry Resource Center, a project of the Council on State Governments.

The recommended revisions to the Administrative Code, as indicated in Attachment A, will strengthen the representation of key communities and populations by adding the requirement that one of the formerly incarcerated appointed members be a survivor of crime or violence; bring quorum requirements in line with standard practice for Boards and Commissions by increasing the number of members from eleven to twelve for the purposes of establishing quorum; will codify the relationship between the Reentry Council and the San Francisco Sentencing Commission as required by San Francisco Ordinance 270-07; and will extend the sunset date until June 1, 2019.

The purpose of the Reentry Council is to coordinate local efforts to support adults exiting San Francisco County Jail, San Francisco juvenile justice out-of-home placements, the California Department of Corrections and Rehabilitation facilities, and the United States Federal Bureau of Prison facilities.

We urge you to vote in support of renewing the authorizing legislation for the Reentry Council, with the changes recommended above. We look forward to continuing to make recommendations to this body and the Mayor on reentry policy and operational issues in the coming years. If you have any questions or would like additional information about any of these efforts, please contact staff at reentry.council@sfgov.org or (415) 553-1593.

Sincerely,

Members of the Reentry Council of the City and County of San Francisco

Attachment A: Proposed revisions to Administrative Code Sec. 5.1

Attachment B: Roster of Members

Attachment C: Overview of Reentry Council Subcommittee issue areas

Reentry Council

of the City & County of San Francisco

Roster of Members

Co-Chairs

Jeff Adachi
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Office of the Public Defender
City & County of San Francisco
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George Gascón

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Alternate: Cristine Deberry
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Edwin M. Lee

Mayor of San Francisco
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Alternate: Paul Henderson
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Ross Mirkarimi
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Reentry Council

of the City & County of San Francisco

Other Members

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Omorede Rico Hamilton

Mayoral Appointee

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Reentry Council

of the City & County of San Francisco

Karen Roye

Director

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Gregory Suhr

Chief

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Executive Assistant: Rowena Carr
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Alternate: David Shinn, Deputy Chief
David.shinn@sfgov.org

Vacant

Board of Supervisors

Vacant

Mayoral Appointee

Vacant

Superior Court

Staff

Sara Felicia Moore-Jordan Reentry Policy Coordinator
Reentry Division
Adult Probation Department
Hall of Justice
880 Bryant St., Room 200
San Francisco, CA 94103
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(415) 553-1047

For more information about the Reentry Council of the City and Council of San Francisco visit http://sfreentry.com

Overview of Reentry Council Subcommittee issue areas

Subcommittee on Assessment and Connections

Purpose: Improve assessments, referrals, and connections for individuals across systems and institutions, including appropriate connections between institutions and outside, and criminal justice and non-criminal justice entities.

Issue Areas: Voting and access to identification; Community Justice and Alternatives to Incarceration efforts like Diversion, Pretrial Release and Alternatives to Incarceration; Health and Wellbeing, such centralized shelter system designed to meet reentry needs, prison and jail based health services and mental health treatment; Self-Sufficiency efforts such as employment supportive services and benefits access; and Family, Victims and Communities focus working on issues such as family reunification, safety, behavioral health and trauma recovery among other issues.

Subcommittee on Support and Opportunities

Develop, promote, and expand effective reentry programs, services, and systems. Support leadership development, education, and advocacy of individuals impacted.

Issue Areas: Proper use of criminal records and legal relief for criminal records, civic participation, public education, access to identification, Collaborative Courts, Drug Diversion, Pretrial Services and alternatives to incarceration services, increasing capacity of in custody and residential mental health and substance abuse treatment, post incarceration support including employment, education and financial literacy programing.

Subcommittee on Policy and Operational Practices

Develop local policy and law, and shape state and federal policy and law to better reflect our shared vision.

Issue Areas: State and local legislative efforts in the area of state employment and vocational licensing restrictions, and registration requirements, access to voting, expanding expungement opportunities, access to state identification and driver license, issues with parole and community supervision, Sentencing Reform, Realignment and other state and local legislative efforts.



