



# Children, Youth, and Their Families Oversight and Advisory Committee

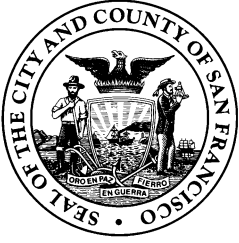


## *Pre-Meeting Packet*

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# Children and Youth Fund Oversight and Advisory Committee

## Meeting Agenda



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**Members:** Andre Torrey, Aaron Yen, Jada Curry (Chair), Jon Henry, Julie Roberts-Phung, Lesly Simmons, Mollie Matull (Vice Chair), Skylar Dang, Ryan Galvez

**Date and Time:** Monday, February 13, 2023, 4:00 PM – 6:00 PM

**Zoom Meeting Link:** [Click to Join](#) or join by Telephone; Dial + 1-669-444-9171, Passcode: 615728  
Webinar ID: 897 7520 6531

**I. Call to Order and Roll Call** (2 mins)

**II. General Public Comments** (5 mins)

This item allows members of the public to comment generally on matters within the OAC's purview that are not on the agenda.

**III. Approval of the January 2023 Minutes** (5 mins)

Action required

**IV. Resolution Making Findings to Allow Teleconferenced Meetings Under CA Gov Code Section 54953(e)** (5 mins)

Action required

**V. Report of the OAC Chair** (10 mins)

- Vote on Updated Bylaws – Action required

**VI. DCYF Budget Presentation** (30 mins)

Action required

**VII. Services Allocation Plan (SAP) Update** (25 mins)

Discussion only

**VIII. Report of the Service Provider Working Group** (10 mins)

Discussion only

**IX. Report of the DCYF Director** (10 mins)

Discussion only

**X. Action Items** (5 mins)

Discussion only



# Children and Youth Fund Oversight and Advisory Committee

## Meeting Agenda



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### Providing Public Comment

#### Instructions:

- Wait for Public Comment to be announced (by Item # or for General Public Comment)
- When the Clerk calls Public Comment,
  - From your screen: Select "RAISE HAND" and wait to be introduced.
  - From your phone: Press \*9 to raise your hand on the phone and wait to be introduced.
- Please wait until it is your turn to speak.
- When it is time for you to speak, you will be brought into the conversation by the Zoom Administrator.
- You will have the standard 2 minutes to provide your comments.
- Once your 2 minutes have ended, you will be moved out of the speaker line and back to listening as an attendee (unless you disconnect).
- If you wish to speak on other items on the Agenda or for other comment periods, please listen for the Clerk's next prompt and follow the same set of instructions.

#### Best Practices:

- Call from a Quiet location.
- Speak slowly and clearly.
- Turn down any televisions or radios around you.
- Address the Oversight and Advisory Committee as a whole. Do not address individual Members.

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#### KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

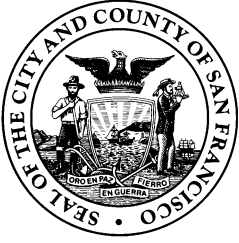
Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapters 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, please contact: Sunshine Ordinance Task Force Administrator  
City Hall – Room 244 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
415-554-7724 (Office); 415-554-7854 (Fax)  
E-mail: [SOTF@sfgov.org](mailto:SOTF@sfgov.org)

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at [www.sfgov.org](http://www.sfgov.org). Copies of explanatory documents are available to the public online at <http://www.sfbos.org/sunshine> or, upon request to the Commission Secretary, at the above address or phone number.

#### LANGUAGE ACCESS

Per the Language Access Ordinance (Chapter 91 of the San Francisco Administrative Code), Chinese, Spanish and or Filipino (Tagalog) interpreters will be available upon request. Meeting Minutes may be translated, if requested, after they have been adopted by the Commission. Assistance in additional languages may be honored whenever possible. To request assistance with these services please contact Emily Davis at 415-554-8991 or [Emily.Davis@dcyf.org](mailto:Emily.Davis@dcyf.org) at least 48 hours in advance of the hearing. Late requests will be honored if possible.

#### ACCESSIBLE MEETING POLICY



# Children and Youth Fund Oversight and Advisory Committee

## Meeting Agenda



Per the Americans with Disabilities Act and the Language Access Ordinance, Chinese, Spanish, Filipino (Tagalog), and/or American Sign Language interpreters will be available upon request. Additionally, every effort will be made to provide assistive listening devices and meeting materials in alternative formats (braille or large print). Minutes may be translated after they have been adopted by the Commission. For all these requests, please contact Emily Davis, Community Engagement Associate at least 72 hours before the meeting at 415-554-8991. Late requests will be honored if possible. The hearing room is wheelchair accessible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

### LOBBYIST ORDINANCE

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102, (415) 252-3100, FAX (415) 252-3112, website: [www.sfgov.org/ethics](http://www.sfgov.org/ethics).

### CHINESE

如對會議有任何疑問，請致電415-557-9942查詢。當會議進行時，嚴禁使用手機及任何發聲電子裝置。會議主席可以命令任何使用手機或其他發出聲音裝置的人等離開會議場所。

### 了解你在陽光政策下的權益

政府的職責是為公眾服務，並在具透明度的情況下作出決策。市及縣政府的委員會，市參事會，議會和其他機構的存在是為處理民眾的事務。本政策保證一切政務討論都在民眾面前進行，而市政府的運作也公開讓民眾審查。如果你需要知道你在陽光政策 (San Francisco Administrative Code Chapter 67) 下擁有的權利，或是需要舉報違反本條例的情況，請聯絡：

### 陽光政策 專責小組行政官

地址：City Hall – Room 244 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
電話號碼:415-554-7724；傳真號碼415- 554-5163  
電子郵件: SOTF@sfgov.org

陽光政策的文件可以通過陽光政策專責小組秘書、三藩市公共圖書館、以及市政府網頁[www.sfgov.org](http://www.sfgov.org)等途徑索取。民眾也可以到網頁<http://www.sfbos.org/sunshine>閱覽有關的解釋文件，或根據以上提供的地址和電話向委員會秘書索取。

### 語言服務

根據語言服務條例(三藩市行政法典第91章)，中文、西班牙語和/或菲律賓語(泰加洛語)傳譯人員在收到要求後將會提供傳譯服務。翻譯版本的會議記錄可在委員會通過後透過要求而提供。其他語言協助在可能的情況下也將可提供。上述的要求，請於會議前最少48小時致電415-557-9942或電郵至 [Brandon.Shou@dcyf.org](mailto:Brandon.Shou@dcyf.org) 向委員會秘書Brandon Shou提出。逾期提出的請求，若可能的話，亦會被考慮接納。

### 利便參與會議的相關規定

根據《美國殘疾人士法案》(Americans with Disabilities Act) 與「語言服務條例」(Language Access Ordinance)，中文、西班牙文、菲律賓文和/或美國手語傳譯員，須應要求，提供傳譯服務。另外，我們會盡一切努力予以提供輔助性聽力儀器及不同格式(點字印製或特大字體)的會議資料。翻譯版本的會議記錄可在委員會通過後予以提供。如有這些方面的請求，請在會議前七十二(72)小時致電415-557-9942與Brandon Shou 聯絡。逾期所提出的請求，若可能的話，亦會接納。聽證室設有輪椅通道。

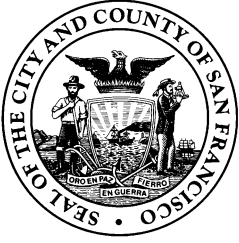
為了讓市政府更好照顧有嚴重過敏、因環境產生不適、或對多種化學物質敏感的病患者，以及有相關殘疾的人士，出席公眾會議時，請注意其他與會者可能會對不同的化學成分產品產生過敏。請協助市政府關顧這些個別人士的需要。

### 遊說者法令

依據「三藩市遊說者法令」(SF Campaign & Governmental Conduct Code 2.100) 能影響或欲影響本地立法或行政的人士或團體可能需要註冊，並報告其遊說行為。如需更多有關遊說者法令的資訊，請聯絡位於 Van Ness 街25號 220室的三藩市道德委員會，電話號碼:415- 252-3100，傳真號碼 415-252-3112，網址: [www.sfgov.org/ethics](http://www.sfgov.org/ethics)。

### SPANISH

1390 Market Street, Suite 900 • San Francisco, CA 94102 • Tel 415.554.8990 • Fax 415.554.8965 • TTY 415.934.4847 • [www.dcyf.org](http://www.dcyf.org)



# Children and Youth Fund Oversight and Advisory Committee

## Meeting Agenda



Para preguntas acerca de la reunión, por favor contactar el 415-934-4840. El timbrado de y el uso de teléfonos celulares, localizadores de personas, y artículos electrónicos que producen sonidos similares, están prohibidos en esta reunión. Por favor tome en cuenta que el Presidente podría ordenar el retiro de la sala de la reunión a cualquier persona(s) responsable del timbrado o el uso de un teléfono celular, localizador de personas, u otros artículos electrónicos que producen sonidos similares.

