File No	140441	Committee Item No	2
		Board Item No.	

COMMITTEE/BOARD OF SUPERVISORS

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[Charter Amendment - Children and	Youth Fund; Commission on	Children, Youth, an	d Their
Families]			

Describing and setting forth a proposal to the voters to amend the Charter of the City and County of San Francisco to: 1) renew and rename the Children's Fund and eliminate the Fund's expiration date; 2) increase the property tax set-aside for the Fund from three cents per \$100 of assessed valuation to five cents; 3) provide for services for at-risk youth 18 to 24 years old; 4) revise and expand the planning process for expenditures from the Fund; 5) modify the advisory committee for the Fund; 6) create a Commission on Children, Youth and Their Families; and 7) repeal an obsolete section of the Charter, at an election to be held on November 4, 2014.

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Section 1. The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 4, 2014, a proposal to amend the Charter of the City and County by amending Section 16.108, adding a new Section 4.133, and repealing former Section 4.133, to read as follows:

Unchanged Charter text and uncodified text are in plain font.

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Additions are single-underline italics Times New Roman font. **Deletions** are *strike-through italics Times New Roman font*. Asterisks (* * * *) indicate the omission of unchanged Charter subsections.

NOTE:

SEC. 16.108. CHILDREN AND YOUTH FUND CHILDREN'S FUND.

- (a) Fund for Children and Youth Children's Services. Operative July 1, 2001, there is hereby established a fund to expand children's services, which shall be called the *Children and* Youth Fund Children's Fund ("Fund"). Monies in the Fund shall be expended or used only to provide services for children and youth as provided in this section.
 - (b) Goals. The goals of expenditures from the Fund shall be: The goals of expenditures

1	from the Fund and the planning process created in this section of the Charter shall be:
2	1. To ensure that San Francisco's children are healthy, ready to learn, succeed
3	in school and live in stable, safe and supported families and communities;
4	2. To ensure that San Francisco is a family-friendly city and to support families
5	as an important part of the city population and civic culture;
6	3. To focus on the prevention of problems and on supporting and enhancing the
7	strengths of children, youth and their families;
8	4. To complement the City's community development efforts;
9	5. To strengthen a community-based network of services in all neighborhoods;
10	6. To ensure that children and youth with the highest needs receive maximum
11	benefit from the Fund and that equity is a guiding principle of the funding process;
12	7. To distribute funds based on best practices and successful and innovative
13	models in order to ensure maximum impact:
13 14	models in order to ensure maximum impact; 8. To the maximum extent feasible, distribute funds equitably among services for
14	8. To the maximum extent feasible, distribute funds equitably among services for
14 15	8. To the maximum extent feasible, distribute funds equitably among services for all age groups – from infancy to transitional-aged youth;
14 15 16	8. To the maximum extent feasible, distribute funds equitably among services for all age groups – from infancy to transitional-aged youth; 9. To ensure children are provided with gender-responsive and culturally-
14 15 16 17	8. To the maximum extent feasible, distribute funds equitably among services for all age groups – from infancy to transitional-aged youth; 9. To ensure children are provided with gender-responsive and culturally-competent services;
14 15 16 17 18	8. To the maximum extent feasible, distribute funds equitably among services for all age groups — from infancy to transitional-aged youth; 9. To ensure children are provided with gender-responsive and culturally-competent services; 10. To strengthen collaboration around shared outcomes among all service
14 15 16 17 18 19	8. To the maximum extent feasible, distribute funds equitably among services for all age groups – from infancy to transitional-aged youth; 9. To ensure children are provided with gender-responsive and culturally-competent services; 10. To strengthen collaboration around shared outcomes among all service providers for children, youth and their families, including collaboration among public agencies
14 15 16 17 18 19 20	8. To the maximum extent feasible, distribute funds equitably among services for all age groups — from infancy to transitional-aged youth; 9. To ensure children are provided with gender-responsive and culturally-competent services; 10. To strengthen collaboration around shared outcomes among all service providers for children, youth and their families, including collaboration among public agencies and non-profit organizations; and,
14 15 16 17 18 19 20 21	8. To the maximum extent feasible, distribute funds equitably among services for all age groups — from infancy to transitional-aged youth; 9. To ensure children are provided with gender-responsive and culturally-competent services; 10. To strengthen collaboration around shared outcomes among all service providers for children, youth and their families, including collaboration among public agencies and non-profit organizations; and. 11. To fill gaps in services and leverage other resources whenever feasible.

- (3) To the maximum extent reasonable, to distribute funds equitably among services for infants and preschoolers, elementary school age children and adolescents;
- (4) To focus on the prevention of problems and on supporting and enhancing the strengths of children, youth and their families;
- (5) To strengthen collaboration between the City and County of San Francisco and the San Francisco Unified School District;
- (6) To fill gaps in services and to leverage other resources whenever feasible; and
 - (7) To foster projects initiated by San Francisco youth.
- (c) Amount. There is hereby set aside for the Fund, from the revenues of the property tax levy, revenues in an amount equivalent to an annual tax of three cents (\$.03) per one hundred dollars (\$100) of assessed valuation for each fiscal year beginning with July 1, 2001-June 30, 2002, and ending with July 1, 2015 June 30, 2016. Beginning July 1, 2015, there is hereby set aside for the Fund, from the revenues of the property tax levy, revenues in an amount equivalent to an annual tax of five cents (\$.05) per one hundred dollars (\$100) of assessed valuation for each fiscal year. If the 2010 U.S. Census shows that children make up a percentage of the population of the City and County that is at least two percentage points more than their percentage as shown in the 2000 U.S. Census, then the amount of the property tax levy set aside under this section shall be increased for each fiscal year beginning after publication of the 2010 Census. The increase shall be in an amount equal to: one-quarter cent (\$.0025) per one hundred dollars of assessed valuation, for each two full percentage points of increase in the percentage of the City and County population that is made up of children. The Fund shall be maintained separate and apart from all other City and County funds and appropriated by annual or supplemental appropriation.

