File No.	190730	Committee Item No.	5	
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	COMMITTEE/BOA	RD OF SUPERVIS	ORS	•
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Committee:	Rules Committee	Date_	July 8, 201	
Board of Sup	pervisors Meeting	Date _	7/16	12019
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	Motion Resolution Ordinance Legislative Digest Budget and Legislative Analyst Repo Youth Commission Report Introduction Form Department/Agency Cover Letter and Memorandum of Understanding (MOI Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 - Ethics Commission Award Letter Application Form 700 Vacancy Notice Information Sheet Public Correspondence	/or Rej	oort	
OTHER	(Use back side if additional space is	neede	d)	
Completed I		_ Date Date	July 3, 20	_

## AMENDED IN COMMITTEE 7/8/19 ORDINANCE NO

FILE NO. 190730

1	
1	[Administrative Code - City College Financial Assistance Fund and Oversight Committee]
2	
3	Ordinance amending the Administrative Code to modify the San Francisco City College
4	Financial Assistance Fund from which the City provides funding to the San Francisco
5	Community College District, and to modify the membership of the Oversight Committee
6	that makes recommendations regarding the uses of those funds.
7 8	NOTE: Unchanged Code text and uncodified text are in plain Arial font.  Additions to Codes are in <u>single-underline italics Times New Roman font</u> .
9	Deletions to Codes are in strikethrough italics Times New Roman font. Board amendment additions are in double-underlined Arial font. Board amendment deletions are in strikethrough Arial font. Asterisks (* * * *) indicate the omission of unchanged Code
0	subsections or parts of tables.
11	
12	Be it ordained by the People of the City and County of San Francisco:
[3	
14	Section 1. Chapter 10, Article XIII of the Administrative Code is hereby amended by
15	revising Section 10.100-288, to read as follows:
16	
17	SEC. 10.100-288. SAN FRANCISCO CITY COLLEGE FINANCIAL ASSISTANCE
18	FUND.
19	(a) Establishment of Fund. The San Francisco City College Financial Assistance
20	Fund ("the Fund") is hereby established as a category four fund, except as provided in subsection
21	(d), to provide financial assistance to the students at City College of San Francisco ("City
22	College") to support students at City College, as further specified in subsection (c).
23	(b) Sources of Funds. The Fund may receive any legally available monies
24	appropriated for this purpose. It is the intent of the Board of Supervisors to appropriate monies
25	annually to the Fund, consistent with the terms of the Memorandum of Understanding between the City

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and City College authorized by resolution in Board File No. , as it may be amended by the City and City College from time to time (the "Free City College MOU").

- (c) Use of Funds. The Department of Children, Youth, and Their Families ("the Department") shall use monies in the Fund as set forth in the Free City College MOU to make grants to reimburse City College for enrollment fees and other education-related financial support for students who are enrolled in credit courses at City College, and maintain their legal residence or domicile in San Francisco, and for City College's related costs. and are residents of California for tuition purposes or qualify for a non-resident exemption ("Eligible Students"). As a condition of accepting the monies, City College shall agree to use the grants to: (1) waive enrollment fees for Eligible Students, less any state or federal financial aid the student is currently receiving for his or her education; or (2) for Eligible Students who are receiving other financial aid covering their enrollment fees, for other education related financial support, including but not limited to monies for the purchase of required books and supplies, lab fees, and activity fees, as specified in the grant agreement. For the 2017-18 and 2018-19 academic years, Eligible Students shall not receive benefits exceeding their enrollment fees, or if they receive other financial aid covering their enrollment fees, Eligible Students shall not receive education-related financial support worth more than \$500 per academic year for full-time Eligible Students and \$200 per academic year for part-time Eligible Students. Subject to appropriations made by the Board of Supervisors and the Mayor, tThe Department may use monies in the Fund to provide additional education related support to Eligible Students in future academic years. City College may use up to \$500,000 to pay the costs of implementation and administration of the program, including but not limited to altering City College's online enrollment program and hiring financial aid counselors to provide information and support to Eligible Students.
- (d) Reserve. Within the Fund, the Controller shall maintain a segregated reserve fund (the "Reserve"). In Fiscal Years 2019-20, 2020-21, 2021-22, and 2022-23, any monies appropriated to the

Fund in the fiscal year that remain unspent at the end of the fiscal year shall be placed in the Reserve.
In Fiscal Years 2023-24, 2024-25, 2025-26, 2026-27, 2027-28, and 2028-29, 50% of any monies
appropriated to the Fund in the fiscal year that remain unspent at the end of the fiscal year shall be
placed in the Reserve. Monies in the Reserve may be used for the purposes set forth in subsection (c).

