

## Recommended San Francisco City Charter Sections Be Moved to City Administrative Code

*Courtesy of American Legal Publishing*

### CHAPTER 86: CHILDREN AND FAMILIES FIRST COMMISSION

- [Sec. 86.1.](#) Establishment of the San Francisco Children and Families First Commission.
- [Sec. 86.2.](#) Powers and Duties of the San Francisco Children and Families First Commission.
- [Sec. 86.3.](#) Membership and Organization of the San Francisco Children and Families First Commission.
- [Sec. 86.4.](#) Establishment of a San Francisco County Strategic Plan.
- [Sec. 86.5.](#) Severability.

#### SEC. 86.1. ESTABLISHMENT OF THE SAN FRANCISCO CHILDREN AND FAMILIES FIRST COMMISSION.

(a) **Establishment.** The San Francisco Children and Families First Commission (the “Commission”) is hereby established and designated as the county commission for purposes of California Health & Safety Code Sections 130100 *et seq.*, as it may be amended from time to time. The Department of Early Childhood (the “Department”) shall provide office space, administrative support, and other services for the Commission. The Commission shall consist of nine members.

(b) **Purpose.** The Commission is established to promote, support, and improve the early development of children from the prenatal stage to five years of age and to carry out the provisions of the California Children and Families First Act of 1998 (the “Act”), including by way of example but not limitation, support for families through parenting education and child health and wellness programs.

(Added by Ord. 409-98, App. 12/24/98; amended by Ord. 321-99, File No. 991829, App. 12/17/99; Ord. [189-22](#), File No. 220808, App. 9/8/2022, Eff. 10/9/2022)

#### SEC. 86.2. POWERS AND DUTIES OF THE SAN FRANCISCO CHILDREN AND FAMILIES FIRST COMMISSION.

The Commission shall have the following powers and duties:

(a) The Commission shall adopt an adequate and complete San Francisco Strategic Plan (the “County Strategic Plan”), as described in Section [86.4](#) below, for the support and improvement of early childhood development, including family support related to caring for children ages zero to five, within the City and County of San Francisco. Prior to adopting the County Strategic Plan, the Commission shall hold no less than one public hearing on the proposed County Strategic Plan.

(b) On at least an annual basis, the Commission shall review its County Strategic Plan and revise the Plan as may be necessary or appropriate. The Commission shall hold no less

than one public hearing on its periodic review of the County Strategic Plan before any revisions to the Plan are adopted.

(c) The Commission shall submit its adopted County Strategic Plan, and any subsequent revisions thereto, to the State Children and Families First Commission (the “State Commission”).

(d) On or before October 15 of each year, the Commission shall conduct and prepare an audit of and issue a written report on the implementation and performance of its functions during the preceding fiscal year.

(1) At a minimum, the audit and report shall include the manner in which the funds were expended, the progress toward and the achievement of program goals and objectives, and the measurement of specific outcomes through appropriate reliable indicators.

(2) On or before November 1 of each year, the Commission shall transmit the audit and report to the State Commission.

(3) The Commission shall conduct no less than one public hearing prior to adopting any annual audit and report.

(e) The Commission shall conduct no less than one public hearing on each annual report by the State Commission prepared pursuant to California Health and Safety Code Section 130150(b).

(f) The Commission shall establish no less than one advisory committee to provide technical and professional expertise and support for any purposes that will be beneficial in accomplishing the purposes of the Act. Each advisory committee shall meet and shall make recommendations and reports as deemed necessary or appropriate.

(g) The Commission shall expend the funds in the San Francisco Children and Families First Trust Fund, only for the purposes authorized by the Act and this Chapter 86 and in accordance with the County Strategic Plan approved by the Commission. The Commission shall not expend funds that are not authorized by the Act, including but not limited to the Babies and Families First Fund established in Section [10.100-36](#) of the Administrative Code and grant funds directed to the Department and general fund appropriations, but may make recommendations to the Department regarding spending from other funding sources. The Commission shall hold at least one joint public hearing annually with the Early Childhood Community Oversight and Advisory Committee (the “EC COAC”), established by [Article XIII](#) of Chapter 5 of the Administrative Code, to review and make recommendations regarding the Department’s budget no later than February 14 of each year.

(h) The Commission shall hold at least one joint public hearing annually with the EC COAC to review, and provide input to, the Department’s annual report evaluating the effectiveness of the Early Care and Education for All Initiative, required by Section 20.17-3 of the Administrative Code. Following the joint public hearing, and before the Department submits the report to the Board of Supervisors, the Commission and the EC COAC shall each transmit recommendations regarding the report to the Department. The Department’s final

report shall include a summary of the recommendations received and describe the ways in which the Department has addressed the recommendations.

(i) The Commission may recommend candidates for Director of the Department to the Mayor and may hold a joint public meeting with the EC COAC to recommend such candidates to the Mayor.

(j) The Commission may review national, state, and local legislation that may affect young children and their families and

(1) Make recommendations to the Mayor and the Board of Supervisors regarding the proposed legislation; and

(2) Consistent with Charter Section [3.100](#), communicate the Commission's position regarding the proposed legislation to the appropriate legislative bodies, as long as the Commission's position on state and federal legislation does not conflict with any official position taken by the City and County and the communication is coordinated with the Office of the Mayor.

(k) The Commission shall coordinate with the EC COAC to develop joint policy recommendations with the EC COAC regarding the Department's coordination of services, policies, and planning strategies for early childhood care and education and family support for children ages zero to five to include:

(1) Addressing the continuous quality improvement of programs and capacity-building of providers.

(2) Developing recommendations for equitable, inclusive, culturally and linguistically appropriate services and innovations responsive to emerging early childhood needs.

(3) Developing recommendations for processes to ensure data and data systems are used for greater accountability of program outcomes, enhance learning internally, across investments, and across service sectors, and address persistent racial, diversity, equity, and inclusion gaps.