(d) New Services. Monies in the Fund shall be used exclusively for the costs of services
to children less than 18 years old provided as part of programs that predominantly serve children
less than 18 years old and for Disconnected Transitional-Aged Youth 18 to 24 years old.
"Disconnected Transitional-Aged Youth" are those who: are homeless or in danger of
homelessness; have dropped out of high school; have a disability or other special needs,
including substance abuse; are young, unmarried parents; are undocumented; are immigrants
and/or English Learners; are Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning
("LGBTQQ"); and/or are transitioning from the foster care, juvenile justice, criminal justice or
special education systems. Monies in the Fund shall be used exclusively for the costs of services
above and beyond services funded from sources other than the previous Children's Fund prior to
July 1, 2001. To this end, monies from the Fund shall not be appropriated or expended for
services that received any of the funds included in the higher of the Controller's baseline budget
covering July 1, 2000-June 30, 2001 appropriations, or the Controller's baseline budget covering
July 1, 1999-June 30, 2000 appropriations, whether or not the cost of such services increases.
Nor shall monies from the Fund be appropriated or expended for services that substitute for or
replace services included or partially included in the higher of the two baseline budgets, except
and solely to the extent that the City ceases to receive federal, state or private agency funds that
the funding agency required to be spent only on those services. The Controller's baseline budget
shall mean the Controller's calculation of the actual amount of City appropriations for services
for children that would have been eligible to be paid from the Fund but are paid from other
sources.

- (e) Eligible <u>Uses Services</u>. <u>The City may only use monies from the Fund for the following purposes:</u> <u>Services for children eligible for Fund assistance shall include only:</u>

 (1) <u>Services for children up to 18 years old and Disconnected Transitional-Aged</u>
- Youth up to 24 years old, including:

1	(A) (1) Affordable child care and early education;
2	(B) (2) Recreation, cultural and after-school programs, including without
3	limitation, arts programs;
4	(C) (3) Health services, including prevention, education, mental health,
5	and pre-natal services to pregnant women;
6	(D) (4) Training, employment and job placement;
7	(E) (5) Youth empowerment and leadership development;
8	(F) (6) Youth violence prevention programs;
9	(G) (7) Youth tutoring and educational enrichment programs; and
10	(H) (8) Family and parent support services for families of children
11	receiving other services from the Fund; and-
12	(I) Services responsive to issues of gender, sexual orientation, and gender
13	identification, including, but not limited to, services to address the needs of girls and LGBTQQ
14	<u>communities.</u>
15	(2) Funding for the Department of Children, Youth and Their Families
16	("DCYF") and the Commission on Children, Youth and Their Families ("Commission").
17	(3) Administration of the Fund and evaluation of Fund goals and services.
18	(4) Technical assistance and capacity-building for service providers and
19	community-based partners.
20	(f) Excluded Services.
21	(1) Notwithstanding subsection (e), services for children paid for by the Fund
22	shall not include:
23	(A) (1) Services provided by the Police Department or other law
24	enforcement agencies, courts, the District Attorney, Public Defender, City Attorney; or the Fire
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. 1	Department; detention or probation services mandated by state or federal law; or public
2	transportation;
3	(B) (2) Any service that benefits children incidentally or as members of a
4	larger population including adults;
5	(C) (3) Any service for which a fixed or minimum level of expenditure is
6	mandated by state or federal law, to the extent of the fixed or minimum level of expenditure;
7	(D) (4) Acquisition of any capital item not for primary and direct use by
8	children;
9	(E) (5) Acquisition (other than by lease for a term of ten years or less) of
10	any real property; or
11	(F) (6) Maintenance, utilities or any similar operating costs of any facility
12	not used primarily and directly by children, or of any recreation or park facility (including a zoo),
13	library, or hospital:
14	(G) Administration of funds other than the Fund.
15	(2) Notwithstanding subsection (e), services for Disconnected Transitional-Aged
16	Youth 18 to 24 years-old paid for by the Fund shall not include:
17	(A) Services provided by the Police Department or other law enforcement
18	agencies, the courts, the District Attorney, or the Public Defender, including detention or
19	probation services mandated by state or federal law;
20	(B) Any service for which a fixed or minimum level of expenditure is
21	mandated by local, state or federal law, to the extent of the fixed or minimum level of
22	expenditure;
23	(C) Housing or health services;
24	(D) Income supports; or,
25	(E) Post-secondary tuition assistance or similar aid.

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(g) **Baseline.** The Fund shall be used exclusively to increase the aggregate City appropriations and expenditures for those services for children that are eligible to be paid from the Fund (exclusive of expenditures mandated by state or federal law). To this end, the City shall not reduce the amount of such City appropriations for eligible services (not including appropriations from the Fund and exclusive of expenditures mandated by state or federal law) in any of the fifteen years during which funds are required to be set aside under this section below the amount so appropriated for the fiscal year 2000-2001 ("the base year") as set forth in the Controller's baseline budget, as adjusted ("the base amount"). The base amount shall be adjusted for each year after the base year by the Controller based on calculations consistent from year to year by the percentage increase or decrease in aggregate City and County discretionary revenues. In determining aggregate City and County discretionary revenue, the Controller shall only include revenues received by the City and County that are unrestricted and may be used at the option of the Mayor and the Board of Supervisors for any lawful City purpose. The method used by the Controller to determine discretionary revenues shall be consistent with method used by the Controller to determine the Library and Children's Baseline Calculations dated June 20, 2000, which the Controller shall place on file with the Clerk of the Board in File No. 000952. Errors in the Controller's estimate of discretionary revenues for a fiscal year shall be corrected by an adjustment in the next year's estimate. Within 90 days following the end of each fiscal year through 2015-2016 2014-2015, the Controller shall calculate and publish the actual amount of City appropriations for services for children that would have been eligible to be paid from the Fund but are paid from other sources, separately identifying expenditures mandated by state or federal law.