(de) Administration and Oversight of Fund. The Department shall administer the Fund consistent with the Free City College MOU. The Free City College Oversight Committee established in Article II of Chapter 5 of the Administrative Code shall provide advice to the Department regarding the implementation of the Free City College MOU and disbursements from the Fund.

As required by the Free City College MOU, and to the extent consistent with the civil service provisions of the Charter, the Controller shall select an independent auditor to audit City College's use of monies disbursed from the Fund and shall prepare an audit report each fiscal year. The Controller shall deliver each annual audit report to the Board of Supervisors, the Mayor, and the Oversight Committee.

- (f) Transfer of Previously Appropriated Monies. The Controller is authorized to transfer into the Fund any appropriations approved prior to the effective date of the ordinance in Board File No. for the purposes established in this Section 10.100-288, including monies appropriated for the City College Reserve.
- (1) The Department and City College shall develop and execute an agreement governing the grants and the process for applying for, calculating, awarding, and disbursing payments to individual students.
- (2) (A) Any grant agreement between the Department and City College shall provide, as a condition of the grant, for the creation of an Oversight Committee to review City College's implementation of the grant agreement and to prepare an annual public report to the Mayor, the Board of Supervisors, and the Department, as well as to City College, concerning the implementation of the

express approval of the Oversight Committee at or before each missed meeting shall be deemed to have resigned from the Oversight Committee ten days after the third unapproved absence. The Oversight Committee shall inform the appointing authority of the resignation, and the Oversight Committee shall also inform the Clerk of the Board of Supervisors.

- (C) The Oversight Committee shall meet at least once every three months and shall comply with the public meeting provisions of the Brown Act and the Sunshine Ordinance.
- (D) Unless the Board of Supervisors by ordinance extends the term of the Oversight Committee, the Oversight Committee shall terminate on December 31, 2019.
- (3) Notwithstanding the provisions of subsections (c) and (d), it shall be the policy of the Board of Supervisors to appropriate sufficient funds to the Fund to maintain a reserve of up to 100% of the estimated annual funding needs.
- (4) This subsection 10.100-288(d) shall become not become operative until the City appropriates monies to the Fund. The subsection shall become operative upon the effective date of a duly enacted ordinance appropriating monies to the Fund or resolution approving acceptance and expenditure of a gift to the Fund.

Section 2. Chapter 5 of the Administrative Code is hereby amended by adding Article II, consisting of Sections 5.2-1 through 5.2-6, to read as follows:

#### ARTICLE II: FREE CITY COLLEGE OVERSIGHT COMMITTEE

#### SEC. 5.2-1. CREATION OF FREE CITY COLLEGE OVERSIGHT COMMITTEE.

The Board of Supervisors hereby establishes the Free City College Oversight Committee ("Oversight Committee").

#### SEC. 5.2-2. MEMBERSHIP.

The Oversight Committee shall consist of 13 15 voting members and one non-voting member.

- (a) Seat 1 shall be held by the Mayor or the Mayor's designee.
- (b) Seat 2 shall be held by the president of the City College Board of Trustees or the president's designee.
  - (c) Seat 3 shall be held by a student at City College, appointed by the Mayor.
- (d) Seat 4 shall be held by a student at City College, appointed by the Board of Supervisors.
- (e) Seat 5 shall be held by a student at City College, appointed by the City College Associated Students.
- (ef) Seat 56 shall be held by a member of the Board of Supervisors, appointed by the Board of Supervisors or that member's designee.
- (fg) Seat 67 shall be held by an employee or officer of the San Francisco Unified School District, appointed by the Board of Education of the San Francisco Unified School District.
  - (gh) Seat 7-8 shall be held by the Controller or the Controller's designee.
- (hi) Seat 89 shall be held by an employee of the Department of Children, Youth and Their Families, appointed by the director of the Department.
- (ij) Seat 9 10 shall be held by a City College employee who is involved in the administration of the Free City College program, appointed by the City College Board of Trustees.
- (jk) Seat 1011 shall be held by a City College faculty member, appointed by the president of the City College Board of Trustees City College Academic Senate.
- (kl) Seat 1112 shall be held by a classified staff member of City College, appointed by the president of the City College Board of Trustees labor organization that represents the largest number of classified City College employees.

