File No	190569	Committee Item No	3
		Board Item No.	

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

AGENDA PACKET CONTENTS LIST					
Committee:	Rules Committee	Date _ July 8, 2019			
Board of Su	pervisors Meeting	Date			
Cmte Boar	Motion Resolution Ordinance Legislative Digest Budget and Legislative Analyst Report Introduction Form Department/Agency Cover Letter and Memorandum of Understanding (MO) Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 - Ethics Commission Award Letter Application Form 700 Vacancy Notice	l/or Report			
	Information Sheet Public Correspondence				
OTHER X	(Use back side if additional space is Charter Amendment	needed)			
Completed Completed	· · · · · · · · · · · · · · · · · · ·	Date July 3, 2019 Date			

[Charter Amendment - Homelessness Oversight Commission]

. 7

Describing and setting forth a proposal to the voters at an election to be held on November 5, 2019, 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.

NOTE:

Unchanged Charter text and uncodified text are in plain font.

Additions are <u>single-underline italics Times New Roman font</u>.

Deletions are <u>strike-through italics Times New Roman font</u>.

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

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 5, 2019, a proposal to amend the Charter of the City and County by adding Section 4.133, to read as follows:

SEC. 4.133. HOMELESSNESS OVERSIGHT COMMISSION.

(a) There shall be a Homelessness Oversight Commission ("Commission") to oversee the Department of Homelessness and Supportive Housing ("Department"). The Department shall, to the extent prescribed by ordinance, manage and direct housing, programs,

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

- (b) The Commission shall consist of seven members, appointed as follows:
- (1) Seats 1, 2, and 3, shall be appointed by the Mayor subject to confirmation by the Board of Supervisors. Each nomination shall be the subject of a public hearing and vote within 60 days. If the Board of Supervisors fails to act on a nomination within 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed confirmed. Seat 1 shall be held by a person who has personally experienced homelessness. Seat 2 shall be held by a person with significant experience providing services to or engaging in advocacy on behalf of persons experiencing homelessness. Seat 3 shall be held by a person with expertise in mental health service delivery or substance abuse treatment.
- (2) Seats 4, 5, and 6 shall be appointed by the Board of Supervisors. Seat 4 shall be held by a person who has personally experienced homelessness. Seat 5 shall be held by a person with significant experience providing services to or engaging in advocacy on behalf of persons experiencing homelessness. Seat 6 shall be held by a person with significant experience in financial management and oversight, accounting, or auditing.
- Board of Education, subject to confirmation by the Board of Supervisors, and held by a person with significant experience working with homeless families with children and/or homeless youth. Each nomination shall be the subject of a public hearing and vote within 60 days. If the Board of Supervisors fails to act on a nomination within 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed confirmed. If the Board of Education fails to make an initial appointment by March 1, 2020, or to fill a vacancy within 60 days, the Board of Supervisors shall fill the seat by appointing a person meeting the qualifications for Seat 7.

	(4)	Section 4.1	01 shall.ap	pply to these	appointments	, with a particular
emphasis o	n diversity	in ethnicity,	racę, age,	sexual orie	ntation, and t	ypes of disabilities.

- (c) Commission members shall serve at the pleasure of their respective appointing authorities. Vacancies shall be filled by the respective appointing authorities as prescribed in subsections (b)(1), (2), and (3).
- (d) Commissioners shall serve four-year terms, beginning at noon on March 1, 2020; provided, however, the term of the initial appointees in Seats 1, 4, and 6 shall be a two-year term, expiring at noon on March 1, 2022.
 - (e) The Commission shall have the following powers and duties.
- (1) With respect to the Department, the Commission shall exercise all of the powers and duties of boards and commissions as set forth in Sections 4.102, 4.103, and 4.104, including but not limited to, approving applicable departmental budgets and formulating goals consistent with the overall objectives of the City and County.
 - (2) The Commission shall review and approve, disapprove, or modify:
- (A) All criteria determined by the Director of the Department

 ("Director") to be used to ascertain eligibility or priority for programs and/or services operated

 or provided by the Department, except criteria that are established by federal, state, or City law

 or as a condition of the receipt of funding;
- (B) All determinations by the Director to open or close homeless shelters, navigation centers, or other facilities that provide shelter to unsheltered persons, except shelters provided in response to a public emergency;
- (C) All contracts and grant agreements entered into by the Department with an annual value exceeding \$200,000.

1.