(h) Five-Year Planning Cycle. The City shall appropriate monies from the Fund according to a five-year planning process. This process is intended to: (1) increase transparency, accountability, and public engagement; (2) provide time and opportunities for

1	community participation and planning; (3) ensure program stability; and (4) maximize the
2	effectiveness of the services funded.
3	(1) Year 1 - Community Needs Assessment. During every fifth fiscal year
4	beginning with Fiscal Year 2016-2017, DCYF shall conduct a Community Needs Assessment
5	(CNA) to identify services to receive moneys from the Fund. DCYF shall use the following
6	process to develop the CNA:
7	(A) By August 15, DCYF shall develop a plan for how to conduct the
8	CNA. The process for conducting the CNA shall include:
9	(i) Community meetings in each Supervisorial District;
10	(ii) A review of major planning documents for children and youth
11	services;
12	(iii) Opportunities for parents, youth, nonprofit agencies, and
13	other members of the public, to provide input; and,
14	(iv) Public notice and outreach to places where parents, children,
15	and youth regularly go, such as recreation centers, bus stops, pediatrician offices, and schools.
16	(B) The CNA shall include an equity analysis of services and resources
17	for parents, children and youth. DCYF shall develop a set of equity metrics to be used to
18	establish a baseline of existing services and resources in low-income neighborhoods and
19	disadvantaged communities, compared to services and resources available to the City as a
20	whole.
21	(C) By September 1, DCYF shall present its plan for conducting the CNA
22	to the Commission, the Provider Advisory Committee, and Board of Supervisors. The plan shall
23	be a public document.
24	(D) By February 1, DCYF shall complete the CNA and present a draft
25	report on the results to the Commission, the First Five Commission, the Service Provider

1	Advisory Committee, and the Recreation and Parks, Health, Human Services, Youth, Juvenile
2	Probation, Status of Women, Police, Library, and Arts Commissions.
3	(E) By May 15, DCYF shall submit a final report on the CNA to the
4	Commission and the Board of Supervisors. The final report may incorporate any comments or
5	suggestions made by the public or by the agencies that received copies of the draft report.
6	(F) By June 1, the Commission shall consider and approve or disapprove
7	the report on the CNA. If the Commission disapproves the report, DCYF may modify and
8	resubmit the report.
9	(G) By July 1, the Board of Supervisors shall consider and approve or
10	disapprove, but not modify, the report on the CNA. If the Board disapproves the report, DCYF
11	may modify and, with the approval of the Commission, resubmit the report, provided, however,
12	that the City may not expend monies from the Fund until the Board of Supervisors has approved
13	<u>a final report on the CNA.</u>
14	(2) Year 2 – Services and Allocation Plan. During every fifth fiscal year
15	beginning with Fiscal Year 2017-2018, DCYF shall prepare a SAP to determine services eligible
16	to receive moneys from the Fund. DCYF shall use the following process to prepare the SAP:
17	(A) By January 31, DCYF shall prepare a draft SAP in consultation with
18	interested City departments, including the First Five Commission, the Office of Early Care and
19	Education (or any successor entity), Recreation and Parks, Health, Human Services, Youth,
20	Juvenile Probation, Status of Women, Police, Library, and Arts Commission, as well as
21	community-based service providers, parents, children, youth, and other members of the public.
22	The SAP must:
23	(i) Demonstrate consistency with the CNA and with Citywide
24	vision and goals for children and families;
25	(ii) Include all services for children and youth;

1	(iii) Be outcome-oriented and include goals, measurable and
2	verifiable objectives and measurable and verifiable outcomes;
3	(iv) Include evaluation of services and capacity building as
4	separate funding areas;
5	(v) State how services will be coordinated and have specific
6	amounts allocated towards specific goals, service models, populations and neighborhoods
7	(vi) Include funding for youth-initiated projects totaling at least
8	3 percent of the total proposed expenditures from the Fund for the cycle;
9	(vii) Include evaluation data from the previous funding cycle and
10	the details of the Children and Youth Baseline; and,
11	(viii) Include strategies to align all services for children furnished
12	or funded by all governmental or private entities and administered by the City, whether or not
13	those services are eligible to receive monies from the Fund.
14	(B) The SAP shall include an equity analysis of services and resources for
15	parents, children and youth. Using the equity metrics developed for preparation of the CNA, the
16	SAP shall compare proposed new and augmented services and resources for low-income
17	neighborhoods and disadvantaged communities with services and resources available to the City
18	as a whole.
19	(C) By February 1, DCYF shall present the draft SAP to the Commission
20	and the Service Provider Advisory Committee. By March 31, DCYF shall present the draft SAP
21	to the Recreation and Parks, Health, Human Services, Youth, and Juvenile Probation
22	Commissions.
23	(D) By May 15, DCYF shall submit a final version of SAP to the
24	Commission and the Board of Supervisors. The final version may incorporate any comments or
25	suggestions made by the public or by the agencies that received copies of the draft SAP.

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(E) By June 1, the Commission shall consider and approve or disapprove
the SAP. If the Commission disapproves the SAP, DCYF may modify and resubmit the SAP.
(F) By July 1, the Board of Supervisors shall consider and approve or
disapprove, but not modify, the SAP. If the Board disapproves the SAP, DCYF may modify and,
with the approval of the Commission, resubmit the SAP, provided, however, that the City may
not expend monies from the Fund until a SAP has been approved by the Board of Supervisors.
(G) During subsequent years of the planning cycle, DCYF, with the
approval of the Commission and the Board of Supervisors, may amend the SAP to address
emerging needs.