(4) Promoting public interest and awareness around issues facing young children and their families.

(5) Developing processes and structures that support organizations, communities, and public agencies to work together to advance the well-being of young children and their families.

(l) The Commission shall meet at least four times each calendar year.

(Added by Ord. 409-98, App. 12/24/98; amended by Ord. 321-99, File No. 991829, App. 12/17/99; Ord. 221, File No. 000150, App. 9/29/2000; Ord. [189-22](#), File No. 220808, App. 9/8/2022, Eff. 10/9/2022)

SEC. 86.3. MEMBERSHIP AND ORGANIZATION OF THE SAN FRANCISCO CHILDREN AND FAMILIES FIRST COMMISSION.

(a) The members of the Commission are as follows. Seats 3 and 5 through 9 shall be appointed by the Board of Supervisors:

(1) Seat 1 shall be the Director of Public Health or the Director's designee.

(2) Seat 2 shall be the Executive Director of the Human Services Agency or the Executive Director's designee.

(3) Seat 3 shall be a member of the Board of Supervisors.

(4) Seat 4 shall be the [1](#) of Children, Youth and Their Families or the Department Head's designee.

(5) Seat 5 shall be nominated by the Mayor (and approved by the Board of Supervisors) as a representative director or supervisor of a Mayoral office or other City program for prevention or early intervention for families at risk.

(6) Seat 6 shall be a member of the Child Care Planning and Advisory Council, established in [Article XX](#) of Chapter 5 of the Administrative Code.

(7) Seat 7 shall be a provider of family support services as described in the San Francisco County Strategic Plan established by Section [86.4](#) below.

(8) Seats 8 and 9 shall be appointed from among the following categories: recipients of project services included in the Strategic Plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, a local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies. To the extent feasible, members shall be selected from existing committees, councils, or coalitions promoting early childhood development and support of their families in order to facilitate planning and coordination of services.

(b) The Commission shall convene by March 1, 1999.

(c) Members of the Commission appointed to Seats 3 and 5 through 9 shall serve at the pleasure of the Board of Supervisors. The term of each Commission member appointed to Seats 3 and 5 through 9 shall be for four years; provided, however, that the members first appointed shall, by lot, classify their terms so that two members shall serve a three-year term, and three members shall serve a four-year term. On the expiration of these terms, their successors shall be appointed for a four-year term. In the event a vacancy occurs during the term of office of any appointed member, a successor shall be appointed for the unexpired term of the office vacated in a manner similar to that for the initial member. After serving the unexpired term of a predecessor, the successor may be appointed for a full four-year term. Members in Seats 5 through 9 may serve no more than two consecutive terms on the Commission. For the purposes of these term limits, serving more than half of a term shall count as serving a full term on the Commission. Any member in Seats 3 and 5 through

9 who fails to attend at least half of the meetings held in a calendar year shall be deemed to have resigned from the Commission.

(d) A majority of the members of the Commission shall constitute a quorum.

(e) The Commission shall establish any additional rules and regulations for its own organization and procedure consistent with State and local law.

(f) No member of the Commission shall be compensated for their services, except members may be paid reasonable per diem and reimbursement of reasonable expenses for attending meetings and discharging other official responsibilities as authorized by the Commission. In addition, members serving in Seats 1 through 5 may receive their full compensation as City employees, since their work for the Commission shall be considered part of their responsibilities in their capacity as City employees.

(g) **Continuing Membership on Children and Families First Commission.** The members of the previously established Commission seated as of the effective date of Ordinance No. [189-22](#) shall by operation of law remain members of the Commission. Their terms of office and term limits shall not incorporate their previous service on the Commission. The terms of office for members of the previously established Commission, as well as Seat 5, shall begin on the effective date of Ordinance No. [189-22](#). Seat 5 shall be vacant until a new appointment is made in accordance with subsection (a) of this Section 86.3. The terms of office for members in Seats 6, 7, 8, and 9 with previous service on the Commission shall be limited to a one-year term. At the conclusion of the transitory one-year term for members in Seats 6, 7, 8, and 9, new appointments to the Commission shall be made in accordance with subsection (a) of this Section 86.3.

(h) The Department shall provide administrative support to the Commission.

(Added by Ord. 409-98, App. 12/24/98; amended by Ord. 321-99, File No. 991829, App. 12/17/99; Ord. [189-22](#), File No. 220808, App. 9/8/2022, Eff. 10/9/2022)

#### CODIFICATION NOTE

[1.](#) So in Ord. [189-22](#).

#### SEC. 86.4. ESTABLISHMENT OF A SAN FRANCISCO COUNTY STRATEGIC PLAN.

(a) The Commission shall establish the County Strategic Plan for the support and improvement of early childhood development, including support for their families in caring for children ages zero to five, within the City and County of San Francisco. The County Strategic Plan shall be consistent with and in furtherance of the purposes of the Act and any guidelines adopted by the State Commission that are in effect at the time the County Strategic Plan is adopted or subsequently revised. The Department may prepare the County Strategic Plan in conjunction with its preparation of the Department Strategic Plan required by Section [2A.310](#) of the Administrative Code.

(b) The County Strategic Plan shall include, at a minimum:

(1) A description of the goals and objectives proposed to be attained;

(2) A description of the programs, services, and projects proposed to be provided, sponsored, or facilitated;

(3) A description of how measurable outcomes of such programs, services, and projects will be determined by the Commission using appropriate reliable indicators; and

(4) A description of how programs, services, and projects relating to early childhood development and support for families with children ages zero to five within the county will be integrated into a consumer-oriented and easily accessible system.

(Added by Ord. 409-98, App. 12/24/98; amended by Ord. [189-22](#), File No. 220808, App. 9/8/2022, Eff. 10/9/2022)

#### SEC. 86.5. SEVERABILITY.

If any part or provision of this ordinance or the application thereof to any person or circumstance, is held invalid, the remainder of this ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable.