### CONOZCA SUS DERECHOS BAJO LA ORDENANZA SUNSHINE

El deber del Gobierno es servir al público, alcanzando sus decisiones a completa vista del público. Comisiones, juntas, concilios, y otras agencias de la Ciudad y Condado, existen para conducir negocios de la gente. Esta ordenanza asegura que las deliberaciones se lleven a cabo ante la gente y que las operaciones de la ciudad estén abiertas para revisión de la gente. Para obtener información sobre sus derechos bajo la Ordenanza Sunshine (capítulo 67 del Código Administrativo de San Francisco) o para reportar una violación de la ordenanza, por favor póngase en contacto con:

Administrador del Grupo de Trabajo de la Ordenanza Sunshine (Sunshine Ordinance Task Force Administrator)  
City Hall – Room 244 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
415-554-7724 (Oficina); 415-554-5163 (Fax);  
Correo electrónico: SOTF@sfgov.org

Copias de la Ordenanza Sunshine pueden ser obtenidas del Secretario del grupo de Trabajo de la Ordenanza Sunshine, la Biblioteca Pública de San Francisco y en la página web del internet de la ciudad en [www.sfgov.org](http://www.sfgov.org). Copias de documentos explicativos están disponibles al público por Internet en <http://www.sfbos.org/sunshine>; o, pidiéndolas al Secretario de la Comisión en la dirección o número telefónico mencionados arriba.

### ACCESO A IDIOMAS

De acuerdo con la Ordenanza de Acceso a Idiomas “Language Access Ordinance” (Capítulo 91 del Código Administrativo de San Francisco “Chapter 91 of the San Francisco Administrative Code”) intérpretes de chino, español y/o filipino (tagalo) estarán disponibles de ser requeridos. Las minutas podrán ser traducidas, de ser requeridas, luego de ser aprobadas por la Comisión. La asistencia en idiomas adicionales se tomará en cuenta siempre que sea posible. Para solicitar asistencia con estos servicios favor comunicarse con Prishni Murillo al 415-934-4840, o [Prishni.Murillo@dcyf.org](mailto:Prishni.Murillo@dcyf.org) por lo menos 48 horas antes de la reunión. Las solicitudes tardías serán consideradas de ser posible.

### POLITICA DE ACCESO A LA REUNIÓN

De acuerdo con la Ley sobre Estadounidenses con Discapacidades (Americans with Disabilities Act) y la Ordenanza de Acceso a Idiomas (Language Access Ordinance) intérpretes de chino, español, filipino (tagalo) y lenguaje de señas estarán disponibles de ser requeridos. En adición, se hará todo el esfuerzo posible para proveer un sistema mejoramiento de sonido y materiales de la reunión en formatos alternativos. Las minutas podrán ser traducidas luego de ser aprobadas por la Comisión. Para solicitar estos servicios, favor contactar a Prishni Murillo, por lo menos 72 horas antes de la reunión al 415-934-4840. Las solicitudes tardías serán consideradas de ser posible. La sala de audiencia es accesible a silla de ruedas.

### ORDENANZA DE CABILDEO

Individuos y entidades que influyen o intentan influenciar legislación local o acciones administrativas podrían ser requeridos por la Ordenanza de Cabildeo de San Francisco (SF Campaign & Governmental Conduct Code 2.100) a registrarse y a reportar actividades de cabildeo. Para más información acerca de la Ordenanza de Cabildeo, por favor contactar la Comisión de Ética: 25 de la avenida Van Ness, Suite 220, San Francisco, CA 94102, 415-252-3100, FAX 415-252-3112, sitio web: [www.sfgov.org/ethics](http://www.sfgov.org/ethics).

### FILIPINO

Kung mayroon kayong mga tanong tungkol sa miting, mangyaring tumawag lang sa 415-554-8991. Ang pagtunog at paggamit ng mga cell phone, mga pager at kagamitang may tunog ay ipinagbabawal sa pulong. Paalala po na maaaring palabasin ng Tagapangulo ang sinumang may-ari o responsable sa ingay o tunog na mula sa cell-phone, pager o iba pang gamit na lumilikha ng ingay.

### ALAMIN ANG INYONG MGA KARAPATAN SA ILALIM NG SUNSHINE ORDINANCE

Tungkulin ng Pamahalaan na paglinkuran ang publiko, maabot ito sa patas at madaling maunawaan na paraan. Ang mga komisyon, board, kapulungan at iba pang mga ahensya ng Lungsod at County ay mananatili upang maglingkod sa pamayanan. Tinitiyak ng ordinansa na ang desisyon o pagpapasya ay ginagawa kasama ng mamamayan at ang mga gawaing panglungsod na napagkaisahan ay bukas sa pagsusuri ng publiko. Para sa impormasyon ukol sa inyong karapatan sa ilalim ng Sunshine Ordinance (Kapitulo 67 sa San Francisco Administrative Code) o para mag-----report sa paglabag sa ordinansa, mangyaring tumawag sa Administrador ng Sunshine Ordinance Task Force .

City Hall – Room 244 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
415-554-7724 (Opisina); 415-554-7854 (Fax)



# Children and Youth Fund Oversight and Advisory Committee

## Meeting Agenda



E-mail: [SOTF@sfgov.org](mailto:SOTF@sfgov.org)

Ang mga kopya ng Sunshine Ordinance ay makukuha sa Clerk ng Sunshine Task Force, sa pampublikong aklatan ng San Francisco at sa website ng Lungsod sa [www.sfgov.org](http://www.sfgov.org). Mga kopya at mga dokumentong na nagpapaliwanag sa Ordinance ay makukuha online sa <http://www.sfbos.org/sunshine> o sa kahilingan sa Commission Secretary, sa address sa itaas o sa numero ng telepono.

PAG-ACCESS SA WIKA

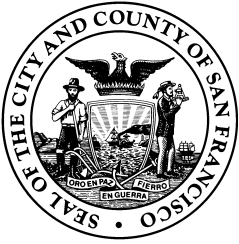
Ayon sa Language Access Ordinance (Chapter 91 ng San Francisco Administrative Code), maaaring mag-request ng mga tagapagsalin sa wikang Tsino, Espanyol, at/o Filipino (Tagalog). Kapag hiniling, ang mga kaganapan ng miting ay maaring isalin sa ibang wika matapos ito ay aprobahan ng komisyon. Maari din magkaroon ng tulong sa ibang wika. Sa mga ganitong uri ng kahilingan, mangyaring tumawag sa Clerk ng Commission Emily Davis sa 415-554-8991, o [Emily.Davis@dcyf.org](mailto:Emily.Davis@dcyf.org) sa hindi bababa sa 48 oras bago mag miting. Kung maari, ang mga late na hiling ay posibleng pagbibigyan.

PATAKARAN PARA SA PAG-ACCESS NG MGA MITING

Ayon sa batas ng Americans with Disabilities Act at ng Language Access Ordinance, maaaring mag-request ng mga tagapagsalin wika sa salitang Tsino, Espanyol, Filipino o sa may kapansanan pandinig sa American Sign Language. Bukod pa dito, sisikapin gawan ng paraan na makapaglaan ng gamit upang lalong pabutihin ang inyong pakikinig at maibahagi ang mga kaganapan ng miting sa iba't ibang anyo (braille o malalaking print). Ang mga kaganapan ng miting ay maaaring isalin sa ibang wika matapos ito ay aprobahan ng komisyon. Sa mga ganitong uri ng kahilingan, tumawag po lamang kay Emily Davis sa 415-554-8991. Magbigay po lamang ng hindi bababa sa 72 oras na abiso bago ng miting. Kung maaari, ang mga late na hiling ay posibleng tanggapin. Ang silid ng pagpupulungan ay accessible sa mga naka wheelchair.

LOBBYIST ORDINANCE

Ayon sa San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code 2.100], ang mga indibidwal o mga entity na nag iimpluensiya o sumusubok na mag impluensiya sa mga lokal na pambatasan o administrative na aksyon ay maaaring kailangan mag-register o mag-report ng aktibidad ng lobbying. Para sa karagdagan na impormasyon tungkol sa Lobbyist Ordinance, tumawag lamang po sa San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102, (415) 252-3100, FAX (415) 252-3112, website: [www.sfgov.org/ethics](http://www.sfgov.org/ethics).