- (3) Year 3 Selection of Contractors. During every fifth fiscal year beginning in 2018-2019, DCYF shall conduct competitive solicitations for services to be funded from the Fund.
- (4) Year 4 Service Cycle Begins. Contracts for services shall start on July 1 of Year 4 of the planning cycle. During subsequent years of the planning cycle, DCYF, with the approval of the Commission, may issue supplemental competitive solicitations to address amendments to the SAP and emerging needs. All expenditures for services from the Fund must be consistent with the most recent CNA and SAP.
- (h) Three-Year Planning Cycle. To provide time for community participation and planning, and to ensure program stability, appropriations from the Fund for all fiscal years beginning after June 30, 2004 shall be made pursuant to a three-year planning cycle as set forth in subsections (h) through (l). During every third fiscal year beginning with the 2001-2002 fiscal year, the City shall prepare a Community Needs Assessment to determine services eligible to receive moneys from the Fund. During every third fiscal year beginning with the 2002-2003 fiscal year, the City shall prepare a Children's Services and Allocation Plan ("the Plan"), based on the Community Needs Assessment approved during the previous year. The Board of

Supervisors may modify an existing Community Needs Assessment or Plan, provided that any modification shall occur only after a noticed public hearing. All appropriations from the Fund shall be consistent with the most recent Plan, provided that the Board of Supervisors may approve an amendment to the Plan at the same time it approves an appropriation.

(i) Community Needs Assessment and Children's Services and Allocation Plan.

- (1) The Community Needs Assessment and the Plan shall be in writing, shall be made available to the public in draft form not later than January 31 of each fiscal year in which they are required, shall be presented by March 31 of each such fiscal year to the commissions listed in subsection (m)(3) for review and comment, and by April 30 of each such fiscal year shall be presented to the Board of Supervisors for approval.
- (2) Prior to preparation of each draft Community Needs Assessment, the City shall hold at least one public hearing in each geographical area defined in Charter Section 13.110. The City shall also make available opportunities for parents, youth, and agencies receiving monies from the Fund to provide information for the Community Needs Assessment. The Community Needs Assessment shall include the results of a Citywide survey of parents and youth to be conducted by the Controller every three years.
- (3) The Plan shall include all services for children furnished or funded by the City or funded by another governmental or private entity and administered by the City, whether or not they received or may receive monies from the Fund. The Plan shall be outcome-oriented and include goals, measurable and verifiable objectives and measurable and verifiable outcomes.
- (4) The Plan shall state how all services receiving money from the Fund will be coordinated with other children's services. The Plan shall specify amounts of funding to be allocated: (i) toward achieving specified goals, measurable and verifiable objectives and measurable and verifiable outcomes, (ii) to specified service models; and (iii) for specific

populations and neighborhoods. The Plan shall also state the reasons for the allocations and demonstrate how the allocations are consistent with the Community Needs Assessment. A minimum of three percent of the funding allocated under the Plan shall be for youth-initiated projects.

- (i) (i) Evaluation. DCYF shall provide for the evaluation on a regular basis of all services funded through the Fund, and shall prepare on a regular basis an Evaluation and Data Report for the Commission. The Plan shall include an evaluation of services that received money from the Fund at any time during the last three fiscal years. The evaluation shall involve those who use the funded services and other parents and youth.
- (i) Coordination of Services, Planning and Goals. The Commission, in consultation with the Mayor and other relevant planning bodies, shall issue an annual report on the integration of social, health, employment, educational, law enforcement, cultural and recreation services for children, youth and their families in San Francisco, which report shall include information from all relevant City departments and policy-making bodies.
- (k) Failure of Board to Act. If the Board of Supervisors has not approved a Community Needs Assessment before the first day of the fiscal year during which the Plan is to be prepared, the Plan shall be based on the Community Needs Assessment as originally submitted to the Board of Supervisors.
- (k) (4) Selection of Contractors. The Commission shall adopt standards and procedures for the selection of contractors to be funded from the Fund. It shall be the policy of the City to use competitive solicitation processes where appropriate and to give priority to the participation of non-profit agencies. Except for services provided by City employees, the Fund shall be expended through contractors selected based on their responses to one or more requests for proposals issued by the City. The City shall award contracts to coincide with the City's fiscal year starting July 1.

(1) (m) Implementation.

- (1) In implementation of this section, facilitating public participation and maximizing availability of information to the public shall be primary goals.
- (2) So long as there exists within the executive branch of City government a

 Department of Children, Youth and Their Families, or an equivalent department or agency as its successor, that department DCYF shall administer the Children's Fund and prepare the Community Needs Assessment and the Services and Allocation Plan pursuant to this section. If no such department or agency exists, the Mayor shall designate a department or other City body to administer the Children's Fund pursuant to this section.
- (3) In addition to all other hearings otherwise required, the Recreation and Park, Juvenile Probation, Youth, Health and Human Services Commissions shall each hold at least one separate or joint hearing each fiscal year to discuss issues relating to this section. The Department of Children, Youth and Their Families, or other agency as described above in section (m)(2), DCYF shall consult with the Recreation and Park Department, Arts Commission, Juvenile Probation Department, Unified School District, Health Department, Department of Human Services, Commission on the Status of Women, Police Department, and the Library Department and Municipal Transportation Agency in preparation of portions of the Community Needs Assessment and the Services and Allocation Plan that relate to the their respective activities or areas of responsibility of those agencies.
 - (4) The Board of Supervisors may by ordinance implement this section.
- (m) Service Provider Advisory Committee. The Commission shall create a Service Provider Advisory Committee ("Committee") to advise the Director and the Commission on funding priorities, policy development, the planning cycle, evaluation design and plans, and any other issues of concern to the Committee related to the Fund or the responsibilities of DCYF or other departments receiving monies from the Fund.

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The Committee shall engage a broad cross-section of service providers in providing information, education and consultation to the Commission and DCYF. All members of the Committee shall be actively providing services to children, youth and their families. The Committee shall be staffed by DCYF, and shall meet at least four times a year.