(Added by Ord. 409-98, App. 12/24/98)

#### **SEC. 2A.233. CHILDREN, YOUTH AND THEIR FAMILIES OVERSIGHT AND ADVISORY COMMITTEE.**

(a) Purpose. As provided in Charter Section [16.108-1](#), there shall be a Children, Youth and Their Families Oversight and Advisory Committee ("Oversight and Advisory Committee" or "Committee") to review the governance and policies of the Department of Children, Youth and Their Families ("DCYF"), and to take steps to ensure that the Children and Youth Fund ("Fund") is administered in a manner accountable to the community.

The Oversight and Advisory Committee replaces the Children's Fund Citizens Advisory Committee formerly established by Charter Section [16.108\(n\)](#) as adopted by the voters in November 2000. Subsection (n) was repealed and the advisory committee terminated by operation of law upon the adoption of Proposition C by the voters in November 2014.

(b) Duties and Functions. The Oversight and Advisory Committee shall carry out the following duties and functions, some of which are specified in Charter Section [16.108-1](#), and some of which are not specified by Charter but adopted by ordinance under the authority provided in Section [16.108-1](#):

(1) The Oversight and Advisory Committee shall develop recommendations for DCYF regarding outcomes for children and youth services, the evaluation of services, common data systems, processes for making funding decisions, program improvement and capacity-building of service providers, community engagement in planning and evaluating services, leveraging dollars of the Fund and the use of the Fund as a catalyst for innovation.



(2) The Oversight and Advisory Committee shall promote transparency for the Fund and its processes.

(3) Pursuant to Charter Section [16.108](#), the Oversight and Advisory Committee shall review and approve the planning process for the Children and Youth Fund Community Needs Assessment ("CNA") and final CNA, the Services and Allocation Plan (SAP), and the annual Data and Evaluation Report.

(4) The Oversight and Advisory Committee shall review and approve DCYF's overall annual budget expenditures (including the approval of grants as a package, work orders, supplemental funds, and add-back funds), and shall conduct a mid-year budget review each year to prepare for the following year's budget process and may request budget information as necessary for any of its meetings. The Committee shall review best practices developed or identified by DCYF and its Director for the grant-making process, including add-back and supplemental funding, and for interdepartmental work orders. These practices shall be designed to promote, among other things, transparency and accountability in the grant-making process and coordination with the Children and Youth Fund SAP and CNA. The Committee shall review any changes or adjustments in revenue to the Children and Youth Fund and the Baseline as defined in Section [16.108](#). Nothing in this Section shall limit the authority of the Mayor and Board of Supervisors to propose, amend, and adopt a budget under [Article IX](#) of the Charter.

(5) The Oversight and Advisory Committee shall participate in the evaluation of the Director of DCYF and assist in recruitment for the Director when the position is vacant, and may recommend candidates to the Mayor for appointment.

(6) The Oversight and Advisory Committee shall establish and maintain a Service Provider Working Group as provided in Charter Section [16.108-1](#) and Administrative Code Section [2A.234](#).

(7) The Oversight and Advisory Committee shall confer with the Director of DCYF at least once a year on DCYF's effectiveness and impact.

(c) Meetings. The Oversight and Advisory Committee shall meet at least six times each calendar year. Any member who fails to attend at least half of the meetings in a calendar year shall be deemed to have resigned from the Committee.

(d) Composition. As provided in Charter Section [16.108-1](#), the Mayor shall appoint members for Seats 1, 2, 3, 4, 5, and 6 on the Oversight and Advisory Committee; the Board of Supervisors shall appoint members for Seats 7, 8, 9, 10, and 11 on the Committee. The Mayor's appointments shall take effect 30 days after transmittal of the Mayor's notice of appointment to the Board of Supervisors. The Board of Supervisors may hold a public hearing on each of the Mayor's appointees to the Committee. If a vacancy occurs in any seat on the Committee, the appointing authority for the vacated seat shall appoint a successor.

(e) Qualifications of Members. Members of the Oversight and Advisory Committee shall possess the following qualifications:

Seat 1: A youth 19 years old or younger at the time of appointment for the term, recommended to the Mayor by the Youth Commission. Because this Committee member may be younger than 18 years at the time of appointment, this member is not subject to the requirement of Charter Section [4.101\(a\)\(2\)](#) that members be electors of the City and County unless and until the member reaches the age of 18 years.

Seat 2: The same qualifications as for Seat 1.

Seat 3: A parent or guardian of a youth, which youth, at the time of the member's appointment for the term, is under the age of 18 years and enrolled in the San Francisco Unified School District. This Committee member shall have demonstrated commitment to improving access to and quality of services for children, youth, and families.

Seat 4: A person with expertise or substantial experience working in services and programs for children ages 5 and younger.

Seat 5: A person with expertise or substantial experience working in the field of children and youth services in communities that are low-income or underserved.

Seat 6: A person who has demonstrated commitment to improving access and quality of services for children, youth, and families in communities that are low-income or underserved.

Seat 7: A person who is a Disconnected Transitional-Aged Youth, as that term is used in Charter Section [16.108](#), 18 through 24 years of age at the time of appointment, and who is familiar with the issues and challenges faced by Disconnected Transitional-Aged Youth and with services, programs, and systems for them.

Seat 8: A parent or guardian of a child, which child is enrolled in kindergarten through 8th grade at the time of the member's appointment for the term. This Committee member shall be from a low-income community or have expertise or substantial experience working to promote the interests of communities of color and shall have demonstrated a commitment to improving access and quality of services for children, youth, and families.

Seat 9: A parent or guardian of a child, which child, at the time of the member's appointment for the term, is under the age of 5 years and enrolled in a publicly-subsidized or City-funded program. This Committee member shall have demonstrated a commitment to improving access and quality of services for children, youth, and families.

Seat 10: A person with expertise or substantial experience working in the field of children and youth services in communities that are low-income or under served.

