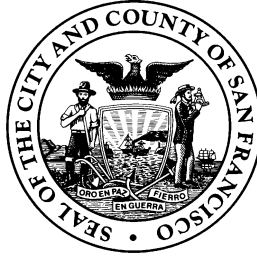


BOARD of SUPERVISORS



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Dr. Carlton B. Goodlett Place, Room 244
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MEMORANDUM

TO: Sophia Kittler, Liaison to the Board of Supervisors, Mayor's Office
Jon Givner, Deputy City Attorney, Office of the City Attorney
John Arntz, Director, Department of Elections
LeeAnn Pelham, Executive Director, Ethics Commission
Naomi Kelly, City Administrator, Office of the City Administrator
Jeff Kositsky, Director, Department of Homelessness and Supportive Housing

FROM: Victor Young, Assistant Clerk, Rules Committee *Victor Young*
Board of Supervisors

DATE: May 28, 2019

SUBJECT: CHARTER AMENDMENT INTRODUCED
November 5, 2019 Election

The Board of Supervisors' Rules Committee has received the following Charter Amendment for the November 5, 2019, Election. This matter is being referred to you in accordance with Rules of Order 2.22.4.

File No. 190569

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to create the Homelessness Oversight Commission to oversee the Department of Homelessness and Supportive Housing; to require the Commission to review and approve, disapprove, or modify: criteria to be used to ascertain eligibility or priority for programs and/or services operated or provided by the Department; the opening or closing of homeless shelters, navigation centers, or other facilities that provide shelter to unsheltered persons; and contracts and grant agreements with an annual value exceeding \$200,000; and to authorize the Commission to conduct public education and outreach concerning programs and services for homeless persons in San Francisco, and issues concerning homelessness; at an election to be held on November 5, 2019.

Please review 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) 554-7723 or email: victor.young@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: Andres Power, Mayor's Office
 Rebecca Peacock, Mayor's Office
 Patrick Ford, Ethics Commission
 Lynn Khaw, Office of the City Administrator
 Lihmeei Leu, Office of the City Administrator
 Dylan Scheider, Homelessness and Supportive Housing
 Abigail Stewart-Kahn, Homelessness and Supportive Housing

1 [Charter Amendment - Homelessness Oversight Commission]

2

3 **Describing and setting forth a proposal to the voters at an election to be held on November**

4 **5, 2019, to amend the Charter of the City and County of San Francisco to create the**

5 **Homelessness Oversight Commission to oversee the Department of Homelessness and**

6 **Supportive Housing; to require the Commission to review and approve, disapprove, or**

7 **modify: criteria to be used to ascertain eligibility or priority for programs and/or services**

8 **operated or provided by the Department; the opening or closing of homeless shelters,**

9 **navigation centers, or other facilities that provide shelter to unsheltered persons; and**

10 **contracts and grant agreements with an annual value exceeding \$200,000; and to authorize**

11 **the Commission to conduct public education and outreach concerning programs and**

12 **services for homeless persons in San Francisco, and issues concerning homelessness.**

13

14 NOTE: **Unchanged Charter text and uncodified text** are in plain font.

15 **Additions** are *single-underline italics Times New Roman font*.

16 **Deletions** are *strike-through italics Times New Roman font*.

17 **Asterisks (* * * *)** indicate the omission of unchanged Charter subsections.

18 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City

19 and County, at an election to be held on November 5, 2019, a proposal to amend the Charter of

20 the City and County by adding Section 4.133, to read as follows:

21

22 **SEC. 4.133. HOMELESSNESS OVERSIGHT COMMISSION.**

23 *(a) There shall be a Homelessness Oversight Commission ("Commission") to*

24 *oversee the Department of Homelessness and Supportive Housing ("Department"). The*

25 *Department shall, to the extent prescribed by ordinance, manage and direct housing programs.*

1 and services for persons experiencing homelessness in the City, including, but not limited to,
2 street outreach, homeless shelters, transitional housing, and permanent supportive housing.