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

- (3) The Commission may conduct public education and outreach concerning programs and services for homeless persons in San Francisco, and issues concerning homelessness.
- (f) The Mayor and the Board of Supervisors shall make their initial appointments to Seats 1-6, respectively, on the Commission by no later than noon, March 1, 2020, and the Commission shall come into existence upon the appointment and confirmation, where required, of four members. The Commission shall have its inaugural meeting within 30 days of its establishment. The inaugural meeting shall be announced on the Department's website at least ten days in advance of the inaugural meeting.

APPROVED AS TO FORM:

DENNIS J. HERRERA, City Attorney

ANNE PEARSON
Deputy City Attorney

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LEGISLATIVE DIGEST

[Charter Amendment - Homelessness Oversight Commission]

Describing and setting forth a proposal to the voters at an election to be held on November 5, 2019, 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.

Existing Law

The Department of Homelessness and Supportive Housing ("HSH") was established in 2016. Under the supervision and direction of the department's Director, HSH is charged with managing and directing all housing, programs, and services for homeless persons in the City including, but not limited to, street outreach, homeless shelters, transitional housing, and permanent supportive housing, as well as certain designated functions set forth in Chapter 20 of the municipal code. The Mayor appoints and may remove the head of HSH. HSH is not subject to direct oversight by a City Commission.

Chapter XXXI of the Administrative Code establishes the Local Homeless Coordinating Board ("LHCB"), which serves as the governing body of the Continuum of Care and advises HSH on homeless policy and budget allocations. With respect to HSH, the LHCB is a purely advisory body, and its advice is not binding on the department.

Amendments to Current Law

The proposed Charter amendment would create the Homeless Oversight Commission. The Commission would have seven members, three appointed by the Mayor, three appointed by the Board of Supervisors, and one appointed by the San Francisco Unified School District's Board of Education. The Mayor's nominees and the Board of Education's nominee would be subject to approval by the Board of Supervisors within 60 days of appointment. If the Board of Education fails to make an appointment, the seventh seat would be appointed by the Board of Supervisors.

One of the Mayor's appointees and one of the Board of Supervisors' appointees would be required to be a person who has personally experienced homelessness. One of the Mayor's

BOARD OF SUPERVISORS Page 1

appointees and one of the Board of Supervisors' appointees would be required to be a person with significant experience providing services to or engaging in advocacy on behalf of persons experiencing homelessness. One of the Mayor's appointees would be required to be a person with expertise in mental health service delivery or substance abuse treatment. One of the Board of Supervisors' appointees would be required to be a person with significant experience in financial management and oversight, accounting, or auditing. And the Board of Education's appointee would be required to be a person with significant experience working with homeless families with children and/or homeless youth.

The appointing authorities would be required to make their initial appointments by March 1, 2020 and the Commission would come into effect once four members are appointed. Commissioners would serve four-year terms (except for three commissioners serving initial two-year terms).

The Commission would oversee HSH, and would have all of the powers and duties of commissions set forth in the Charter, including but not limited to formulating, evaluating, and approving goals, objectives, plans and programs, and setting policies consistent with the overall objectives of the City, approving applicable departmental budgets, nominating to the Mayor candidates for department head, removing a department head, and conducting investigations into any aspect of governmental operations within its jurisdiction.

In addition, the Commission would be required to review, and approve, disapprove, or modify: 1) criteria to be used to ascertain eligibility or priority for programs and or services operated or provided by HSH, except criteria established by law or imposed as a condition of funding; 2) determinations by the Director to open or close homeless shelters, navigation centers, or other facilities that provide shelter to unsheltered persons; and 3) contracts and grant agreements entered into by the Department with an annual value exceeding \$200,000.

The Commission also would be authorized to conduct public education and outreach concerning programs and services for homeless persons in San Francisco, and issues concerning homelessness.

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OFFICE OF THE CONTROLLER

CITY AND COUNTY OF SAN FRANCISCO

Ben Rosenfield Controller Todd Rydstrom Deputy Controller

Ms. Angela Calvillo Clerk of the Board of Supervisors 1 Dr. Carlton B. Goodlett Place Room 244 San Francisco, CA 94102-4689 June 28, 2019

RE:

File 190569 – Charter amendment creating the Homelessness Oversight Commission

Dear Ms. Calvillo,

Should the proposed Charter amendment be approved by the voters, in my opinion, it would have a minimal impact on the cost of government.