# Children and Youth Fund Oversight and Advisory Committee

## Meeting Minutes



**Members:** Andre Torrey, Aaron Yen, Jada Curry (Chair), Jon Henry, Julie Roberts-Phung, Lesly Simmons, Mollie Matull (Vice Chair)

**Date and Time:** Tuesday, January 17, 2023, 3:00 PM – 5:00 PM

**Zoom Meeting Link:** [Click to Join](#) or join by Telephone; Dial + 1-669-444-9171, Passcode: 615728  
Webinar ID: 848 7071 2160

### I. Call to Order and Roll Call (2 mins)

- A. Meeting called to order at 3:02pm.
- B. Members Late: Lesly Simmons, Andre Torrey
- C. Members Absent: Mollie Matull (excused), Julie Roberts-Phung (excused)

### II. General Public Comments (5 mins)

- A. No public comment.

### III. Approval of the November 2022 Minutes (5 mins)

- A. Minutes approved unanimously.

### IV. Resolution Making Findings to Allow Teleconferenced Meetings Under CA Gov Code Section 54953(e) (5 mins)

- A. Resolution approved unanimously.

### V. DCYF Budget Presentation (30 mins)

- A. DCYF Chief Financial Officer Heidi Burbage shared a presentation on the DCYF Budget.
- B. Member Comments and Questions
  - Member Aaron Yen and Chair Jada Curry shared comments and clarifying questions with Committee regarding the presentation.
- C. No public comment.

### VI. Coordinated Communications for Children, Youth, and Families Presentation (10 mins)

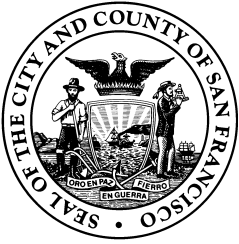
- A. DCYF Community Engagement and Communications Manager, Dori Caminong, shared a presentation on the Coordinated Communications for Children, Youth, and Families Presentation: Our415.
- B. Member Comments and Questions
  - Member Lesly Simmons asked clarifying question regarding staff hiring and support for the Our415 website. Member Yen and Chair Curry shared positive feedback.
- C. Public Comment
  - SPWG Co-Chair Madison Holland asked clarifying question regarding services listed, and if CBO information will be included.

### VII. Report of the Service Provider Working Group (10 mins)

- A. SPWG Co-Chairs Madison Holland and Frederique Clermont shared their report.

### VIII. Report of the OAC Chair (10 mins)

- A. Chair Curry reviewed the changes to the OAC Bylaws.
  - Committee unable to vote due to loss of quorum. Voting tabled for the next OAC meeting.



## Children and Youth Fund Oversight and Advisory Committee

### *Meeting Minutes*



#### **IX. Report of the DCYF Director (10 mins)**

- A. Director Su shared her report with the committee.
- Summer Resource Fair, February 11 at the SF County Fair Building
  - Services Allocation Plan and RFP Update

#### **X. Action Items (5 mins)**

- A. Approval of the bylaws at the next meeting.
- B. Meeting adjourned at 4:20pm.



**RESOLUTION MAKING FINDINGS TO ALLOW TELECONFERENCED  
MEETINGS UNDER CALIFORNIA GOVERNMENT CODE SECTION  
54953(e)**

WHEREAS, California Government Code Section 54953(e) empowers local policy bodies to convene by teleconferencing technology during a proclaimed state of emergency under the State Emergency Services Act so long as certain conditions are met; and

WHEREAS, In March, 2020, the Governor of the State of California proclaimed a state of emergency in California in connection with the Coronavirus Disease 2019 (“COVID-19”) pandemic, and that state of emergency remains in effect; and

WHEREAS, In February 25, 2020, the Mayor of the City and County of San Francisco (the “City”) declared a local emergency, and on March 6, 2020 the City’s Health Officer declared a local health emergency, and both those declarations also remain in effect; and

WHEREAS, On March 11 and March 23, 2020, the Mayor issued emergency orders suspending select provisions of local law, including sections of the City Charter, that restrict teleconferencing by members of policy bodies; those orders remain in effect, so City law currently allows policy bodies to meet remotely if they comply with restrictions in State law regarding teleconference meetings; and

WHEREAS, On September 16, 2021, the Governor signed AB 361, a bill that amends the Brown Act to allow local policy bodies to continue to meet by teleconferencing during a state of emergency without complying with restrictions in State law that would otherwise apply, provided that the policy bodies make certain findings at least once every 30 days; and

WHEREAS, While federal, State, and local health officials emphasize the critical importance of vaccination and consistent mask-wearing to prevent the spread of COVID-19, the City’s Health Officer has issued at least one order (Health Officer Order No. C19-07y, available online at [www.sfdph.org/healthorders](http://www.sfdph.org/healthorders)) and one directive (Health Officer Directive No. 2020-33i, available online at [www.sfdph.org/directives](http://www.sfdph.org/directives)) that continue to recommend measures to promote physical distancing and other social distancing measures, such as masking, in certain contexts; and

WHEREAS, The California Department of Industrial Relations Division of Occupational Safety and Health (“Cal/OSHA”) has promulgated Section 3205 of Title 8 of the California Code of Regulations, which requires most employers in California, including in the City, to train and instruct employees about measures that can decrease the spread of COVID-19, including physical distancing and other social distancing measures; and

WHEREAS, Without limiting any requirements under applicable federal, state, or local pandemic-related rules, orders, or directives, the City’s Department of Public Health, in coordination with the City’s Health Officer, has advised that for group gatherings indoors, such as meetings of boards and commissions, people can increase safety and greatly reduce risks to the health and safety of attendees from COVID-19 by maximizing ventilation, wearing well-fitting masks (as required by Health Officer Order No. C19-07), using physical distancing where the vaccination status of attendees is not known, and considering holding the meeting remotely if feasible, especially for long meetings, with any attendees with unknown vaccination status and where ventilation may not be optimal; and

WHEREAS, On July 31, 2020, the Mayor issued an emergency order that, with limited exceptions, prohibited policy bodies other than the Board of Supervisors and its committees from meeting in person under any circumstances, so as to ensure the safety of policy body members, City staff, and the public; and

WHEREAS, [DCYF’s Oversight & Advisory Committee (OAC)] has met remotely during the COVID-19 pandemic and can continue to do so in a manner that allows public participation and transparency while minimizing health risks to members, staff, and the public that would be present with in-person meetings while this emergency continues; now, therefore, be it

RESOLVED, That [DCYF’s Oversight & Advisory Committee] finds as follows:

1. As described above, the State of California and the City remain in a state of emergency due to the COVID-19 pandemic. At this meeting, DCYF’s Oversight & Advisory Committee] has considered the circumstances of the state of emergency.
2. As described above, State and City officials continue to recommend measures to promote physical distancing and other social distancing measures, in some settings.

3. As described above, because of the COVID-19 pandemic, conducting meetings of this body in person would present imminent risks to the safety of attendees, and the state of emergency continues to directly impact the ability of members to meet safely in person; and, be it

FURTHER RESOLVED, That for at least the next 30 days meetings of [DCYF's Oversight & Advisory Committee] will continue to occur exclusively by teleconferencing technology (and not by any in-person meetings or any other meetings with public access to the places where any policy body member is present for the meeting). Such meetings of [DCYF's Oversight & Advisory Committee] that occur by teleconferencing technology will provide an opportunity for members of the public to address this body and will otherwise occur in a manner that protects the statutory and constitutional rights of parties and the members of the public attending the meeting via teleconferencing; and, be it

FURTHER RESOLVED, That the clerk/staff of [DCYF's Oversight & Advisory Committee] is directed to place a resolution substantially similar to this resolution on the agenda of a future meeting of [DCYF's Oversight & Advisory Committee] within the next 30 days. If [DCYF's Oversight & Advisory Committee] does not meet within the next 30 days, the clerk/staff is directed to place a such resolution on the agenda of the next meeting of [DCYF's Oversight & Advisory Committee].

Department of Children Youth and Their Families' Oversight and Advisory Committee  
City and County of San Francisco

**BYLAWS**

January 11, 2019

**ARTICLE I: NAME, PURPOSE AND MEMBERSHIP Section 1. Name**

The name of the Committee shall be "Children, Youth and Their Families Oversight and Advisory Committee" ("Oversight and Advisory Committee" or "OAC") and shall be referred to in the bylaws as the "OAC."

**Section 2. Authority and 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 "OAC") to review the governance and policies of the Department of Children, Youth and Their Families ("DCYF"), and to ensure that the Children and Youth Fund ("Fund") is administered in a manner accountable to the community and supports DCYF's citywide results:

- All children and youth are supported by nurturing families and communities.
- All children and youth are physically and emotionally healthy.
- All children and youth are ready to learn and succeed in school.
- All youth are ready for college, work and productive adulthood.