The Commission shall appoint two initial co-chairs of the Committee, who shall be responsible for developing the structure of the Committee and facilitating the meetings. The cochairs shall serve for 2 years (except at the outset when one will serve only one year, in order to stagger the terms.) After the first year, the Committee shall select its own chairs. Committee meetings shall be open and encourage widespread participation.

- (n) Advisory Committee. There shall be a Children's Fund Citizens' Advisory Committee ("the Committee") that shall consist of 15 members, each appointed by the Mayor to a three-year term, to serve at the Mayor's pleasure. At least three members of the Committee shall be parents and at least three members shall be less than 18 years old at the time of appointment. For each of the following areas, there shall be at least one Committee member with professional expertise in that area: early childhood development, childcare, education, health: recreation and youth development. The Committee shall meet at least quarterly, and shall advise the department or agency that administers the Children's Fund and the Mayor concerning the Children's Fund. The Committee shall convene by July 1, 2001. Each member of the Committee shall receive copies of each proposed Community Needs Assessment and each Plan (including the evaluation required as part of the Plan). Members of the Committee shall serve without pay, but may be reimbursed for expenses actually incurred.
- (o) Unspent Funds. All unspent funds in the Children's Fund created by former Charter Section 16.108 shall be transferred to the Children's Fund established herein.
- (n) (p) Effect of Procedural Errors. No appropriation, contract or other action shall be held invalid or set aside by reason of any error, including without limitation any irregularity,

informality, neglect or omission, in carrying out procedures specified in subsections (h) through (n) unless a court finds that the party challenging the action suffered substantial injury from the error and that a different result would have been probable had the error not occurred.

SEC. 4.133. COMMISSION ON CHILDREN, YOUTH AND THEIR FAMILIES.

- (a) Creation. There shall be a Commission on Children, Youth and Their Families

 ("Commission") to serve as the governing and policy-making body of the Department of

 Children, Youth and Their Families ("DCYF"), to oversee the administration of the Children

 and Youth Fund created in Charter Section 16.108 ("Fund"), and to ensure that the Fund is

 administered in manner accountable to the community.
- (b) Purpose. The Commission shall ensure that DCYF effectively implements the department's mission, vision and goals. In addition, the Commission shall advise the Mayor and the Board of Supervisors on Citywide goals and outcomes for children and youth services, and may advise the Mayor and the Board of Supervisors on any issues of concern related to children, youth and their families.

(c) Responsibilities.

- (1) The Commission shall develop policies for the Fund regarding common outcomes for children and youth services, the evaluation of services, common data systems, a process for making funding decisions, program improvement and capacity building of service providers, community engagement in planning and evaluating services, leveraging dollars of the Fund and the use of the Fund as a catalyst for innovation.
- (2) The Commission shall ensure transparency for the Fund and its process, approve the planning process for the Community Needs Assessment ("CNA") and the final CNA, approve the Services and Allocation Plan, approve DCYF's budget expenditures (including the approval of grants as a package), and review the annual Data and Evaluation Report.

1	(3) The Commission shall evaluate the Director of DCYF, and support the hiring
2	process by overseeing the recruitment for the Director position, and providing the Mayor with a
3	minimum of 3 names from which he/she shall select a Director.
4	(d) Composition. The Commission shall have seven members.
5	(1) The Mayor shall appoint members for Seats 1 through 4, subject to
6	confirmation by a majority of the Board of Supervisors. The qualifications of the members shall
7	be as follows:
8	(A) Seat 1: a youth under the age of 18 at the time of appointment, who is
9	or has been a recipient of DCYF-funded services, recommended to the Mayor by the Youth
10	Commission. The commission member holding this seat shall not be subject to the requirement
11	of Charter Section 4.101(a)(2) that commission members be electors of the City and County.
12	(B) Seat 2: a parent of a youth under the age of 18 years at the time of
13	appointment, which parent has a demonstrated commitment to quality services for children,
14	youth, and families.
15	(C) Seat 3: a community member with expertise in or extensive
16	experience with children ages 5 years and younger, and services and programs for children in
17	that age group.
18	(D) Seat 4: a community member who has extensive experience working
19	with youth and families from under-served communities.
20	(2) The Board of Supervisors shall hold a public meeting and vote on a
21	nomination submitted by the Mayor within 60 days of its transmittal to the Clerk of the Board of
22	Supervisors. If the Board approves the nomination, the nominee shall be deemed appointed on
23	the date that the Board adopts the motion confirming the nomination. If the Board fails to act on
24	a nomination within 60 days following transmittal, the nominee shall be deemed appointed on
25	the 61st day after the Mayor transmits the nomination to the Clerk of the Board. For purposes of

Commission, which may not occur until all seven members have been appointed. Commissioners shall serve at the pleasure of the appointing authority.

- (2) If a vacancy occurs during the term of office of any member, the appointing authority shall appoint a successor to complete the unexpired term in the same manner as that for the initial member.
- (3) During his or her term of office on the Commission, a member may not serve on the executive or governing board of any organization receiving funding from or through DCYF, or hold a management position with such an organization.
- (f) Frequency of Meetings; Attendance. The Commission shall meet at least six times a year. If a member of the Commission misses three regularly scheduled meetings of the Commission without prior notice to the Commission, the President of the Commission shall certify in writing to the appointing authority that the member has missed three meetings. On the date of such certification, the member shall be deemed to have resigned from the Commission. The President shall notify the appointing authority of the resignation and request the appointment of a new member.

SEC. 4.133. TAXI COMMISSION.

(a) The Taxi Commission shall consist of seven members, appointed by the Mayor. The appointments shall include a member from the senior or disabled communities, a driver who does not hold a taxicab medallion, a manager in a taxicab company (either a medallion holder or a company representative), a member from the hospitality industry, a member from the labor community, a member from the neighborhoods, and a member of the general public not affiliated with any of the other enumerated categories.