Seat 11: A person who has demonstrated commitment to improving access to and quality of services for children, youth, and families.

In addition to the stated qualifications for each seat on the Committee, current City employees who are at the department head or deputy department head level of authority, SFUSD employees who are at the Director or Assistant Superintendent level of authority or higher, and current employees or members of the boards of directors of organizations where DCYF is the decision-maker for funding may not serve as members of the Oversight



and Advisory Committee. For purposes of this subsection (e), a part-time intern with a DCYF-funded organization who is 24 years old or younger shall not be considered an employee of that organization.

(f) **Timing of Appointments; Measuring Terms; First Meeting.** The Mayor and the Board of Supervisors shall appoint the initial members of the Committee by July 1, 2015. The appointing authorities are encouraged to make their respective application processes as open and transparent as possible.

The terms of the initial appointees shall commence on the date of the first meeting of the Committee, which may occur when at least eight members have been appointed, and no later than July 1, 2015. Terms of Committee members shall be measured from the date of the first Committee meeting.

(g) **Term Limits.** Members may not serve more than two consecutive two-year terms, except that the members initially appointed to Seats 1, 3, 5, 7, 9, and 11, while remaining eligible to serve a consecutive second-two year term, shall serve for a first term of three years. For the purpose of these term limits, serving more than half of a term shall count as serving a full term on the Committee.

(h) **Committee Operations.** At its first meeting, which, as subsection (f) states, shall be no later than July 1, 2015, the Oversight and Advisory Committee shall select a Chair and Vice-Chair. Thereafter, the Oversight and Advisory Committee shall adopt bylaws governing its meetings and operations.

(i) **Staffing.** DCYF shall provide sufficient staffing for the Oversight and Advisory Committee and the Service Provider Working Group referenced in Section [2A.234](#). The Youth Commission shall provide support to the Committee members in Seats 1, 2, and 7 in areas such as training in city government operations, policy analysis and development, and public outreach.

(Added by Ord. [15-15](#), File No. 141215, App. 2/13/2015, Eff. 3/15/2015)

#### **SEC. 4.118. COMMISSION ON THE ENVIRONMENT.**

The Commission on the Environment shall consist of seven members appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. Members may be removed by the Mayor.

The Department of the Environment shall regularly produce an assessment of San Francisco's environmental condition. It shall also produce and regularly update plans for the long-term environmental sustainability of San Francisco.

Pursuant to the policies and directives set by the Commission, and under the supervision and direction of the department head, the Department shall manage the environmental programs, duties and functions assigned to it pursuant to Section [4.132](#) or by ordinance.

The Commission shall have the authority to review and make recommendations on any policy proposed for adoption by any City agency regarding conformity with the long-term plans for environmental sustainability, except for those regarding building and land use.

The Commission may investigate and make recommendations to all City agencies related to operations and functions, such as:

1. Solid waste management;
2. Recycling;
3. Energy conservation;
4. Natural resource conservation;
5. Environmental inspections;
6. Toxics;
7. Urban forestry and natural resources;
8. Habitat restoration; and
9. Hazardous materials.

The Commission shall conduct public education and outreach to the community on environmental issues, including, but not limited to each of the categories listed above.

#### **SEC. 4.119. COMMISSION ON THE STATUS OF WOMEN.**

The Commission on the Status of Women shall consist of seven members. Commission members shall be appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. Members may be removed by the Mayor only pursuant to Section [15.105](#). The Commission shall develop and recommend policies and practices for the City and County to reduce the particular impacts on women and girls of problems such as domestic violence, sexual harassment, employment and health care inequity, and homelessness, as well as advocate on behalf of women and girls in such areas. The Commission may be assigned additional duties and functions by ordinance or pursuant to Section [4.132](#).

#### **SEC. 4.120. DISABILITY AND AGING SERVICES COMMISSION.**

(a) The Disability and Aging Services Commission shall consist of seven members appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. Members may be removed by the Mayor. The Commission shall oversee the Department of Disability and Aging Services, including the functions of the Public Guardian/Administrator, as well as carry out any additional duties and functions assigned to the Commission by ordinance or pursuant to Section [4.132](#).

(b) As of January 15, 2020, Seat 1 on the Commission shall be held by a person who is 60 years old or older; Seat 2 shall be held by a person with a disability, as defined under the Americans With Disabilities Act, who is 18 years old or older; and Seat 3 shall be held by a person who served in the United States military and who was discharged or released under conditions other than dishonorable. Seats 4, 5, 6, and 7, shall have no required qualifications in addition to those set forth in Section [4.101](#).

(c) For the purpose of calculating the terms of particular seats on the Commission, Seats 1, 2, and 3 are hereby designated as the seats with terms ending on January 15, 2020. Notwithstanding Charter Section [4.101.5](#), members in those seats who do not as of January 15, 2020 hold the qualifications set forth in subsection (b) respectively may no longer serve in those seats.

(Amended by Proposition I, Approved 11/8/2016; [Proposition B](#), Approved 11/5/2019)

#### **SEC. 4.117. ENTERTAINMENT COMMISSION.**

The San Francisco Entertainment Commission shall consist of seven members nominated and appointed pursuant to this section. The Mayor shall nominate four members to the commission, and the Board of Supervisors shall appoint, by motion, three other members to the commission. Each nomination of the Mayor shall be subject to approval by the Board of Supervisors, and shall be the subject of a public hearing and vote within 60 days. If the Board of Supervisors fails to act on a mayoral nomination within 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed approved. Appointments to the commission shall become effective on the date the Board of Supervisors adopts a motion approving the nomination or on the 61st day following the date the mayoral nomination was transmitted to the Clerk of the Board of Supervisors if the Board of Supervisors fails to act upon the nomination prior to such date.