Specifically, the OAC shall review and approve the planning process for the Children and Youth Fund Community Needs Assessment (CNA) and final CNA; the Services Allocation Plan (SAP); and DCYF's overall annual budget expenditures (including the approval of grants as a package, work orders, supplemental funds, and add-back funds).

Other duties shall include providing input and advice, and reviewing recommendations regarding:

- outcomes for children and youth services,
- evaluation of services,
- shared data systems,
- a process for making funding decisions,
- program improvement and capacity-building of service providers,
- community engagement in planning and evaluating services,
- leverage and the usage of the Fund as a catalyst for innovation,
- transparency in the administration of the Fund.

The OAC shall participate in the evaluation of the Director of DCYF by providing a letter from the Chair and Vice Chair to the Mayor with the OAC's comments. The OAC shall assist in recruitment for the Director when the position is vacant and may recommend candidates to the Mayor.

**Section 3. Membership**

The OAC shall be comprised of 11 members. As provided in Charter Section 16.108-1, the Mayor shall appoint members for Seats 1, 2, 3, 4, 5, and 6, and the Board of Supervisors shall appoint members for Seats 7, 8, 9, 10, and 11.

Members of the OAC shall possess the following qualifications:

Seat 1: A youth 19 years old or younger at the time of appointment. This seat serves a 3 year term.

Seat 2: The same qualifications as for Seat 1. This seat serves a 2 year term.

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

Seat 4: A person with expertise or substantial experience working in services and programs for children ages 5 and younger. This seat serves a 2 year term.

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. This seat serves a 3 year term.

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. This seat serves a 2 year term.

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. This seat serves a 3 year term.

Seat 8: A parent or guardian of a child, which child is enrolled in kindergarten through 8<sup>th</sup> grade at the time of the member's appointment for the term. This OAC member shall be from a low-income community or has 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. This seat serves a 2 year term.

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 OAC member shall have demonstrated a commitment to improving access and quality of services for children, youth, and families. This seat serves a 3 year term.

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. This seat serves a 2 year term.

Seat 11: A person who has demonstrated commitment to improving access to and quality of services for children, youth, and families. This seat serves a 3 year term.

If a vacancy occurs in any seat on the OAC, the appointing authority for the vacated seat shall appoint a successor.

Members may not serve more than two consecutive terms.

## **ARTICLE II: OAC OFFICER AND LIASION POSITIONS**

### **Section 1. OAC Officers**

The Officers of the OAC shall be Chair and Vice Chair. All Officers are members of the OAC.

### **Section 2. OAC Terms of Office**

The Officers shall hold offices for one year and until their successors are elected.

### **Section 3. Election of OAC Officers**

Elections of officers shall be conducted at the first regular meeting of the OAC in each fiscal year.

In the event the Chair is unable to complete her or his term of office, the Vice Chair shall serve as Chair until the next regular meeting. At the next regular meeting, the OAC shall elect a new Chair to fill the vacancy for the balance of the unexpired term. In the event the Vice Chair is elected Chair, there shall be an election for a new Vice Chair at that meeting. If the office of Vice Chair is vacated before the expiration of a term, it shall remain vacant until the next regular meeting, at which time the OAC shall elect a new Vice Chair.

### **Section 4. Duties of Chair**

The Chair shall preside at all meetings of the OAC. The Chair, working with the Executive Committee and DCYF staff and with input from the OAC, shall approve the agenda for the meetings and oversee the agenda's preparation and distribution. The Chair shall preserve order and decorum and shall decide all questions of order consistent with Robert's Rules of Order.

The Chair shall chair the Executive Committee and lead governance items.

The Chair with the Vice Chair shall liaise with SPWG chair(s) to maintain open communications about issues and items related to the purview of the OAC.

The Chair shall appoint all subcommittees and their chairs. The Chair shall encourage OAC members to participate on subcommittees and shall ensure broad and diverse representation of OAC members on all subcommittees.

### **Section 5. Duties of Vice Chair**

In the event of the absence or inability of the Chair to act, the Vice Chair shall preside at

meetings and perform the duties of the Chair. In the event of the absence of the Chair and the Vice Chair, the remaining OAC members shall appoint one of the members to preside at the meeting and perform the duties of the Chair until such time as the Chair or Vice Chair is available.

The Vice Chair shall serve on the Executive Committee and support the Chair with governance items.

The Vice Chair with the Chair shall liaise with SPWG chair(s) to maintain open communications about issues and items related to the purview of the OAC.

### **Section 6. Our Children Our Families Council Liaison**

As stated in Charter Section 16.127-7, Public Member Seat 1 of the Our Children, Our Families Council (OCOF) must be a member of the OAC. This individual will serve as the official liaison between the OCOF and the OAC. Public Member Seat 1 of the OCOF will be referred to as the OCOF Liaison.

### **Section 7. Duties of the OCOF Liaison**

The OCOF Liaison will represent the OAC in an official capacity. The individual must have strong knowledge of programs and services for children, youth and families in San Francisco, and the collaborative work of the OCOF. The OCOF Liaison will report back to the OAC regularly regarding OCOF activities, and act as a point of contact for OAC and Services Provider Working Group Members, should they wish to communicate and/or coordinate with the OCOF.

### **Section 8. OCOF Liaison Appointment Process**

The OCOF Liaison will be appointed by the Mayor to serve a three year term. When the OCOF Liaison's term ends or the seat is vacated, the OAC shall recommend up to three candidates to the Mayor to fill the seat. The OCOF Liaison is a member of the Executive Committee.

## **ARTICLE III. MEETINGS**

### **Section 1. Regular Meetings**

Regular meeting times of the OAC shall be established. The OAC may meet virtually or in-person. If the OAC meeting is in-person, the primary location for that meetings shall be the Department of Children, Youth and Their Families (DCYF) 1390 Market Street, Suite 900, San Francisco, California 94102. The OAC may meet in-person in alternate locations depending on the needs of the meeting and as determined by the Executive Subcommittee.

The OAC may maintain a virtual meeting option if the "California Government Code Section 54953(e) continues to empower local policy bodies to convene by teleconferencing during a proclaimed state of emergency under the State Emergency Services Act so long as certain conditions are met; and whereas the Governor of the State of California and the Mayor of the City and County of San Francisco proclaim a state of emergency; and whereas the OAC holds virtual meetings in a manner that allows public participation and transparency, and that protects the statutory and constitutional rights of parties and the members of the public attending the meeting," as stated in the Resolution Making Findings to Allow Teleconferenced

## Meetings Under California Government Code Section 54953(e) document.

The OAC shall meet at least six times each calendar year.

### **Section 2. Special Meetings**

The Chair, or a majority of the members of the OAC, may for call special meetings.

### **Section 3. Notice of Meetings**

The agendas of all regular meetings, notices and agendas of all special meetings shall be posted on the DCYF website, at the DCYF main office, and at the San Francisco Public Library. Agendas and notices shall be distributed to each OAC member and any person who files a written request for such agendas and notices with the OAC.

### **Section 4. Cancellation of Meetings**

The Chair may cancel a meeting if the Chair is informed that a quorum of the body will not be present, or if the meeting date conflicts with a holiday or other responsibilities of the OAC members. Notices of cancellation shall be posted on the DCYF website and at the DCYF main office. If time permits, notices of meeting cancellations shall be sent to all members of the public who have requested, in writing, to receive notices and agendas of OAC meetings.

### **Section 5. Conduct of Meetings**

(a) All OAC meetings shall be conducted in compliance with all applicable laws, including but not limited to the Ralph M. Brown Act (Government Code Section 54950 et. seq.), the California Public Records Act (Cal. Gov. Code, Section 6250 et. seq.), and the San Francisco Sunshine Ordinance (San Francisco Administrative Code, Chapter 67).

(b) Meetings shall be governed by Robert's Rules of Order, 10th edition, unless otherwise stated in these Bylaws.

(c) Cell phones shall be turned off during meetings of the OAC. The Chair may issue a warning to any meeting participant or attendee whose cell phone disrupts the meeting. In the event of repeated disruptions caused by cell phones, the Chair shall direct the offending attendee to leave the meeting.

### **Section 6. Setting of Agendas**

DCYF staff, at the direction of the Chair, shall prepare the agenda for meetings. The Chair shall work with the Executive Committee to set the agenda for OAC meetings. The Chair shall place any item requested by a member of the OAC on the agenda provided that it is received no less than **five** days prior to a regular meeting.

### **Section 7. Quorum**

A quorum must be present at regular, specially scheduled, and subcommittee meetings in order for the OAC or subcommittee to take official action. A quorum shall consist of a majority of the seated membership. If a quorum is not met, the members may conduct an informational discussion in which no decisions are made.

### **Section 8. Voting and Abstention**



OAC members must be present at the meeting in order to vote. Each member present at an OAC meeting shall vote “Yes” or “No” when a question is put forth, unless the member is excused from voting on a matter by a motion adopted by a majority of the members present, or if the member has a conflict of interest that legally precludes participation in the discussion and vote.

