File No	190730	Committee Item No.	o. <u>5</u> 			
COMMITTEE/BOARD OF SUPERVISORS AGENDA PACKET CONTENTS LIST						
Committee:	Rules Committee		July 8, 2019			
Board of Su	pervisors Meeting	Date _	7/23/2019			
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OTHER	(Use back side if addition	onal space is neede	d)			

Victor Young
Victor Young

Completed by: _ Completed by: _

AMENDED IN COMMITTEE 7/8/19 ORDINANCE NO

FILE NO. 190730

NOTE:

[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.

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>.

Deletions to Codes are in <u>strikethrough italics Times New Roman font</u>.

Board amendment additions are in <u>double-underlined Arial font</u>.

Board amendment deletions are in <u>strikethrough Arial font</u>.

Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. Chapter 10, Article XIII of the Administrative Code is hereby amended by revising Section 10.100-288, to read as follows:

SEC. 10.100-288. SAN FRANCISCO CITY COLLEGE FINANCIAL ASSISTANCE FUND.

- (a) **Establishment of Fund.** The San Francisco City College Financial Assistance Fund ("the Fund") is hereby established as a category four fund, *except as provided in subsection*(d), to provide financial assistance to *the students at* City College of San Francisco ("City College") *to support students at City College, as further specified in subsection (c)*.
- (b) **Sources of Funds.** The Fund may receive any legally available monies appropriated for this purpose. *It is the intent of the Board of Supervisors to appropriate monies* annually to the Fund, consistent with the terms of the Memorandum of Understanding between the City

and City College authorized by resolution in Board File No. 190735, 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. 190730 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

and City College will provide administrative support for the Oversight Committee.
(B) The Oversight Committee shall consist of 11 members.
(i) The City College Board of Trustees shall appoint one member of the
Governing Board of City College, one City College financial aid counselor or specialist, and one
member from the Office of the Chancellor of City College;
(ii) the City College Academic Senate shall appoint two faculty members;
(iii) the City College Associated Students Executive Council shall appoint one
student body representative;
(iv) the Board of Supervisors shall appoint one member of the Board of
Supervisors and one person not otherwise eligible to serve in one of the dedicated seats on the
Oversight Committee;
(v) the San Francisco Board of Education shall appoint one member of the
Board of Education;
(vi) the Mayor shall appoint one member from the staff of the Mayor's Office;
and and
(vii) the Controller shall appoint one member from the staff of the Controller
Office:
If at any point, the City College Board of Trustees, Academic Senate, or Associated Students
Executive Council, or the San Francisco Board of Education declines to appoint a member to one of
the seats 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 authorit
appoints a person to the seat. Each member 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

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 43 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.
- (Ai) 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.
- [k] 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.

Supervisors.

(mn) Seat 1213 shall be held by a member of the public, appointed by the Mayor.

(mn) Seat 1314 shall be held by a member of the public, appointed by the Board of

(no) Seat 14<u>15</u> 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, 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, <u>65</u>, 7<u>8</u>, and <u>89</u> 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. 190735, 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.

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

By: JON GIVNE

Deputy City Attorney

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(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



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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:

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

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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					
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



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

Norman Yee

PRESIDENTIAL ACTION					
Date:	7/2/2019		10 CO		
To:	Angela Calvillo, Clerk of the Bo	ard of Supervisors	1019.0		
Madam Clerk, Pursuant to Board Rules, I am hereby:					
■ Waiving 30-Day Rule (Board Rule No3.23)					
File	No. 190730	Mar			
Title	Administrative Code - City Co City College Oversight Comm	0 ,	ce Fund - Free		
	erring (Board Rule No 3.3)	•			
File Title	No. e.	(Primary Sponsor)			
Fro To			_Committee		
	· ing Temporary Committee Appo	intment (Board Pule No. 3.1)	_ Committee		
•	pervisor	munert (Board Rule 140. 5.1)	•		
Rep	olacing Supervisor				
Fo	T: (Date)	(Confinitee)	Meeting		

Norman Yee, President Board of Supervisors