Of the four members nominated by the Mayor, the Mayor shall nominate one member to represent the interests of City neighborhood associations or groups, one member to represent the interests of entertainment associations or groups, one member to represent the interests of the urban planning community, and one member to represent the interests of the law enforcement community. Of the three members of the commission appointed by the Board of Supervisors, one member shall represent the interests of City neighborhood associations or groups, one member shall represent the interests of entertainment associations or groups, and one member shall represent the interests of the public health community.

To stagger the terms of the members, the initial appointments to the commission shall be as follows: the Mayor shall nominate two members to serve terms of four years, one member to serve a term of three years, and one member to serve a term of two years. Of the three remaining members of the commission, the Board of Supervisors shall appoint one member to serve a term of four years, one member to serve a term of three years, and one member to serve a term of two years. Except for appointments to fill a vacancy, all subsequent appointments shall be for a term of four years.

Members of the commission nominated by the Mayor may be suspended by the Mayor and removed by the Board of Supervisors only as set forth in Section [15.105](#). Members of the commission appointed directly by the Board of Supervisors may be suspended by a motion of the Board of Supervisors approved by six votes and may be removed by the Board of Supervisors only as set forth in Section [15.105](#).

(Added November 2002)

#### **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”), or any successor agency. 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, homelessness prevention, and permanent supportive housing.

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

(1) Seats 1, 2, 3, and 4 shall be appointed by the Mayor subject to confirmation by the Board of Supervisors. Each nomination of the Mayor shall be subject to approval by the Board of Supervisors, and shall be the subject of a public hearing and vote within 60 days of the date the Clerk of the Board receives notice of the nomination from the Mayor. If the Board fails to act on the nomination within those 60 days, the nominee shall be deemed approved. The appointment shall become effective on the date the Board adopts a motion approving the nomination or on the 61st day after the Clerk of the Board receives notice of the nomination, whichever is earlier. 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 use treatment. Seat 4 shall be held by a person with a record of participation in a merchants’ or small business association, or neighborhood association. In addition to the aforementioned qualifications, at least one of the Mayor’s appointees shall have experience in budgeting, finance, and auditing.

(2) Seats 5, 6, and 7 shall be appointed by the Board of Supervisors. Seat 5 shall be held by a person who has personally experienced homelessness. Seat 6 shall be held by a person with significant experience providing services to or engaging in advocacy on behalf of persons experiencing homelessness. Seat 7 shall be held by a person with significant experience working with homeless families with children and/or homeless youth.

(3) Section [4.101](#) shall apply to these appointments, with a particular emphasis on diversity in ethnicity, race, age, sex, gender identity, sexual orientation, and types of disabilities.

(c) Commission members shall serve at the pleasure of their respective appointing authorities and may be removed by their appointing authorities at any time. Vacancies shall

be filled by the respective appointing authorities as prescribed in subsections (b)(1) and (2).

(d) Commissioners shall serve four-year terms, beginning at noon on May 1, 2023; provided, however, the term of the initial appointees in Seats 1, 4, and 6 shall be a two-year term, expiring at noon on May 1, 2025.

(e) The Commission shall elect a Chair, Vice-Chair, and officers for other such positions, if any, that it chooses to create.

(f) 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, formulating annual and long-term goals consistent with the overall objectives of the City and County, establishing departmental performance standards, holding hearings and taking testimony, conducting public education and outreach concerning programs and services for homeless persons in San Francisco, and issues concerning homelessness, and conducting performance audits of the Department to assess the efficiency and effectiveness of the Department's delivery of services to persons experiencing homelessness and persons participating in programs overseen by the Department, and the extent to which the Department has met the annual goals and performance standards established by the Commission.

(2) Notwithstanding the Commission's authority to review and set policies, the Commission shall not have the authority to approve, disapprove, or modify criteria used to ascertain eligibility or priority for programs and/or services operated or provided by the Department, where such criteria are required as a condition of the receipt of state or federal funding.

(g) The Mayor and the Board of Supervisors shall make their initial appointments to Seats 1-7, respectively, on the Commission by no later than noon, March 1, 2023. The Commission shall come into existence upon the appointment, and confirmation where required, of four members, or at noon on May 1, 2023, whichever is later. The Commission shall have its inaugural meeting within 30 days of its coming into existence.

(Added by [Proposition C](#), Approved 11/8/2022)

#### **SEC. 4.107. HUMAN RIGHTS COMMISSION.**

The Human Rights Commission shall consist of eleven members appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. Members may be removed by the Mayor.

The Commission shall:

1. Investigate complaints of unlawful discrimination against any person;

2. Ensure the civil rights of all persons;
3. Ensure that the affirmative action plans of each department of the City and County are current and are being properly implemented; and report on the implementation of such affirmative action plans to the Mayor and Board of Supervisors;
4. Promote understanding among the residents of the City and County and work cooperatively with governmental agencies, community group and others to eliminate discrimination and the results of past discrimination by furnishing information, guidance and technical assistance;
5. Study, investigate, mediate and make recommendations with respect to the solving of community- wide problems resulting in intergroup tensions and discrimination;
6. Implement the provisions of ordinances prohibiting discrimination in all contracts and subsequent subcontracts, franchises, leases, concessions or other agreements for or on behalf of the City and County; and
7. Issue such rules and regulations for the conduct of its business, and prepare such ordinances with respect to human rights for consideration by the Board of Supervisors as are necessary to carry out the purposes of this section.

In performing its duties, the Commission may hold hearings, issue subpoenas to require witnesses to appear and require the production of evidence, administer oaths, take testimony and issue appropriate orders and petitions for court orders in such manner as may be prescribed by law.

#### **SEC. 4.111. HUMAN SERVICES COMMISSION.**

The Human Services Commission shall consist of five members appointed by the Mayor, pursuant to Section [3.100](#), for four-year terms. Members may be removed by the Mayor only pursuant to Section [15.105](#).