The OAC shall take action on items on the agenda by roll call voice vote. The minutes shall reflect how each member voted.

### **Section 9. Standard Meeting Agenda Items**

Standard items on the agendas for OAC meetings are:

1. Call to order
2. Roll call
4. Approval of meeting minutes
5. Public comment
- Report of the Service Provider Working Group
8. Report of the Chair (includes Director’s report  
Future Agenda Items and member comments)
- Review of Action Items

The order of items on the agenda may be changed by action of the Chair at any meeting.

### **Section 10. Public Comments**

The OAC and all subcommittees shall hold meetings open to the public in full compliance with state and local laws. The OAC encourages the participation of all interested persons. Members of the public may address the OAC on any matter within the jurisdiction of DCYF during public comment. The Chair may limit the time permitted for public comment consistent with state and local laws.

## **ARTICLE V: SUBCOMMITTEES**

### **Section 1. Executive Subcommittee**

The Executive Subcommittee shall be composed of the Chair and Vice-Chair, as well as one at-large OAC member. The Chair must appoint at least one Youth member of the OAC to the Executive Subcommittee and must fill ensuing youth vacancies of that seat on the Executive Subcommittee with another Youth member of the OAC. Youth members on the OAC are those who occupy one of the following seats: Seat 1, Seat 2, or Seat 7.

### **Section 2. Special or Ad Hoc Subcommittees**

Upon approval by a majority of the members of the OAC, special or ad hoc subcommittees may be formed. Special subcommittees shall be formed for a specific purpose and cease to exist after completion of that purpose. Special subcommittees shall be composed of members of the OAC, DCYF staff, and other stakeholders as deemed appropriate.

### **Section 3. Conduct of All Subcommittee Meetings**

All subcommittee meetings shall be held in compliance with all applicable laws, including but not limited to, Ralph M. Brown Act (Cal. Gov. Code, Sections 54950 et. Seq.), the California Public Records Act (Cal. Gov. Code, Section 6250 et. Seq.), and the San Francisco Sunshine Ordinance (SF Admin. Code, Chapter 67).

## **ARTICLE VI—ATTENDANCE**

### **Section 1. Attendance**

Members of the OAC shall notify the Chair and the Executive Assistant to the DCYF Executive Director if they are unable to attend a regular, subcommittee, or special meeting. If a member of the OAC misses three or more regular meetings in any twelve-month period of time, the Chair may notify the appointing authority of the seat the member occupies and request that action be taken to replace that member. The Chair shall notify any member who misses two meetings in any twelve month period of time that if a third absence occurs, the OAC may notify the appointing authority regarding the member's lack of attendance.

## **ARTICLE VII—ADOPTION AND ADMENDMENTS OF BYLAWS**

### **Section 1. Adoption**

The adoption of these Bylaws shall be made by motion and shall require an affirmative recorded vote of the majority of the members of the OAC. When adopted, such Bylaws shall remain in effect unless suspended, modified or amended as provided herein.

### **Section 2. Amendments**

Amendments of the Bylaws shall be by a majority of the members of the OAC after presentation of the proposed amendments as an agenda item at a meeting of the OAC. The OAC shall give ten days' notice before considering any amendments to the Bylaws.

## **ARTICLE VIII—SERVICE PROVIDER WORKING GROUP**

### **Section 1. Name**

The name of this working group shall be the Services Provider Working Group ("SP Working Group" or "Working Group") and shall be referred to in the bylaws as the "SPWG."

### **Section 2. SPWG Authority and Purpose**

The OAC shall establish and maintain a Service Provider Working Group as provided in Charter Section 16.108-1 and Administrative Code Section 2A.234.

The OAC shall develop initial Bylaws for the SPWG and shall appoint an initial chair and vice-chair for the SPWG who shall be responsible for developing its structure and facilitating its meetings.

The purpose of the SPWG is to advise the OAC on funding priorities, policy development, the planning cycle, evaluation design and plans, and any other issues of concern to the SPWG related to the Children and Youth Fund ("Fund") established in Charter Section

16.108, or the responsibilities of the Department of Children, Youth and Their Families ("DCYF") or other departments receiving monies from the Fund.

### **Section 3: SPWG Membership**

The SPWG shall have at least 10 members. The SPWG shall engage a broad cross-section of service providers in providing information, education, and consultation to the OAC. All members of the SPWG shall be persons actively providing services to children, youth, and their families during the members' service on the SPWG.

The SPWG may include:

- service providers who currently receive funding from DCYF,
- service providers who have never received funding from DCYF but currently provide services for children and youth, and
- service providers who have received funding from DCYF in the past and who currently provide services for children and youth.

In addition, the SPWG shall include members with expertise or experience in the various funding areas identified in DCYF's most recent Services Allocation Plan as provided in Charter Section 16.108(i)(2).

### **Section 4: SPWG Officers**

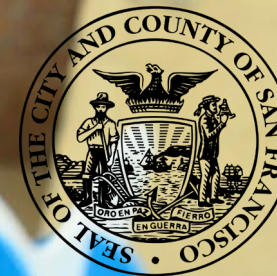
The initial SPWG Chair and Vice-Chair shall be appointed by the Oversight and Advisory Committee and shall serve two-year terms in those positions. Thereafter, upon the expiration of each of these terms as chair and vice-chair, the SPWG shall elect succeeding chairs and vice-chairs.

### **Section 5: SPWG Meetings**

The SPWG shall have its first meeting by December 1, 2015. Thereafter, the SPWG shall review and amend, as necessary, bylaws governing its meetings and operations. Meetings of the SPWG shall be open to the public and its agendas shall be posted on the DCYF website, at the DCYF main office, and the San Francisco Public Library. The meetings shall be conducted in a manner to encourage widespread participation.

All SPWG meetings shall be held in compliance with all applicable laws, including but not limited to, Ralph M. Brown Act (Cal. Gov. Code, Sections 54950 et. seq.), the California Public Records Act (Cal. Gov. Code, Section 6250 et. seq.), and the San Francisco Sunshine Ordinance (SF Admin. Code, Chapter 67).

The SPWG shall meet at least four times each year.

