

BOARD of SUPERVISORS



City Hall
1 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: Kiely Hosmon, Director
Youth Commission

FROM: Angela Calvillo, Clerk of the Board

DATE: December 27, 2018

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following proposed legislation which is being referred to the Youth Commission as per Charter, Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 181210

Ordinance amending the Administrative Code to establish the Our City, Our Home Oversight Committee as an advisory committee to monitor the City's use of tax revenue received under the Homelessness Gross Receipts Tax established by Proposition C (November 2018), advise the Board of Supervisors and the Mayor regarding administration of the Our City, Our Home Fund, and recommend ways to reduce barriers that prevent people from exiting homelessness.

Please return this cover sheet with the Commission's response to **Victor Young, Assistant Clerk, Rules Committee.**

RESPONSE FROM YOUTH COMMISSION Date: _____

_____ **No Comment**

_____ **Recommendation Attached**

Chairperson, Youth Commission

1 [Administrative Code - Our City, Our Home Oversight Committee]

2
3 **Ordinance amending the Administrative Code to establish the Our City, Our Home**
4 **Oversight Committee as an advisory committee to monitor the City's use of tax**
5 **revenue received under the Homelessness Gross Receipts Tax established by**
6 **Proposition C (November 2018), advise the Board of Supervisors and the Mayor**
7 **regarding administration of the Our City, Our Home Fund, and recommend ways to**
8 **reduce barriers that prevent people from exiting homelessness.**

9 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
12 **Board amendment additions** are in double-underlined Arial font.
13 **Board amendment deletions** are in ~~strikethrough-Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

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

17 Section 1. Chapter 5 of the Administrative Code is hereby amended by adding Article
18 XLI, consisting of Sections 5.41-1 through 5.41-4, to read as follows:

19 **ARTICLE XLI: OUR CITY, OUR HOME OVERSIGHT COMMITTEE**

20 **SEC. 5.41-1. ESTABLISHMENT OF OUR CITY, OUR HOME OVERSIGHT**

21 **COMMITTEE.**

22 (a) In approving Proposition C in the November 6, 2018 general municipal election, the
23 voters of the City and County of San Francisco adopted the Homelessness Gross Receipts Tax
24 Ordinance, codified in Business and Tax Regulations Code Article 28. One section of that measure,
25 Business and Tax Regulations Code Section 2810, sets forth the required and permissible expenditures
of monies collected under the Homelessness Gross Receipts Tax Ordinance and deposited to the credit

1 of the Our City, Our Home Fund (the "Fund") established in Administrative Code Section 10.100-164.
2 Section 2810 envisions the establishment of the Our City, Our Home Oversight Committee to monitor
3 and provide advice regarding the administration of the Fund.

4 (b) Consistent with the intent of the voters in adopting Proposition C, the Board of
5 Supervisors hereby establishes the Our City, Our Home Oversight Committee (the "Committee").

6
7 **SEC. 5.41-2. PURPOSES AND DUTIES.**

8 The Committee shall have the following purposes and duties:

9 (a) All the purposes and duties as set forth in Business and Tax Regulations Code Section
10 2810(e)(1) and (2).

11 (b) Identify barriers to safe and successful exits out of homelessness, and propose to the
12 Board of Supervisors and the Mayor ways to reduce those barriers or the impact of those barriers.

13 (c) Solicit substantive input from people who are Homeless regarding spending priorities.
14 The Committee may seek this input through all appropriate means, including but not limited to
15 conducting surveys and focus groups, and coordinating with community organizations that conduct
16 outreach and/or provide services to Homeless people.

17 (d) Each needs assessment conducted in accordance with Business and Tax Regulations
18 Code Section 2810(e)(2)(B) shall be provided in the form of a written report within the time frames
19 there specified. The needs assessment specified in Section 2810(e)(2)(B) shall include an assessment of
20 the needs of Homeless people with disabilities, and the report shall include an assessment of available
21 data regarding the disability status of Homeless people served by the programs and expenditures
22 described in Business and Tax Regulations Code Section 2810(b)(3).

23 (e) In conjunction with each needs assessment report, at least 60 days before issuing the
24 report, the Committee shall provide a draft of the report to each City department discussed in the

1 report, and allow the department 30 days to provide a written response to the Committee. The
2 Committee shall include any such responses that it timely receives from departments in the report.

3 (f) For purposes of this Section 5.41-2, the term "Homeless" has the same meaning as in
4 Business and Tax Regulations Code Section 2810(h)(1).