OFFICE OF THE SHERIFF CITY AND COUNTY OF SAN FRANCISCO

1 DR. CARLTON B. GOODLETT PLACE ROOM 456, CITY HALL SAN FRANCISCO, CALIFORNIA 94102



Ross Mirkarimi SHERIFF

February 14, 2014

Angela Cavillo Clerk of the Board of Supervisors City Hall, Room 244 San Francisco, CA 94102

Dear Ms. Cavillo:

I am submitting this request on behalf of Sheriff Ross Mirkarimi. Attached please find an original and two copies of a proposed ordinance for the Board of Supervisors approval to renew the Reentry Council of San Francisco.

San Francisco Administrative Code Sec. 5.1 established the Reentry Council of San Francisco for the purpose of coordinating local efforts to support adults exiting San Francisco County Jail, San Francisco juvenile justice system out-of-home placements, the California Department of Corrections and Rehabilitation facilities and the United States Federal Bureau of Prison facilities.

Pursuant to San Francisco Administrative Code Sec. 5.1-6, the term of the Reentry Council is to sunset on June 1, 2014, unless the Board of Supervisors adopts an ordinance continuing its existence. This legislation seeks to continue the Reentry Council's existence for another term to June 1, 2019.

If you have any questions relative to this request, please do not hesitate to contact me at (415) 554-7223. Thank you in advance for your consideration in this matter.

Sincerely,

Chief Deputy Kathy Gorwood #1319

President, District 3 **BOARD of SUPERVISORS**



City Hall Leg Dep

Carlton B. Goodlett Place, Room 244 COB

San Francisco 94102 4690 San Francisco 94102-4689 Tel. No. 554-7450 Fax No. 554-7454 TDD/TTY No. 544-5227

DAVID CHIU 邱信福

市参事會主席

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	PRESIDENTIAL ACTION	P COMP
Date:	5/2/2014	# 5 00 00 00 00 00 00 00 00 00 00 00 00 00
To:	Angela Calvillo, Clerk of the Board of Supervisors	1 W
Madam Cle		,
Pursuant to	Board Rules, I am hereby:	
	Waiving 30-Day Rule (Board Rule No. 3.23)	
	File No.	
	(Primary Sponsor)	
	Title.	
X	Transferring (Board Rule No. 3.3)	
	File No. 140141	
	(Primary Sponsor)	
	Title. Admin Code - Reauthorizing Reentry Council	
	From: Neighborhood Services & Safety Commit	tee
	To: Government Audit & Oversight Committee	ee
	Assigning Temporary Committee Appointment (Board Rule No. 3.	1)
	Supervisor	
	Replacing Supervisor	
	For:	Meeting
	(Date) (Committee)	

David Chiu, President Board of Supervisors

LT ISLATION RECEIVED CHECKLIST

Date 2/14/14	File Number (if ap	plicable)				
Legislation for Introduction Legislation Pending in Company Legislation for Board Age	ommittee (AMENDED)	►►► Legislation Clerk ►►► Committee Clerk ►►► Dep Clerk, Legislative Div				
Supervisor, Mayor, and Departmental Submittals						
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Resolution	and 2 hard conies and 1	electronic copy in word format				
[] Signature: None (R Head, C [] Back-up materials: 1 [] Cover letter (origina [] Settlement Report/A [] Other (Explain)	equired for Settlement of ontroller, Commission Se full set <i>(see below)</i> and al and 1 hard copy) Agreement (for settlemer	Claims - City Attorney, Department ecretary) 1 electronic copy in pdf format				
KATHU GADWANN	554-7205 6	OF SHERIFF				
KATHY GORWOOD 5 Name and Telephone Number	Depa	rtment				

Clerk's Office/Forms/Legislation Received Checklist (11/2013) for more help go to: sfbos.org/about the board/general/legislative process handbook