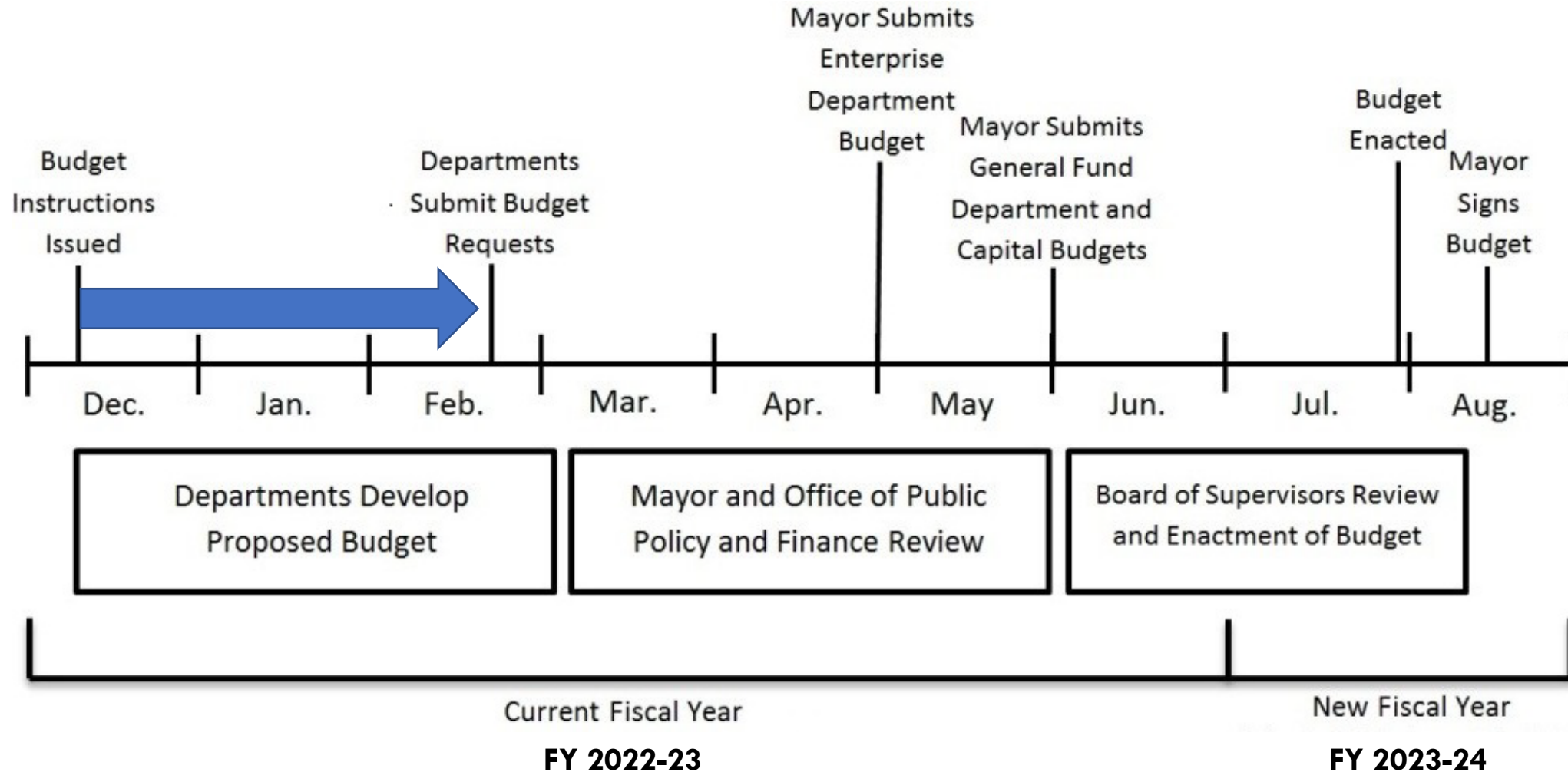


# Oversight Advisory Committee FY2023-24 & 2024-25 Budget

February 13, 2023

San Francisco Department of Children, Youth & Their Families

# Budget Timeline (FY 2023-24 & FY2024-25)



# Recap

## City's Fiscal Outlook

- FY2023-24 and FY2024-25 projects \$728.3M **shortfall** over upcoming two budget years due to slow or no growth in tax revenues, loss of federal revenues and other one-time sources, new set-asides from 2022 Election Measures, increasing pension contribution costs and other citywide and departmental costs.

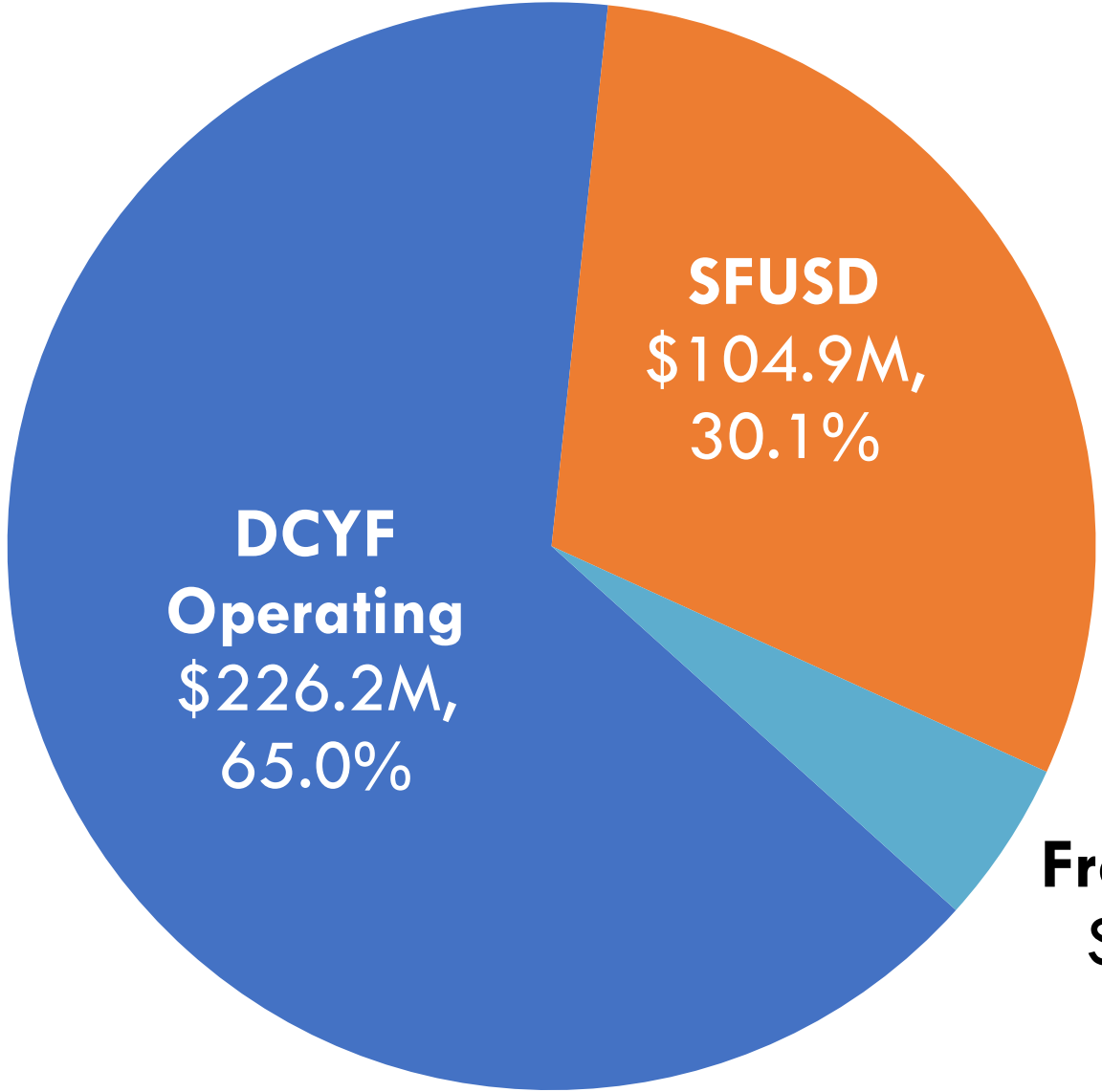
## Mayor's Priorities

- **Recovery** of the local economy with focus on downtown and economic core
- **Improving** public safety and street conditions
- Reducing **homelessness** and transforming mental health service delivery
- **Accountability & equity** in services and spending