Pursuant to Government Code Section 87103, individuals appointed to the Commission under this Section are intended to represent and further the interest of the particular industries,

trades, or professions specified herein. Accordingly, it is found that for purposes of persons who hold such office, the specified industries, trades, or professions are tantamount to and constitute the public generally within the meaning of Government Code Section 87103.

The commissioners appointed to take office upon the effective date of this Charter section shall by lot classify their terms so that the terms of three of the commissioners shall expire at noon on the first anniversary of such date, and the terms of the remaining four commissioners shall expire at noon on the second anniversary of the effective date. On the expiration of these and successive terms of office, the appointments shall be made for two-year terms.

Members may be removed by the Mayor only pursuant to Section 15.105. Vacancies occurring in the offices of members, either during or at the expiration of a term, shall be filled by the Mayor.

(b) Effective March 1, 1999, the Commission shall succeed to all powers and responsibilities relating to taxicabs and other motor vehicles for hire, other than criminal enforcement, now vested in the Police Commission, the Police Department or the Chief of Police. The Taxi Commission may be assigned additional duties and functions by ordinance or pursuant to Section 4.132.

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(c) All costs associated with the operations of the Taxi Commission, and such officers and employees as are necessary for the Commission to operate and administer the department and are authorized pursuant to the budgetary and fiscal provisions of the Charter, shall be recovered from permit, license and other fees charged to permit holders, applicants, and other persons by the Commission. The Board of Supervisors shall set fees sufficient to offset the costs of the Commission's operations and any such officers and employees. Notwithstanding the above, the Board of Supervisors may continue to offer reduced fees to operators who participate in the City's Paratransit Program, and offset the reduction in revenues with a contribution from the General Fund.

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

By:

THOMAS J. OWEN Deputy City Attorney

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LEGISLATIVE DIGEST

[Charter Amendment - Children and Youth Fund; Commission on Children, Youth, and Their Families]

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 at an election to be held on November 4, 2014, by amending Section 16.108, adding a new Section 4.133, and repealing former Sections 4.133 and 16.108, to: (1) renew and rename the Children's Fund and eliminate the Fund's expiration date; (2) increase the property tax set-aside for the Fund from three cents per \$100 of assessed valuation to five cents; (3) provide for services for at-risk youth 18 to 24 years old; (4) revise and expand the planning process for expenditures from the Fund; (5) modify the advisory committee for the Fund; (6) create a Commission on Children, Youth and Their Families; and (7) repeal an obsolete provision of the Charter.

Existing Law

In 1991, the voters first created in the City Charter a "Children's Fund," which receives a set portion of the property tax each year. The current amount of the set-aside in 3 cents for each \$100 of assessed property value. The Children's Fund is used to increase services for children under 18 years of age, including child care, health services, job training, social services, educational programs, recreational and cultural programs, and delinquency prevention services.

The Department of Children, Youth and Their Families, which reports to the Mayor, administers the Children's Fund. The Mayor also appoints a 15-member Children's Fund Advisory Committee. The Charter sets a three-year planning cycle for spending money from the Children's Fund.

The Children's Fund and the property tax set-aside will expire on June 30, 2016.

Amendments to Current Law

The proposal is a Charter amendment that would change the name of the Fund from "the Children's Fund" to "the Children and Youth Fund."

The proposal would eliminate the current provision that Fund and the property tax set-aside will expire on June 30, 2016. Under the proposal, the Fund and the property tax set-aside would continue until changed or repealed by the voters.

The proposal would increase the property tax set-aside from the current 3 cents for each \$100 of assessed property value to 5 cents for each \$100 of assessed property value. The proposal would not increase or otherwise change the property tax rate; it would only affect how the tax may be spent.

The proposal would allow the City to use the Fund to provide services to "Disconnected Transitional-Aged Youth," as well as to continue to provide services to children younger than 18 years. "Disconnected Transitional-Aged Youth" are youth, 18 to 24 years old, who: are homeless or in danger of homelessness; have dropped out of high school; have a disability or other special needs, including substance abuse; are young, unmarried parents; are undocumented; are immigrants and/or English Learners; are Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning ("LGBTQQ"); and/or are transitioning from the foster care, juvenile justice, criminal justice or special education systems.

The proposal would change the current three-year planning cycle for spending from the Fund to a five-year cycle, and set out additional steps in the cycle.

The proposal would replace the current Advisory Committee for the Fund with a new Service Provider Advisory Committee.

The proposal would create a seven-member Commission on Children, Youth and Their Families to oversee the Department of Children, Youth and Their Families and to administer the Children and Youth Fund. The Mayor and the Board of Supervisors would appoint the members of the Commission.

And the proposal would repeal Charter Section 4.133, which created the Taxi Commission. The Board of Supervisors and the Mayor dissolved the Taxi Commission and transferred its functions to the Municipal Transportation Agency in 2008 under Charter Section 8A.101(b). But because Section 4.133 was approved by the voters, the City needs voter approval to remove it from the Charter, even though it no longer is law.

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City and County of San Francisco DEPARTMENT ON THE STATUS OF WOMEN

Bos-11, Cpage Rules Cladwin M. Lee Mayor

May 16, 2014

Board of Supervisors City Hall 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco, Ca 94102-4689

Dear Board of Supervisors:

San Francisco has been at the forefront of seeking true equity for girls and women since 1998 with the adoption of the City Ordinance implementing the UN Convention of the Elimination of All Forms of Discrimination Against Women (CEDAW). The San Francisco CEDAW Ordinance specially calls on the City and County to analyze the operations of City departments, policies and programs to identify discrimination in the provision of direct and indirect services and, if identified, to remedy that discrimination.