5
6 **SEC. 5.41-3. MEMBERSHIP AND TERMS OF OFFICE.**

7 (a) The Committee shall have nine voting members, with qualifications and appointing
8 authorities as set forth in Business and Tax Regulations Code Section 2810(e)(3)(A) and (B). An
9 appointment to a seat on the Committee may not become effective before the effective date of this
10 Article XLI.

11 (b) The terms of each seat on the Committee shall commence on the effective date of this
12 Article XLI. Terms of seats shall be for two years, except that the initial terms for odd-numbered seats
13 shall be for three years.

14 (c) Service on the Committee shall be voluntary and members shall receive no
15 compensation from the City.

16 (d) Members may be removed by their appointing authorities at any time. Additionally, any
17 member who misses three regular meetings of the Committee within a six-month period without the
18 express approval of the Committee at or before each missed meeting shall be deemed to have resigned
19 from the Committee ten days after the third unapproved absence. The Committee shall inform the
20 member's appointing authority of any such resignation.

21
22 **SEC. 5.41-4. ORGANIZATION AND SUPPORT.**

23 (a) The Committee shall hold its inaugural meeting not more than 30 days after at least six
24 members have been appointed to the Committee. There shall be at least ten days' notice of the
25 inaugural meeting. Following the inaugural meeting, the Committee shall hold at least one additional

1 meeting before June 30, 2019. Thereafter, the Committee shall hold a regular meeting not less than six
2 times per fiscal year.

3 (b) The Committee shall elect a Chair and officers for such other positions, if any, it
4 chooses to create. The Committee may establish bylaws and rules for its organization and procedures.

5 (c) All City departments, commissions, boards, and agencies shall cooperate with the
6 Committee in the performance of its functions. At least one representative from each of the Department
7 of Homelessness and Supportive Housing, the Mayor's Office of Housing and Community
8 Development, the Office of the Controller, and the Department of Public Health shall attend all regular
9 meetings of the Committee to be available to provide policy support to the Committee.

10 (d) The Controller shall provide administrative and clerical support for the Committee.

11 (e) Notwithstanding Rule 2.21 of the Board of Supervisors Rules of Order, which provides
12 that advisory bodies created by the Board of Supervisors should sunset within three years, the
13 Committee shall not expire unless the Board enacts an ordinance terminating the Committee.

14
15 Section 2. Effective Date. This ordinance shall become effective 30 days after
16 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
17 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
18 of Supervisors overrides the Mayor's veto of the ordinance.

19
20 APPROVED AS TO FORM:
21 DENNIS J. HERRERA, City Attorney

22 By:

23 
24 JON GIVNER
25 Deputy City Attorney

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LEGISLATIVE DIGEST

[Administrative Code - Our City, Our Home Oversight Committee]

Ordinance amending the Administrative Code to establish the Our City, Our Home Oversight Committee as an advisory committee to monitor the City's use of tax revenue received under the Homelessness Gross Receipts Tax established by Proposition C (November 2018), advise the Board of Supervisors and the Mayor regarding administration of the Our City, Our Home Fund, and recommend ways to reduce barriers that prevent people from exiting homelessness.

Existing Law

At the November 6, 2018 general municipal election, the voters approved Proposition C, which imposed additional business taxes to create a dedicated fund (the Our City, Our Home Fund) to support services for homeless people and prevent homelessness. Proposition C anticipated the establishment of an advisory committee to make recommendations to the Mayor and the Board of Supervisors to ensure that the City uses the tax revenue in a manner consistent with the intent of the ballot measure.

Amendments to Current Law

The proposed ordinance would establish the Our City, Our Home Oversight Committee (the "Committee") to monitor the City's use of the Our City, Our Home Fund (the "Fund") and to advise the Board and the Mayor regarding the administration of the Fund. The Committee would have nine voting members: four appointed by the Board of Supervisors, four appointed by the Mayor subject to rejection by a 2/3 vote of the Board of Supervisors, and one appointed by the Controller. The term of office for each seat would be two years, but to ensure that the members' terms are staggered, the first term for five of the members would be three years.

The Committee would conduct a needs assessment every three years with respect to homelessness and homeless populations served by the Fund, and would make annual recommendations to the Board of Supervisors about appropriations from the Fund. The Committee would also promote transparency and cultural sensitivity in the City's implementation of Proposition C, solicit input from impacted communities, identify barriers to safe and successful exits out of homelessness, and propose ways to eliminate or reduce the impact of those barriers.

The Controller would provide administrative support for the Committee. The following City agencies would be required to have staff members attend the Committee's meetings: Department of Homelessness and Supportive Housing, the Mayor's Office of Housing and Community Development, the Office of the Controller, and the Department of Public Health.