#### **SEC. 6.1. INTERDEPARTMENTAL STAFF COMMITTEE ON TRAFFIC AND TRANSPORTATION (ISCOTT).**

There is hereby established a committee to be known as the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT), consisting of the department or their designated representatives from the following departments and agencies: Municipal Transportation Agency, Planning, Public Works, Police, Fire, Public Health, and Entertainment Commission. The Director of Transportation shall serve as Chair of ISCOTT. The Director of Administrative Services of the City and County of San Francisco or the Director's designee shall review recycling plans submitted pursuant to Section [6.5](#) and recommend any conditions to ISCOTT that should be imposed on any applicant. In exercising its powers ISCOTT shall consult with any other City department or agency that could be affected by any temporary use or occupancy of a public street. ISCOTT shall have



the authority to take all acts reasonably necessary for it to carry out any duties imposed upon it by law. Before acting on any application for temporary use or occupancy of public streets, street fair or an athletic event, ISCOTT shall conduct a public hearing at a publicly noticed time and place to be determined by ISCOTT.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. [99-21](#), File No. 210284, App. 7/28/2021, Eff. 8/28/2021)

#### **SEC. 8A.111. Municipal Transportation Agency — CITIZENS' ADVISORY COUNCIL.**

The Agency shall establish a Citizens' Advisory Council of fifteen members which shall consist of one person appointed by each member of the Board of Supervisors and four members appointed by the Mayor. Each member must be a resident of the City and County. No fewer than ten members of the Council must be regular riders of the Municipal Rail-way. At least two members must use the Municipal Railway's paratransit system, and at least three of the members must be senior citizens over the age of 60. The membership of the Council shall be reflective of the diversity and neighborhoods of the City and County. The Council may provide recommendations to the Agency with respect to any matter within the jurisdiction of the Agency and shall be allowed to present reports to the Agency's board of directors. The members of the Council shall be appointed to four-year terms and shall serve at the pleasure of their appointing power. Staggered terms for the initial appointees to the Council shall be determined by lot.

(Added November 1999)

#### **SEC. 16.107. PARK, RECREATION AND OPEN SPACE FUND.**

(i) **Parks, Recreation, and Open Space Advisory Committee.** The Board of Supervisors shall establish, by ordinance, a Parks, Recreation, and Open Space Advisory Committee, such as the committee established in Park Code Section [13.01](#), as amended, or any successor legislation.

(Amended March 2000, June 2016; [Proposition E](#), Approved 11/3/2020)

#### **SEC. 8B.125. Public Utilities Rate Fairness Board — RATES.**

Notwithstanding Charter sections [2.109](#), [3.100](#) and [4.102](#) or any ordinance (including, without limitation, Administrative Code

), the Public Utilities Commission shall set rates, fees and other charges in connection with providing the utility services under its jurisdiction, subject to rejection – within 30 days of submission – by resolution of the Board of Supervisors. If the Board of Supervisors fails to act within 30 days the rates shall become effective without further action.

In setting retail rates, fees and charges the Commission shall:

1. Establish rates, fees and charges at levels sufficient to improve or maintain financial condition and bond ratings at or above levels equivalent to highly rated utilities of each

enterprise under its jurisdiction, meet requirements and covenants under all bond resolutions and indentures, (including, without limitation, increases necessary to pay for the retail water customers' share of the debt service on bonds and operating expenses of any state financing authority such as the Regional Water System Financing Authority), and provide sufficient resources for the continued financial health (including appropriate reserves), operation, maintenance and repair of each enterprise, consistent with good utility practice;

2. Retain an independent rate consultant to conduct rate and cost of service studies for each utility at least every five years;

3. Set retail rates, fees and charges based on the cost of service;

4. Conduct all studies mandated by applicable state and federal law to consider implementing connection fees for water and clean water facilities servicing new development;

5. Conduct studies of rate-based conservation incentives and/or lifeline rates and similar rate structures to provide assistance to low income users, and take the results of such studies into account when establishing rates, fees and charges, in accordance with applicable state and federal laws;

6. Adopt annually a rolling 5-year forecast of rates, fees and other charges; and

7. Establish a Rate Fairness Board consisting of seven members: the City Administrator or his or her designee; the Controller or his or her designee; the Director of the Mayor's Office of Public Finance or his or her designee; two residential City retail customers, consisting of one appointed by the Mayor and one by the Board of Supervisors; and two City retail business customers, consisting of a large business customer appointed by the Mayor and a small business customer appointed by the Board of Supervisors.

The Rate Fairness Board may:

i. Review the five-year rate forecast;

ii. Hold one or more public hearings on annual rate recommendations before the Public Utilities Commission adopts rates;

iii. Provide a report and recommendations to the Public Utilities Commission on the rate proposal; and

iv. In connection with periodic rate studies, submit to the Public Utilities Commission rate policy recommendations for the Commission's consideration, including recommendations to reallocate costs among various retail utility customer classifications, subject to any outstanding bond requirements.

These provisions shall be effective January 3, 2003 for the setting of retail rates, fees and charges related to the clean water system. If the voters approve bonds for the Public Utilities Commission's Capital Improvement Program at the November 5, 2002 election then the provisions of this section shall take effect on July 2, 2006 for the setting of retail

rates, fees and charges related to the water system. If the voters do not approve such bonds then this section will take effect on January 3, 2003.

(Added November 2002)

#### **SEC. 4.137. SHERIFF'S DEPARTMENT OVERSIGHT.**

##### **(a) Establishment of Oversight Board.**

(1) The Sheriff's Department Oversight Board ("SDOB") is hereby established. The SDOB shall consist of seven members. The Board of Supervisors shall appoint four members (to Seats 1, 2, 3, and 4), and the Mayor shall appoint three members (to Seats 5, 6, and 7). Seat 4 shall be held by a person with experience in labor representation.

(2) Members shall serve four-year terms, beginning at noon on March 1, 2021; provided, however, the term of the initial appointees to Seats 1, 3, and 5 shall expire at noon on March 1, 2023, whereas the term of the initial appointees to Seats 2, 4, 6, and 7 shall expire at noon on March 1, 2025.