	<u>(4m)</u>	<u>Seat 4213</u>	shall be	held by	a member	of the	public,	appointea	l by the	<u>Mayor.</u>
	<u>(mn)</u>	<u>Seat 43 14</u>	shall be	held by	a member	of the	public,	appointed	l by the	Board of
Supervisors.										•

(no) Seat 14<u>15 shall be a non-voting seat held by the student trustee member of the City College Board of Trustees.</u>

If, at any point, the City College Board of Trustees, City College Associated Students, City College Academic Senate, the labor organization that represents the largest number of classified City College employees, the President of the City College Board of Trustees, or the Board of Education of the San Francisco Unified School District declines to appoint a member to a seat for which it has appointing authority and leaves that seat vacant for more than 90 days, the Board of Supervisors may appoint a member of the public to fill the seat until the appointing authority appoints a person to the seat.

#### SEC. 5.2-3. ORGANIZATION AND TERMS OF OFFICE.

- (a) Each member of the Oversight Committee shall serve at the pleasure of the member's appointing authority, and shall serve for the life of the Oversight Committee unless removed by the appointing authority.
- (b) Members of the Oversight Committee shall receive no compensation from the City, except that City employees serving in seats 1, 65, 78, and 89 may receive their regular salaries for time spent on the Oversight Committee because they are serving in an official capacity.
- (c) Any member who misses three regular meetings of the Oversight Committee in a six nine-month period without the express approval of the Oversight Committee at or before each missed meeting shall be deemed by operation of law to have resigned from the Oversight Committee ten days after the third unapproved absence. The Oversight Committee shall inform the Clerk of the Board of

Supervisors, the Clerk of the Board of Trustees, and the member's appointing authority of the resignation. This subsection (c) shall not apply to Seats 1, 2, 5, 7, and 146, 8, and 15.

(d) The Department of Children, Youth and Their Families shall provide clerical and administrative support and staffing for the Oversight Committee.

#### SEC. 5.2-4. DUTIES AND RESPONSIBILITIES.

- (a) The Oversight Committee shall provide advice to the Board of Supervisors, the Mayor, the Department of Children, Youth and Their Families, all other relevant City departments, and City College regarding implementation of the Memorandum of Understanding between the City and City College authorized by resolution in Board File No. , as it may be amended by the City and City College from time to time (the "Free City College MOU"). The Oversight Committee's advice may include recommendations regarding the uses of funds disbursed under the Free City College MOU, and proposed changes in uses of the funds, and potential expansions of the Free City College program. In providing its advice and recommendations, the Oversight Committee shall consider the audit reports provided by the Controller under Section 10.100-288 of this Code, as well as reports that the Chancellor of City College or the Chancellor's designee has provided to the Oversight Committee under the Free City College MOU.
- (b) All City departments, commissions, boards, and agencies shall cooperate with the Oversight Committee in conducting its business.

## SEC. 5.2-5. MEETINGS AND PROCEDURES.

(a) The Oversight Committee shall hold a regular meeting not less than once every three months.

- (b) Seven voting members of the Oversight Committee shall constitute a quorum for the purpose of meeting, and the affirmative votes of at least seven members of the Oversight Committee are necessary to constitute approval of any non-parliamentary matter by the Oversight Committee.
- (c) The members in seats 1 and 2 shall be the co-chairs of the Oversight Committee. The Oversight Committee may establish rules for its own organization and procedures.

#### SEC. 5.2-6. SUNSET.

Notwithstanding Rule 2.21 of the Board of Supervisors Rules of Order, which provides that advisory bodies created by the Board should sunset within three years, this Article II shall expire by operation of law, and the Oversight Committee shall terminate, on June 30, 2029. After the expiration of the Oversight Committee, the City Attorney shall cause this Article to be removed from the Administrative Code.