Even today, women and girls continue to face subtle but harmful discrimination in the areas of economic development and employment, violence against women and girls, and health. The Department finds that the unique concerns of girls have too often not received due attention, funding, and analysis. Indeed, very few programs in San Francisco respond specifically to the needs of girls and young women. For instance, young women disproportionately face problems with body dysmorphia and sexual violence, problems that are not effectively addressed in co-ed settings. The programs that attempt to address broad youth concerns that do not take into account the different needs of girls (broken down by race and economic status) or that do not collect data to uncover the specific needs of girls, fail to address the concerns of all youth in an equitable fashion. Girls and young women are at a particularly vulnerable point in their development as citizens and human beings. Legislation like the Children and Youth Fund can have a particular influence over their development and sense of self-worth.

Throughout this Children and Youth Fund reauthorization, "equity" has been highlighted as a significant new principle to be adhered to during the funding and allocation processes. It is critical that gender equity serve as one component of this principle. Girls' advocates have been successful in incorporating more gender-responsive language in this latest draft (e.g., "ensuring children are provided with gender-responsive and culturally-competent services" and "Services responsive to issues of gender, sexual orientation, and gender identification, including, but not limited to, services to address the needs of girls and LGBTQQ communities"). However, three more changes would have a substantially positive impact not just for the girls and young women of San Francisco, but for all children.

The Department makes the following (2) recommendations for the second draft of the Children and Youth Fund Charter Amendment, File No. 140441:

i. Sec. 16.108(h)(1B): Gender equity included in the paragraph regarding equity metrics for the C.N.A. equity analysis in addition to low-income neighborhoods and disadvantaged communities.

It is critical that metrics are identified to establish a baseline for the status of girls and young women, and to monitor progress with the inclusion of the new guiding principle. Metrics and data should be disaggregated by sex as well as by race, socioeconomic status, gender identify, and so forth.

ii. Sec. 16.108(I)(3): Require the Commission on the Status of Women to hold one separate or joint Children and Youth Fund hearing once per fiscal year.

To ensure girls' voices are heard at all steps throughout the Children and Youth Fund process, the Commission on the Status of Women (COSW) should also be tasked with holding at least one separate or joint hearing on the fund along with the Recreation and Park, Juvenile Probation, Youth, Health and Human Services Commissions.

The Department makes the following recommendation for the second draft of the Children and Families Council Charter Amendment, File No. 140443:

i. Sec. 16.126(a)(5) and (c): Reserve one seat on the Children and Families Council for the Department on the Status of Women to ensure the equitable representation of girls' needs. Now that gender-responsive services are explicitly included in the Children and Youth Fund draft language, it is all the more important that an individual with the knowledge and ability to oversee this provision has a seat on the Council. The Department should be identified as one of the stakeholders with responsibilities for services to children and family, and the Department's Executive Director should be given a seat on the Council.

Thank you for considering such an important adjustment to the Children and Youth Fund draft. Please direct any questions to Legislative Director Elizabeth Laferriere at (415) 252-2578.

rase work on this proported issue.

Sincerely

Emily Murase, PhD Executive Director

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cc: Angela Calvillo, Clerk of the Board

Youth Commission

City Hall ~ Room 345 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102~4532



(415) 554-6446 (415) 554-6140 FAX www.sfgov.org/youth_commission

YOUTH COMMISSION MEMORANDUM

TO:

Honorable Mayor Edwin M. Lee

Honorable Members, Board of Supervisors

CC:

Angela Calvillo, Clerk of the Board

Jason Elliott, Mayor's Office

Maria Su, Director, Department of Children, Youth, and Families

Michele Rutherford, Office of Early Care and Education Laurel Kloomok, Executive Director, First Five Commission

Hydra Mendoza, Education & Families Services Advisor, Mayor's Office

Legislative Aides, Board of Supervisors Alisa Miller, Clerk, Rules Committee

FROM:

Youth Commission

DATE:

May 9th, 2014

RE:

Referral response to BOS File No. 140441 Charter Amendment Introduced

Children and Youth Fund; Commission on Children, Youth, and Their

Families

At our regular meeting of Monday, May 5th, 2014 the Youth Commission voted unanimously to support the following motion:

To support BOS File No. 140441, Charter Amendment to amend the Charter, Section 16.108, adding a new Section 4.133, and repealing former Section 4.133, to: 1) renew and rename the Children's Fund and eliminate the Fund's expiration date; 2) increase the property tax set-aside for the Fund from three cents per \$100 of assessed valuation to five cents; 3) provide for services for at-at risk youth 18 to 24 years old; 4) revise and expand the planning process for expenditures from the Fund; 5) modify the advisory committee for the Fund; 6) create a Commission on Children, Youth and Their Families; and 7) repeal an obsolete section of the Charter.

During discussion on this item, the Youth Commission proposed and approved the following comment and recommendations regarding this item:

 We urge the Board of Supervisors to consider our recommendations for the Children's Fund adopted in our resolution 1314-04 Policies and Priorities for the Children's Fund" on April 7th, 2014. We would like to restate these policy recommendations: 1) allowing the use of the fund for transitional age youth (TAY) to be served by existing youth-serving community programs and for specific needs of disconnected TAY; 2) reserving 25% of seats on any body that is in charge of Children's Fund oversight for youth, with half of the total youth seats represented by youth under 18 years old and the other half represented by disconnected TAY. These seats should be appointed and supported by the SF Youth Commission: 3) proactively supporting and facilitating better coordination between the City, the San Francisco Unified School District (SFUSD), and community based organizations serving youth by increasing the sharing of cultural competency best practices, making available complementary spaces for youth programs to convene youth town halls and meetings, and considering other potential points of collaboration; 4) resourcing youth leadership groups to design and facilitate annual youth town halls to identify their unmet needs, and to evaluate the programs and services they receive as part of the Community Needs Assessment and evaluation plan: 5) increasing the fund allowing services to provide for and support the unmet needs of youth, including disconnected TAY population.