(3) No person may serve more than three successive terms as a member. No person having served three successive terms may serve as a member until at least four years after the expiration of the third successive term. Service for a part of a term that is more than half the period of the term shall count as a full term; further, this subsection (a)(3) makes no distinction between the two-year terms referenced in subsection (a)(2) and four-year terms.

(4) Members may be removed from office only for official misconduct under [Article XV](#).

(5) All members shall complete a training and orientation on custodial law enforcement, constitutional policing, and Sheriff's Department ("SFSD") policies and procedures, within 90 days of assuming office for their first term. The Sheriff or the Sheriff's designee shall prescribe the content of and shall administer the training and orientation regarding SFSD patrol and custodial law enforcement, policies and procedures. SFSD shall develop the training content based on guidelines recommended by the National Association of Civilian Oversight for Law Enforcement ("NACOLE") or successor association, the Bar Association of San Francisco or successor association, and/or the American Civil Liberties Union, and SFSD shall consult with the Department of Police Accountability, Public Defender, and the District Attorney in developing the training content.

##### **(b) SDOB Powers and Duties.** The SDOB shall:

(1) Appoint, and may remove, the Sheriff's Inspector General in the Office of Sheriff's Inspector General ("OSIG"), established in subsection (d).

(2) Evaluate the work of the OSIG, and may review the Sheriff's Inspector General's individual work performance.

(3) Compile, evaluate, and recommend law enforcement custodial and patrol best practices.

(4) Conduct community outreach and receive community input regarding SFSD operations and jail conditions, by holding public meetings and soliciting input from persons incarcerated in the City and County.

(5) Prepare and submit a quarterly report to the Sheriff and Board of Supervisors regarding the SDOB evaluations and outreach, and OSIG reports submitted to SDOB.

(6) By March 1 of each year, prepare and present to the Board of Supervisors or a committee designated by the President of the Board, an annual report that includes a summary of SDOB evaluations and outreach, and OSIG reports submitted to SDOB, for the prior calendar year.

(c) In performing its duties, the SDOB may hold hearings, issue subpoenas to witnesses to appear and for the production of evidence, administer oaths, and take testimony.

(d) **Establishment of Office of Sheriff's Inspector General.** There is hereby established the Office of Sheriff's Inspector General ("OSIG"), which shall be a department under the SDOB, and separate from the Sheriff's Department. The OSIG shall be headed by the Sheriff's Inspector General, appointed by the SDOB as set forth in subsection (b)(1). The Sheriff's Inspector General shall be exempt from civil service selection, appointment, and removal procedures.

(e) **OSIG Powers and Duties.** The OSIG shall:

(1) Receive, review, and investigate complaints against SFSD employees and SFSD contractors; provided, however, that the OSIG shall refer complaints alleging criminal misconduct to the District Attorney, and refer complaints alleging violations of ethics laws to the Ethics Commission.

(2) Investigate the death of any individual in the custody of the SFSD. The OSIG shall refer evidence of criminal misconduct regarding any death in custody to the District Attorney. Notwithstanding such a referral, the OSIG may continue to investigate a death in custody unless OSIG's investigation will interfere with a criminal investigation conducted by the District Attorney, or any law enforcement agency to which the District Attorney may refer the evidence of criminal misconduct.

(3) Recommend disciplinary action to the Sheriff where, following an investigation pursuant to subsection (e)(1) or (e)(2), the OSIG determines that an employee's actions or omissions violated law or SFSD policy; provide notice of and a copy of the recommendation, the reasons for the recommendation, and supporting records, to the extent permitted by State or federal law, to the employee; and make available to the public any records and information regarding OSIG's disciplinary recommendations to the extent permitted by State or federal law.

(4) Develop and recommend to the Sheriff an SFSD use of force policy and a comprehensive internal review process for all use of force and critical incidents.

(5) Prepare and submit a quarterly report to the Sheriff and the SDOB regarding OSIG investigations that includes the number and type of complaints under subsection (e)(1) filed; trend analysis; the outcome of the complaints; any determination that the acts or omissions of an employee or contractor, in connection with the subject matter of a complaint under subsection (e)(1), or a death in custody under subsection (e)(2), violated law or SFSD policy; the OSIG's recommendations, if any, for discipline; the outcome of any discipline recommendations; and the OSIG's policy recommendations under subsection (e)(4).

(6) Monitor SFSD operations, including the provision of services to incarcerated individuals, through audits and investigations, to ensure compliance with applicable laws and policies.

(f) In performing its duties, the OSIG may hold hearings, issue subpoenas to witnesses to appear and for the production of evidence, administer oaths, and take testimony. The OSIG also may request and the Sheriff shall require the testimony or attendance of any employee of the SFSD.

(g) **Cooperation and Assistance from City Departments.** In carrying out their duties, the SDOB and OSIG shall receive prompt and full cooperation and assistance from all City departments, officers, and employees, including the Sheriff and SFSD and its employees, which shall, unless prohibited by State or federal law, promptly produce all records and information requested by the SDOB or OSIG, including but not limited to (1) personnel and disciplinary records of SFSD employees, (2) SFSD criminal investigative files, (3) health information pertaining to incarcerated individuals, and (4) all records and databases to which the SFSD has access, regardless of whether those records pertain to a particular complaint or incident. The Sheriff also shall, unless prohibited by State or federal law, allow the OSIG unrestricted and unescorted access to all facilities, including the jails. The SDOB and OSIG shall maintain the confidentiality of any records and information it receives or accesses to the extent required by local, State, or federal law governing such records or information.

In carrying out their duties, the SDOB and OSIG shall cooperate and collaborate with organizations that contract with SFSD to provide legal services to incarcerated individuals.