3 (b) The Commission shall consist of seven members, appointed as follows:

4 (1) Seats 1, 2, and 3, shall be appointed by the Mayor subject to confirmation
5 by the Board of Supervisors. Each nomination shall be the subject of a public hearing and vote
6 within 60 days. If the Board of Supervisors fails to act on a nomination within 60 days of the
7 date the nomination is transmitted to the Clerk of the Board of Supervisors, the nominee shall be
8 deemed confirmed. Seat 1 shall be held by a person who has personally experienced
9 homelessness. Seat 2 shall be held by a person with significant experience providing services to
10 or engaging in advocacy on behalf of persons experiencing homelessness. Seat 3 shall be held
11 by a person with expertise in mental health service delivery or substance abuse treatment.

12 (2) Seats 4, 5, and 6 shall be appointed by the Board of Supervisors. Seat 4
13 shall be held by a person who has personally experienced homelessness. Seat 5 shall be held by
14 a person with significant experience providing services to or engaging in advocacy on behalf of
15 persons experiencing homelessness. Seat 6 shall be held by a person with significant experience
16 in financial management and oversight, accounting, or auditing.

17 (3) Seat 7 may be appointed by the San Francisco Unified School District's
18 Board of Education, subject to confirmation by the Board of Supervisors, and held by a person
19 with significant experience working with homeless families with children and/or homeless youth.
20 Each nomination shall be the subject of a public hearing and vote within 60 days. If the Board
21 of Supervisors fails to act on a nomination within 60 days of the date the nomination is
22 transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed confirmed. If
23 the Board of Education fails to make an initial appointment by March 1, 2020, or to fill a
24 vacancy within 60 days, the Board of Supervisors shall fill the seat by appointing a person
25 meeting the qualifications for Seat 7.

1 (4) Section 4.101 shall apply to these appointments, with a particular
2 emphasis on diversity in ethnicity, race, age, sexual orientation, and types of disabilities.

3 (c) Commission members shall serve at the pleasure of their respective appointing
4 authorities. Vacancies shall be filled by the respective appointing authorities as prescribed in
5 subsections (b)(1), (2), and (3).

6 (d) Commissioners shall serve four-year terms, beginning at noon on March 1, 2020;
7 provided, however, the term of the initial appointees in Seats 1, 4, and 6 shall be a two-year
8 term, expiring at noon on March 1, 2022.

9 (e) The Commission shall have the following powers and duties.

10 (1) With respect to the Department, the Commission shall exercise all of the
11 powers and duties of boards and commissions as set forth in Sections 4.102, 4.103, and 4.104,
12 including but not limited to, approving applicable departmental budgets and formulating goals
13 consistent with the overall objectives of the City and County.

14 (2) The Commission shall review and approve, disapprove, or modify:

15 (A) All criteria determined by the Director of the Department
16 ("Director") to be used to ascertain eligibility or priority for programs and/or services operated
17 or provided by the Department, except criteria that are established by federal, state, or City law
18 or as a condition of the receipt of funding;

19 (B) All determinations by the Director to open or close homeless
20 shelters, navigation centers, or other facilities that provide shelter to unsheltered persons, except
21 shelters provided in response to a public emergency;


22 (C) All contracts and grant agreements entered into by the Department
23 with an annual value exceeding \$200,000.

1 The Commission's powers and duties prescribed in this subsection (e)(2) shall not
2 override or be in derogation of the powers of the Board of Supervisors and Mayor as set forth in
3 other provisions of this Charter.

4 (3) The Commission may conduct public education and outreach concerning
5 programs and services for homeless persons in San Francisco, and issues concerning
6 homelessness.

7 (f) The Mayor and the Board of Supervisors shall make their initial appointments to
8 Seats 1-6, respectively, on the Commission by no later than noon, March 1, 2020, and the
9 Commission shall come into existence upon the appointment and confirmation, where required,
10 of four members. The Commission shall have its inaugural meeting within 30 days of its
11 establishment. The inaugural meeting shall be announced on the Department's website at least
12 ten days in advance of the inaugural meeting.

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

17 By: 
18 ANNE PEARSON
19 Deputy City Attorney

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