- We also identified the following unmet services that should be prioritized and expanded in the Children's Fund: 1) increase dedicated services, support, and employment opportunities for undocumented youth; 2) extend mentoring programs currently provided to juvenile detainees and probationers to transitional aged youth in the adult probation system; 3) increase support for 17 and 18 year olds transitioning between juvenile and adult systems, including support interviewing for eligibility for release and entry into diversion programs and community programs used as sentencing alternatives.
- We would also like to recommend including stipends for all members of the proposed Commission on Children, Youth, and their Families. The Youth Commission is unique among city commissions in not having stipends for commissioners and it has posed challenges in maintaining diversity of representation and posed barriers to involvement for several qualified young people.

Please inform us of forward movement on any details about this item.

If you have any questions about these recommendations or anything related to the Youth Commission, please don't hesitate to contact our office at (415) 554-6446 or your Youth Commissioner.

Chair, Nicholas Persky

2013-2014 San Francisco Youth Commission

Adopted Monday, May 5th, 2014

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO:

Ben Rosenfield, City Controller

FROM:

Alisa Miller, Clerk, Rules Committee

Board of Supervisors

DATE:

May 6, 2014

SUBJECT:

CHARTER AMENDMENT INTRODUCED

November 4, 2014 Election

The Board of Supervisors' Rules Committee has received the following Charter Amendment for the November 4, 2014 Election, introduced by Supervisor Avalos on April 29, 2014. This matter is being referred to you in accordance with Elections Code, Section 305(B)(2) and Rules of Order 2.22.3.

File No. 140441 Children and Youth Fund; Commission on Children, Youth, and Their Families

Charter Amendment (First Draft) to amend the Charter, Section 16.108, adding a new Section 4.133, and repealing former Section 4.133, to: 1) renew and rename the Children's Fund and eliminate the Fund's expiration date; 2) increase the property tax set-aside for the Fund from three cents per \$100 of assessed valuation to five cents; 3) provide for services for at-risk youth 18 to 24 years old; 4) revise and expand the planning process for expenditures from the Fund; 5) modify the advisory committee for the Fund; 6) create a Commission on Children, Youth and Their Families; and 7) repeal an obsolete section of the Charter.

Please review immediately and prepare a financial analysis of the proposed measure prior to the first Rules Committee hearing.

If you have any questions or concerns please call me at (415) 554-4447 or email: <u>alisa.miller@sfgov.org</u>. To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO:

Jason Elliott, Mayor's Office

Jon Givner, Office of the City Attorney

Naomi Kelly, City Administrator

John St. Croix, Executive Director, Ethics Commission

John Rahaim, Director, Planning Department

Sarah Jones, Environmental Review Officer, Planning Department Maria Su, Director, Department of Children, Youth and Their Families

Barbara Carlson, Director, Office of Early Care and Education Laurel Kloomok, Executive Director, First Five Commission

Phimy Truong, Director, Youth Commission

Bevan Dufty, Director, Housing Opportunity Partnerships and Engagement

Carla Johnson, Director, Mayor's Office on Disability

Adrienne Pon, Executive Director, Office of Civic Engagement &

Immigrant Affairs

Allen Nance, Chief Probation Officer, Juvenile Probation Department

Chief Greg Suhr, Police Department George Gascon, District Attorney Jeff Adachi, Public Defender

Phil Ginsburg, General Manager, Recreation and Park Department

Mark Morewitz, Secretary, Health Commission

Trent Rhorer, Executive Director, Health Services Agency

Emily Murase, Executive Director, Department on the Status of Women

Luis Herrera, City Librarian

Tom DeCaigny, Director of Cultural Affairs, Arts Commission

FROM:

Alisa Miller, Clerk, Rules Committee

Board of Supervisors

DATE:

May 6, 2014

SUBJECT:

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File No. 140441 Children and Youth Fund; Commission on Children, Youth, and Their Families

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Please review immediately and submit any reports or comments you wish to be included with the legislative file.

If you have any questions or concerns, please call me at (415) 554-4447 or email: alisa.miller@sfgov.org. To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Jeanie Poling, Planning Department
Christine Fountain, Police Department
John Monroe, Secretary, Police Commission
David Pfeifer, Office of the District Attorney
Sarah Ballard, Recreation and Park Department
Margaret McArthur, Secretary, Recreation and Park Commission
Louise Rainey, Secretary, Human Services Commission
Cynthia Vasquez, Secretary, Commission on the Status of Women
Sue Blackman, Secretary, Library Commission
Rebekah Krell, Deputy Director, Arts Commission
Sharon Paige Ritchie, Secretary, Arts Commission

Introduction Form

By a Member of the Board of Supervisors or the Mayor

I hereby submit the following item for introduction (select only one):	or meeting date			
☐ 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. Requestivey Budge \	and tinance			
4. Request for letter beginning "Supervisor	inquires"			
5. City Attorney request.				
6. Call File No. from Committee.				
7. Budget Analyst request (attach written motion).				
8. Substitute Legislation File No.				
9. Request for Closed Session (attach written motion).				
10. Board to Sit as A Committee of the Whole.				
11. Question(s) submitted for Mayoral Appearance before the BOS on				
Please check the appropriate boxes. The proposed legislation should be forwarded to the follow	ing:			
☐ Small Business Commission ☐ Youth Commission ☐ Ethics Comm	nission			
☐ Planning Commission ☐ Building Inspection Commission	on			
ote: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative				
ponsor(s):				
Supervisors Avalos, Breed, Campos, Cohen, Kim, Mar, Yee				
Subject:				
Charter Amendment - Children and Youth Fund; Commission on Children, Youth, and Their Fan	nilies			
The text is listed below or attached:				
Signature of Sponsoring Supervisor:				
For Clerk's Use Only:				

140441

Time stamp

Page 1 of 1