(h) **Budget and Staffing.** Subject to the fiscal, budgetary, and civil service provisions of the Charter, the OSIG staff shall include no fewer than one investigator for every 100 sworn SFSD employees. No SDOB or OSIG staff, including the Sheriff's Inspector General, shall have been employed previously by a law enforcement agency or a labor organization representing law enforcement employees.

(i) Nothing in this Section [4.137](#) shall prohibit, limit, or otherwise restrict the Sheriff or the Sheriff's designee from investigating the conduct of an employee or contractor of the SFSD, or taking disciplinary or corrective action permitted by City or State law.

(j) Nothing in this Section [4.137](#), including but not limited to subsections (f) and (g), is intended to or shall be interpreted to abrogate, interfere with, or obstruct the independent and constitutionally and statutorily designated duties of the Sheriff, including the Sheriff's

duty to investigate citizens' complaints against SFSD personnel and the duty to operate and manage the jails, the California Attorney General's constitutional and statutory responsibility to oversee the Sheriff, or other applicable State law. In carrying out their duties, the SDOB and OSIG shall cooperate and coordinate with the Sheriff so that the Sheriff, the SDOB, and the OSIG may properly discharge their respective responsibilities.

(Added by [Proposition D](#), Approved 11/3/2020; amended by Proposition C, Approved 11/5/2024)

#### **SEC. 4.134. SMALL BUSINESS COMMISSION.**

(a) There shall be a Small Business Commission to oversee the San Francisco Office of Small Business. The Commission shall consist of seven members, who shall serve at the pleasure of the appointing authority. The Mayor shall appoint four members of the Commission; the Board of Supervisors shall appoint the remaining three members. The Mayor shall designate two of his or her initial appointments to serve for two-year terms; the Board of Supervisors shall designate one of its initial appointments to serve a two-year term. Thereafter, all commissioners shall serve for four-year terms.

(b) At least five of the individuals appointed to the Commission shall be owners, operators, or officers of San Francisco small businesses. One of the individuals appointed to the Commission may be either a current or former owner, operator, or officer of a San Francisco small business. One member of the Commission may be an officer or representative of a neighborhood economic development organization or an expert in small business finance.

Pursuant to Government Code Section 87103, individuals appointed to the Commission under this Section are intended to represent and further the interest of the particular industries, trades, or professions specified herein. Accordingly, it is found that for purposes of persons who hold such office, the specified industries, trades, or professions are tantamount to and constitute the public generally within the meaning of Government Code Section 87103.

(c) The Mayor and the Board of Supervisors shall select Commission members who reflect the diversity of neighborhood and small business interests in the City.

(Added November 2003)

#### **SEC. 418.7. SOMA COMMUNITY STABILIZATION FUND.**

(a) Purpose. There is hereby established a separate fund set aside for a special purpose entitled the SOMA Community Stabilization Fund ("Fund"), and within the Fund an account related to the Community Facilities District defined in Section [434](#) called the SoMa Community Facilities District Account ("Community Facilities District Account"). The Fund and the Community Facilities District Account shall be held and maintained by the Controller. All monies collected by DBI pursuant to Section [418.3](#) shall be deposited in the



Fund, to be maintained by the Controller. The Controller may direct certain proceeds of the Community Facilities District special tax, as defined in Section [434](#), collected pursuant to Section [434](#), to be deposited into the Community Facilities District Account. Proceeds of bonds issued for the Community Facilities District shall not be deposited into the Community Facilities District Account. The receipts in the Fund and the Community Facilities District Account are hereby appropriated in accordance with law to be used solely to address the effects of destabilization on residents and businesses in SOMA subject to the conditions of this Section [418.7](#).

(b) Use of Funds.

(1) All monies deposited in the Fund shall be used to address the impacts of destabilization on residents and businesses in SOMA including assistance for: affordable housing and community asset building, small business rental assistance, development of new affordable homes for rental units for low income households, rental subsidies for low income households, down payment assistance for home ownership for low income households, eviction prevention, employment development and capacity building for SOMA residents, job growth and job placement, small business assistance, leadership development, community cohesion, civic participation, cultural preservation, and community based programs and economic development. Monies in the Community Facilities District Account may be used for the purposes specified in this subsection (b) that are authorized uses of Community Facilities District revenues under the proceedings for the Community Facilities District and that are described in the Central SoMa Implementation Program Document.

(2) Monies from the Fund may be appropriated by the Mayor's Office of Housing and Community Development ("MOHCD") without additional approval by the Board of Supervisors to the Planning Commission or other City department or office to commission economic analyses for the purpose of revising the fee, to complete a nexus study to demonstrate the relationship between residential development and the need for stabilization assistance if this is deemed necessary, provided these expenses do not exceed a total of \$100,000. The receipts in the Fund may be used to pay the expenses of MOHCD in connection with administering the Fund and monitoring the use of the Funds. Before expending funds on administration, MOHCD must obtain the approval of the Board of Supervisors by Resolution. Monies in the Community Facilities District Account may not be used for the purposes described in this subsection (b)(2).

(c) Reporting. The Controller's Office shall file a report with the Board of Supervisors in even-numbered years, which report shall set forth the amount of money collected in the Fund. The Fund shall be administered and expended by MOHCD, but all expenditures shall first be approved by the Board of Supervisors through the legislative process. In approving expenditures from the Fund, MOHCD and the Board of Supervisors shall consider any comments from the SOMA Community Stabilization Fund Community Advisory Committee in

of the Administrative Code, the public, and any relevant City departments or offices. With respect to the Community Facilities District Account, the Controller's Office also shall

comply with the reporting requirements set forth in the Special Tax Financing Law and Government Code Section 50075 *et seq.*

(Added by Ord. 108-10, File No. 091275, App. 5/25/2010; amended by Ord. [263-13](#), File No. 130549, App. 11/27/2013, Eff. 12/27/2013; Ord. [296-18](#), File No. 180184, App. 12/12/2018, Eff. 1/12/2019; Ord. [242-19](#), File No. 181215, App. 11/1/2019, Eff. 12/2/2019)