**Required General Fund Reductions:** 5% in FY 23-24 and 8% in FY 24-25



# FY 2023-24 DCYF Operating Budget vs Other Programs



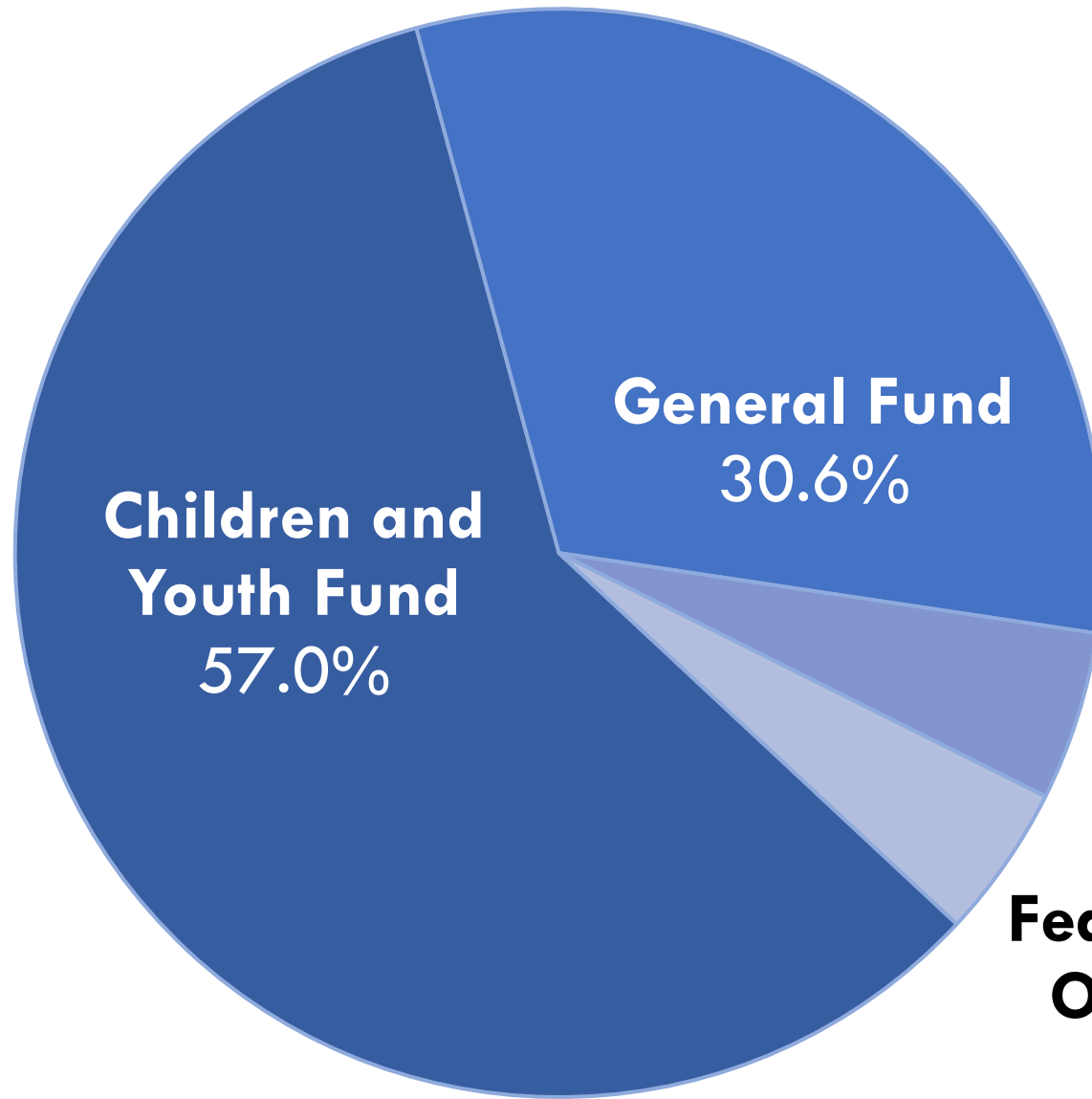
**Free City College**  
\$16.9M, 4.8%



# FY 2023-24

## DCYF Operating

### General Fund vs Self Supporting



**Student Success Fund**  
4.9%

**Federal, State & Other Grants**  
7.5%





# DCYF Proposed Budget FY23-24 & 24-25

- Estimated figures during the Proposed Department Phase and subject to change
- Excludes SFUSD and Free City College

| Draft Dept Phase Revenues<br>(\$ in Millions) | FY21-22<br>Actuals | FY22-23<br>Board<br>Approved<br>Budget | FY23-24<br>Draft Dept<br>Phase <sup>A</sup> | FY24-25<br>Draft Dept<br>Phase <sup>A</sup> | Draft Dept Phase<br>Expenditures<br>(\$ in Millions) | FY21-22<br>Actuals | FY22-23<br>Board<br>Approved<br>Budget | FY23-24<br>Draft Dept<br>Phase <sup>A</sup> | FY24-25<br>Draft Dept<br>Phase <sup>A</sup> |
|---|--------------------|--|---|---|--|--------------------|--|---|---|
| Property Taxes                                | 116.1              | 121.2                                  | 124.3                                       | 125.3                                       | Salaries   | 7.1                | 9.3                                    | 10.4  | 10.9  |
| Interest & Investment Income                  | 0.2                | 0.1                                    | 0.1   | 0.1   | Programmatic Projects <sup>E</sup>                   | 2.0                | 5.5                                    | 3.2   | 3.2   |
| Intergovernmental: Federal                    | 1.3                | 1.5                                    | 1.5   | 1.6   | Mandatory Fringe Benefits                            | 3.2                | 3.6                                    | 3.6   | 3.6   |
| Intergovernmental: State                      | 7.2                | 5.1                                    | 8.4   | 3.1   | Overhead and Allocations                             | -                  | -                                      | 0.4   | 1.2   |
| Other Revenues <sup>B</sup>                   | 5.6                | 0.4                                    | 7.3   | 0.3   | Non-Personnel Services                               | 4.8                | 10.6                                   | 10.0  | 10.5  |
| Expenditure Recovery                          | 7.2                | 10.5                                   | 8.6   | 8.3   | City Grant Program <sup>F</sup>                      | 132.0              | 139.8                                  | 150.5                                       | 156.5                                       |
| Transfers In <sup>C</sup>                     | -                  | 0.0                                    | 11.0  | 35.0  | Materials & Supplies                                 | 0.2                | 0.8                                    | 0.7   | 0.4   |
| IntraFund Transfers In                        | 0.5                | 0.5                                    | 0.5   | 0.5   | Services Of Other Depts                              | 41.2               | 40.1                                   | 41.1  | 39.1  |
| Unappropriated Fund Balance <sup>D</sup>      | -                  | 8.6                                    | 4.3   | 3.5   | Intrafund Transfers Out                              | 6.2                | 6.3                                    | 6.4   | 6.7   |
| <b>Total</b>                                  | <b>138.1</b>       | <b>147.8</b>                           | <b>165.9</b>                                | <b>177.6</b>                                | <b>Total</b>   | <b>196.6</b>       | <b>215.9</b>                           | <b>226.2</b>                                | <b>232.1</b>                                |
|   |                    | 7%                                     | 12%   | 7%  |  | 10%                | 5%                                     | 3%  |   |

**Notes:**

- A. This may not reflect the Final Department Phase Proposed Budget due on Feb 21, 2023 as DCYF and the Mayor's Budget Office are still in negotiations at the time of this presentation.
- B. One-time increase from FY23-24 in Other Revenues is due to 2023 Crankstart Summer Together grant.
- C. The increases in Transfer In from the General Fund for both FY23-24 and FY24-25 are for the newly approved Student Success Fund.
- D. Fund Balance is used to supplement the required General Fund cuts, and personnel and inter-departmental service cost increases.
- E. In FY23-24, the Programmatic Projects decrease due to a decrease in JPD inter-departmental services and a technical adjustment moving part of the budget to a different account level.
- F. Increases to City Grant Program in FY23-24 and FY24-25 are due to Student Success Fund, 2023 Crankstart Summer Together grant, offset by the expiration of one-time programs.



# DCYF Proposed Budget (continued)

- FY23-24 is the last year of this funding cycle.
- DCYF's priority is keeping funding for our grantees whole.
- We are meeting our General Fund cut requirements by finding alternative funding sources for some labor and inter-departmental service costs.
- There are no new positions or substitutions proposed in this budget cycle.
- DCYF is working with SFUSD partners to develop a plan for the newly approved Student Success Fund.



# Addressing FY 2023-24 City Grant Program Budget Gap in Base Phase

- Backfilled \$9.9M out of the 16.8M gap
  1. \$6.6M one-time addbacks not backfilled
  2. Technical adjustment of \$0.3M
  3. JPD backfilled \$4.3M for inter-departmental service funding
  4. One-time grant revenues of \$3.3M
  5. \$2.3M in savings in Non-Personnel Services and fund balance
- In addition:
  1. \$7.0M Crankstart Summer Together
  2. \$10.6M Student Success Fund

| Draft Dept Phase Expenditures (\$ in Millions) | FY22-23 Board Approved Budget | FY23-24 Draft Dept Phase <sup>A</sup> | FY23-24 Change from FY22-23 |
|--|-------------------------------|---------------------------------------|-----------------------------|
| Salaries                                       | 9.3                           | 10.4                                  | 1.1                         |
| Programmatic Projects <sup>E</sup>             | 5.5                           | 3.2                                   | (2.3)                       |
| Mandatory Fringe Benefits                      | 3.6                           | 3.6                                   | (0.0)                       |
| Overhead and Allocations                       | -                             | 0.4                                   | 0.4                         |
| Non-Personnel Services                         | 10.6                          | 10.0                                  | (0.7)                       |
| City Grant Program <sup>F</sup>                | 139.8                         | 150.5                                 | 10.7                        |
| Materials & Supplies                           | 0.8                           | 0.7                                   | (0.1)                       |
| Services Of Other Depts                        | 40.1                          | 41.1                                  | 1.0                         |
| Intrafund Transfers Out                        | 6.3                           | 6.4                                   | 0.2                         |
| <b>Total</b>                                   | <b>215.9</b>                  | <b>226.2</b>                          | <b>10.3</b>                 |