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

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

Ву:

JON GIVNER Deputy City Attorney

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## <u>LEGISLATIVE DIGEST</u> (Revised 7/8/19)

[Administrative Code - City College Financial Assistance Fund and Oversight Committee]

Ordinance amending the Administrative Code to modify the San Francisco City College Financial Assistance Fund from which the City provides funding to the San Francisco Community College District, and to modify the membership of the Oversight Committee that makes recommendations regarding the uses of those funds.

#### **Existing Law**

The San Francisco City College Financial Assistance Fund is a fund into which the City may appropriate funds to provide financial assistance for students attending the City College of San Francisco ("City College"). In 2016, the City and City College executed an agreement to provide City funding for City College students and to govern the disbursement of such funds. Under the terms of that agreement, the City also created an Oversight Committee to review and report on the implementation of the agreement between the City and City College. The Oversight Committee has 11 members appointed by the City College Board of Trustees, the City College Academic Senate, the City College Associated Students Executive Council, the Board of Supervisors, the Mayor, the Controller, and the Board of Education for the San Francisco Unified School District.

In 2019, the City and City College negotiated a new agreement to provide City funding for City College students. The terms of the new agreement are subject to approval of the Board of Supervisors by resolution.

#### Amendments to Current Law

The proposed ordinance would modify the San Francisco City College Financial Assistance Fund to ensure that money in the Fund is used in a manner consistent with the terms of the 2019 agreement between the City and City College. The proposed ordinance would also reconstitute the Oversight Committee as a 15-member body with members appointed by the City College Board of Trustees, the President of the Board of Trustees, the Board of Supervisors, the Mayor, the Controller, the Director of the Department of Children, Youth, and Their Families, the Board of Education for the San Francisco Unified School District, City College Associated Students, the City College Academic Senate, and the labor organization that represents the largest number of classified City College employees.

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#### BOARD of SUPERVISORS



City Hall 1 Dr. Carlton B. Goodlett Place Room 244 San Francisco, CA 94102-4689 Tel. No. 554-5184 Fax No. 554-5163 TDD/TTY No. 544-5227

## **MEMORANDUM**

Date:

July 3, 2019

To:

The Honorable Members, Board of Supervisors

From:

, Angela Calvillo, Clerk of the Board

Subject:

 $^\prime$ Administrative Code – City College Financial Assistance Fund – Free City

Collee Oversight Committee (File No. 190730)

Board of Supervisors Rules of Order 2.21 establishes certain criteria that must be included in legislation creating and establishing, or reauthorizing, new bodies (boards/commissions/task forces/advisory bodies) and requires the Clerk of the Board to advise the Board on certain matters. In order to fulfill these requirements, the following is provided:

File No. 190730

Administrative Code – City College Financial Assistance Fund – Free City College Oversight Committee

Does a current body address the same or similar subject matter?

The Free City College Oversight Committee replaces the City College Financial Assistance Fund Oversight Committee. No other body provides oversight for the established fund.

Language requiring the body to meet at least once every four months

Section 5.2-5 states, on page 8, lines 8-9, "The Oversight Committee shall hold a regular meeting not less than once every three months."

Language indicating members serve at the pleasure of the appointing authority

Section 5.2-3(a) states, on page 7, lines 3-5, "Each member of the Oversight Committee shall serve at the pleasure of the member's appointing authority, and shall serve for the life of the Oversight Committee unless removed by the appointing authority. '

#### Language establishing attendance requirements

Section 5.2-3(c) states, on page 7, lines 9-12, "Any member who misses three regular meetings of the Oversight Committee in a six-month period without the express approval of the Oversight Committee at or before each missed meeting shall be deemed by operation of law to have resigned from the Oversight Committee ten days after the third unapproved absence."

#### Number of seats and qualifications

There are a total of 13 voting seats and 1 non-voting seat:

- Seat I shall be held by the Mayor or the Mayor's designee.
- Seat 2 shall be held by the president of the City College Board of Trustees or the president's designee.
- Seat 3 shall be held by a student at City College, appointed by the Mayor.
- Seat 4 shall be held by a student at City College, appointed by the Board of Supervisors.
- Seat 5 shall be held by a member of the Board of Supervisors, appointed by the Board of Supervisors or that member's designee.
- Seat 6 shall be held by an employee or officer of the San Francisco Unified School District, appointed by the Board of Education of the San Francisco Unified School District.
- Seat 7 shall be held by the Controller or the Controller's designee.
- Seat 8 shall be held by an employee of the Department of Children, Youth and Their Families, appointed by the director of the Department.
- Seat 9 shall be held by a City College employee who is involved in the administration of the Free City College program, appointed by the City College Board of Trustees.
- Seat 10 shall be held by a City College faculty member, appointed by the president of the City College Board of Trustees.
- Seat 11 shall be held by a classified staff member of City College, appointed by the president of the City College Board of Trustees.
- Seat 12 shall be held by a member of the public, appointed by the Mayor.
- Seat 13 shall be held by a member of the public, appointed by the Board of Supervisors.
- Seat 14 shall be a non-voting seat held by the student trustee member of the City College Board of Trustees. If, at any point, the City College Board of Trustees, the President of the City College Board of Trustees, or the Board of Education of the San Francisco Unified School District declines to appoint a member to a seat for which it has appointing authority and leaves that seat vacant for more than 90 days, the Board of Supervisors may appoint a member of the public to fill the seat until the appointing authority appoints a person to the seat.

## Term limits (i.e., commencement date? staggered terms?)

Section 5.2-3 (a) states, on page 7, lines 2-5, "Each member of the Oversight Committee shall serve at the pleasure of the member's appointing authority, and shall serve for the life of the Oversight Committee unless removed by the appointing authority."

## Administering department

The Department of Children, Youth and Their Families shall provide clerical and administrative support and staffing for the Oversight Committee.

## Reporting requirements

Section 5.2-4(a) states, on pages 7-8, "The Oversight Committee shall provide advice to the Board of Supervisors, the Mayor, the Department of Children, Youth and Their Families, all other relevant City departments, and City College regarding implementation of the Memorandum of Understanding between the City and City College authorized by resolution in Board File No. \_\_\_\_\_\_, as it may be amended by the City and City College from time to time (the "Free City College MOU"). The Oversight Committee's advice may include recommendations regarding the uses of funds disbursed under the Free City College MOU and proposed changes in uses of the funds. In providing its advice and recommendations, the Oversight Committee shall consider the audit reports provided by the Controller under Section 10.100-288 of this Code, as well as reports that the Chancellor of City College or the Chancellor's designee has provided to the Oversight Committee under the Free City College MOU."

#### Sunset date

Section 5.2-6 states, on page 8, lines 17-21, "Notwithstanding Rule 2.21 of the Board of Supervisors Rules of Order, which provides that advisory bodies created by the Board should sunset within three years, this Article II shall expire by operation of law, and the Oversight Committee shall terminate, on June 30, 2029. After the expiration of the Oversight Committee, the City Attorney shall cause this Article to be removed from the Administrative Code."

Print Form

## **Introduction Form**

By a Member of the Board of Supervisors or Mayor

I hereby submit the following item for introduction (select only one):

BOARD

711/9 JUN 12155e shamp2: 26 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.
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
Planning Commission Building Inspection Commission
Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.
Sponsor(s):
Mar
Subject:
Administrative Code - City College Financial Assistance Fund and Oversight Committee
The text is listed:
Ordinance amending the Administrative Code to modify the San Francisco City College Financial Assistance Fund from which the City provides funding to the San Francisco Community College District, and modifying the membership of the Oversight Committee that makes recommendations regarding the uses of those funds.
Signature of Sponsoring Supervisor:
For Clerk's Use Only

# President, District 7 BOARD of SUPERVISORS



## City Hall 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco, CA 94102-4689

Tel. No. 554-6516 Fax No. 554-7674 TDD/TTY No. 544-6546

## Norman Yee

PRESIDENTIAL ACTION							
Date: 7/2/20	19		π α α				
To: Angela	Calvillo, Clerk of th	e Board of Supervisors					
Madam Clerk, Pursuant to Board F	Rules, I am hereby:		72				
■ Waiving 30-Day	Rule (Board Rule No. 3	3.23)	A = 10 10 10 10 10 10 10 10 10 10 10 10 10				
File No.	190730	Mar (Primary Sponsor)	- 05				
	ollege Oversight Co	y College Financial Assistanc	e Fund - Free				
Title.		(i mining openion)					
From:			.Committee				
To:			Committee				
☐ Assigning Temp  Supervisor  Replacing Su	·	Appointment (Board Rule No. 3.1)					
For: _	(Date)	(Colimittee)	Meeting				

Norman Yee, President Board of Supervisors