The proposed Charter amendment would create the Homelessness Oversight Commission to oversee the Department of Homelessness and Supportive Housing (HSH). The Commission would consist of seven appointed members, three appointed by the Mayor, three appointed by the Board of Supervisors, and one appointed by the San Francisco Unified School District's Board of Education.

The Commission's duties would include reviewing and approving HSH's budget, program eligibility criteria, shelter openings and closings, and contracts and grants exceeding \$200,000 annually. The Commission may conduct public education and outreach of homelessness programs and issues. Annual salary and operating costs for the Commission would be approximately \$250,000.

Sincerely,

Ben Rosenfield

Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.



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

May 28, 2019

File No. 190569

Lisa Gibson Environmental Review Officer Planning Department 1650 Mission Street. Suite 400 San Francisco, CA 94103

Dear Ms. Gibson:

On May 21, 2019, the following proposed Charter Amendment for the November 5, 2019, Election was received by the Board of Supervisors' Rules Committee:

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.

This legislation is being transmitted to you for environmental review.

Joy Navarrete, Environmental Planning

Laura Lynch, Environmental Planning

Angela Calvillo, Clerk of the Board

Victor Yours

By: Victor Young, Assistant Clerk Rules Committee

Attachment

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)

(2) because it would not result in a

Devyani Jain, Deputy Environmental Review Officer direct or indirect change in the environment.

joy navarre



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 by

Vito Honey

DATE:

May 28, 2019

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

RESPONSE FROM YOUTH COMMISSION	Date: June 5, 2019
RESPONSE PROMITOUTH COMMISSION	Date.
No Comment	
X Recommendation Attached	
	Chairperson, Youth Commission

1819-RBM-15

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:

Victor Young, Clerk, Rules Committee

FROM:

Youth Commission

DATE:

Wednesday, June 5, 2019

RE:

Referral response to BOS File No. 190569 - [Charter Amendment -

Homelessness Oversight Commission]

At our **Monday, June 3, 2019, meeting**, the Youth Commission voted unanimously to support the following motion:

To support BOS File No. 190569 – [Charter Amendment - Homelessness Oversight Commission]

Comments/Recommendations:

1) The Youth Commission voted to recommend adding in a youth and/or transitional aged youth seat to the Homelessness Oversight Commission

Youth Commissioners thank the Board of Supervisors for their attention to this issue. If you have any questions, please contact our office at (415) 554-6446, or your Youth Commissioner.

Bahlam Vigil, Chair Adopted on June 3, 2019 2018-2019 San Francisco Youth Commission



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:

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

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



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
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Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO:

Kiely Hosmon, Director Youth Commission

FROM:

Angela Calvillo, Clerk of the Board by

Visto House

DATE:

May 28, 2019

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



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

May 28, 2019

File No. 190569

Lisa Gibson Environmental Review Officer Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Ms. Gibson:

On May 21, 2019, the following proposed Charter Amendment for the November 5, 2019, Election was received by the Board of Supervisors' Rules Committee:

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.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Victor Young, Assistant Clerk Rules Committee

Attachment

c: Devyani Jain, Deputy Environmental Review Officer Joy Navarrete, Environmental Planning Laura Lynch, Environmental Planning



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, Office of the Controller

FROM:

Victor Young, Assistant Clerk, Rules Committee

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 2.22.3.

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 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) 554-7723 or email: victor.young@sfgov.org. To submit documentation, please email or forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Todd Rydstrom, Deputy City Controller Peg Stevenson, City Performance Director Natasha Mihal, City Services Auditor Print Form

For Clerk's Use Only

Introduction Form

By a Member of the Board of Supervisors or Mayor

or meeting date I hereby submit the following item for introduction (select only one): 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. 4. Request for letter beginning: "Supervisor inquiries" 5. City Attorney Request. 6. Call File No. from Committee. 7. Budget Analyst request (attached written motion). 8. Substitute Legislation File No. 9. Reactivate File No. 10. Topic submitted for Mayoral Appearance before the BOS on Please check the appropriate boxes. The proposed legislation should be forwarded to the following: Small Business Commission ☐ Youth Commission Ethics Commission Building Inspection Commission Planning Commission Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form. Sponsor(s): Haney; Walton, Peskin, Ronen Subject: Charter Amendment - Homelessness Oversight Commission The text is listed: Describing and setting forth a proposal to the voters at an election to be held on November 5, 2019, 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. Signature of Sponsoring Supervisor:

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