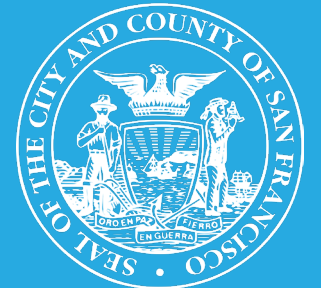


**Questions?**



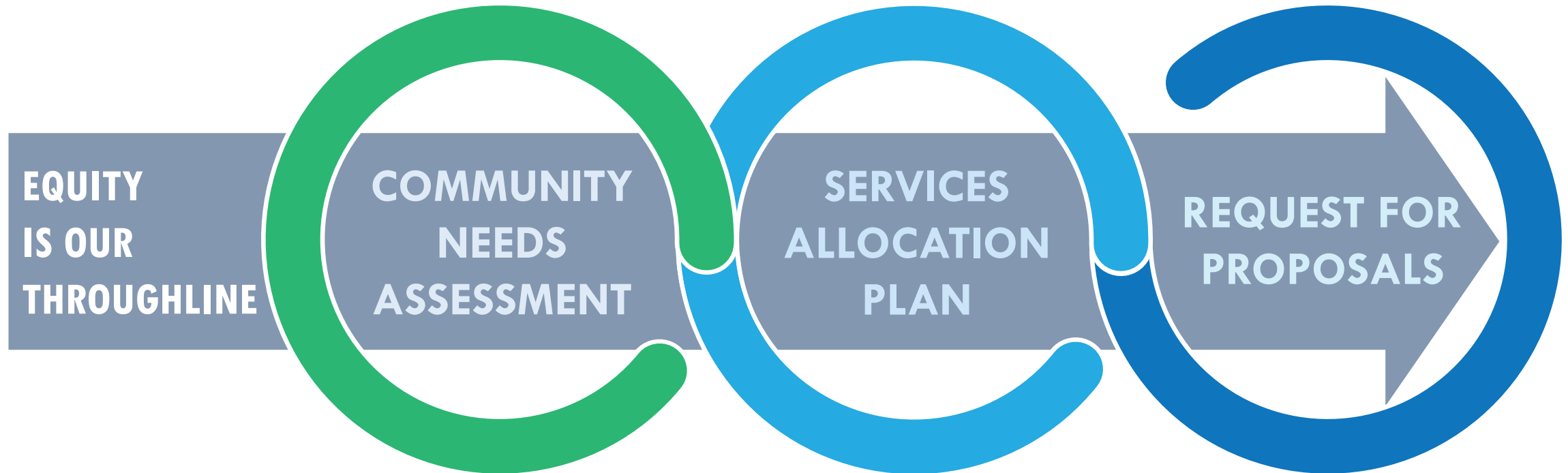
# SERVICES ALLOCATION PLAN

OVERSIGHT & ADVISORY COMMITTEE 2/13/23



# DCYF Planning Cycle

DCYF operates according to a 5-year funding cycle that includes 3 planning phases:



**EQUITY  
IS OUR  
THROUGHLINE**

**COMMUNITY  
NEEDS  
ASSESSMENT**

**SERVICES  
ALLOCATION  
PLAN**

**REQUEST FOR  
PROPOSALS**

Understanding needs, experiences  
and disparities through direct  
engagement with children, youth,  
TAY and families

[CLICK TO ACCESS: 2022 CNA](#)

Allocating resources to  
address CNA findings in  
coordination with City and  
SFUSD partners

Selecting CBOs able to provide  
quality services that address  
needs affecting children,  
youth, TAY and families

# SAP & RFP Timeline

JJPA  
Convening  
Feb 17<sup>th</sup>

All Grantee  
Meeting  
Mar TBD

OAC Mtg:  
SAP Vote  
May 8<sup>th</sup>

BOS SAP  
Vote  
Jun 9<sup>th</sup>

24-29 RFP  
AWARDS  
ANNOUNCED  
MAR TBD

FEB 23

MAR 23

APR 23

MAY 23

JUN 23

JUL 23

MAR 24

SPWG  
Convening  
Feb 22<sup>nd</sup>

OAC Mtg:  
SAP Release  
Apr 10<sup>th</sup>

RFP  
Related TA  
May-July

24-29 RFP  
RELEASE  
JULY TBD

YWD Workgroup | Justice Partners Workgroup | Mental Health Workgroup

Compile & Write SAP

Develop & Write RFP



**Using different  
approaches to  
achieve different results**

The 2022 CNA showed that many of the needs and disparities that have affected the City's children, youth, TAY and their families for years continue to persist.

As we enter the 24-29 funding cycle we recognize that we cannot do the same things and expect different results. Instead, we must **operate differently**, with both **intention** and **collaboration**.



# Developing the SAP & RFP

To develop the 2023 SAP and 24-29 RFP DCYF is combining internal Service Allocation and RFP workgroups with external Partner Workgroups with City and SFUSD partners.

## SERVICE ALLOCATION/ RFP WORKGROUPS

- Understand CNA findings
- Identify gaps
- Develop & refine funding approaches
- Determine target populations
- Develop RFP process, requirements & questions



## PARTNER WORKGROUPS

- Understand CNA findings
- Develop knowledge of service landscape & gaps
- Align approaches across partners
- Discuss current and ongoing coordination



## 2023 SERVICES ALLOCATION PLAN & 24-29 RFP

- Intentional funding that addresses CNA findings
- Ongoing coordination with partners to support better outcomes

# Coordinating with Our Partners

DCYF will convene Partner Workgroups and leverage coordination efforts in these service areas:



## YOUTH WORKFORCE DEVELOPMENT

Mid Jan-Mid Feb

Human Rights Commission, Juvenile Probation, Office of Economic & Workforce Development, SFUSD



## JUSTICE PARTNERS

Mid Feb-Mid Mar

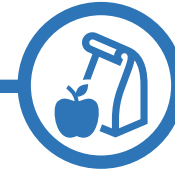
Adult Probation, District Attorney, Juvenile Probation, Sheriff, Police, Public Defender



## MENTAL HEALTH

Mid Mar-Mid Apr

Dept. of Public Health, Juvenile Probation, SFUSD



## OUT OF SCHOOL TIME

Ongoing

Recreation & Parks, SF Public Library, SFUSD



## SUPPORTS FOR FAMILIES

Ongoing

Dept. of Early Childhood, Dept. of Public Health, Human Services Agency, Mayor's Office of Housing & Community Development

**PARTNER WORKGROUPS**

**COORDINATION EFFORTS**

# Engaging Our Constituents

## JUVENILE JUSTICE PROVIDERS ASSOC. CONVENING

Feb 17<sup>th</sup>, 2023, 1:30-3pm

SAP, RFP & Results Information

Gather feedback about gaps providers are seeing

## SERVICE PROVIDERS WORKING GROUP VIRTUAL CONVENING

Feb 22<sup>nd</sup>, 2023, 10-11am

SAP, RFP & Results Information

Gather feedback about gaps providers are seeing

## DCYF ALL GRANTEE CONVENING

TBD: March, 2023

SAP, RFP & Results Information

Gather feedback about gaps providers are seeing

## RFP RELATED TECHNICAL ASSISTANCE

TBD: May-July 2023

Workshops and training

TA for applicants on applying to the 24-29 RFP

Click here to complete the → [SAP PRIORITIES SURVEY](#)

Fill it out and share it with your colleagues as well as the participants & families you work with

# DCYF'S RESULT AREAS

A man with glasses and a beard is holding a baby. A young girl is leaning over him. The man is wearing a necklace with a tag that says "I LOVE TO SEE MY PEOPLE DOING GOOD".

**CHILDREN & YOUTH ARE  
SUPPORTED BY NURTURING  
FAMILIES & COMMUNITIES**

**CHILDREN & YOUTH  
ARE PHYSICALLY &  
EMOTIONALLY HEALTHY**

A man with a black headband is looking at a woman who is speaking into a microphone. They appear to be in a meeting or a presentation.

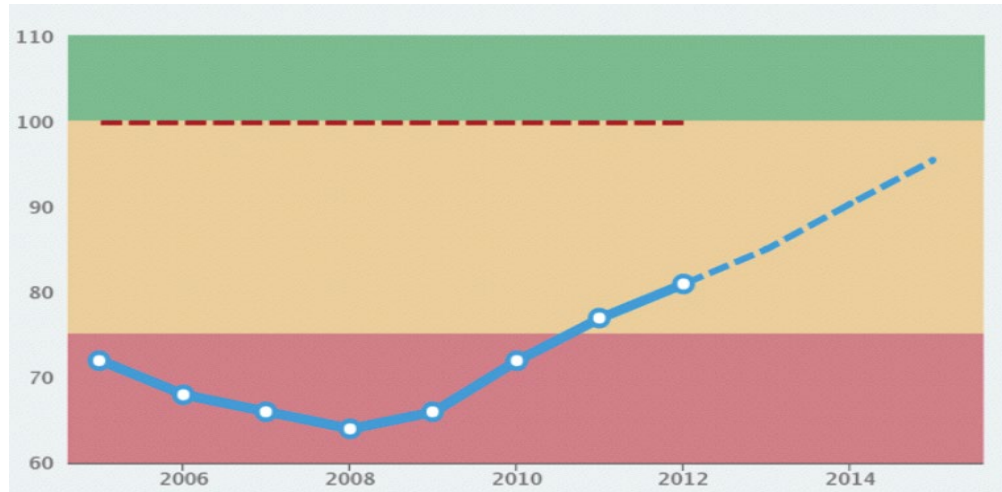
**CHILDREN & YOUTH  
ARE READY TO LEARN  
& SUCCEED IN SCHOOL**

**YOUTH ARE READY  
FOR COLLEGE, WORK &  
PRODUCTIVE ADULTHOOD**

# Guiding Frameworks

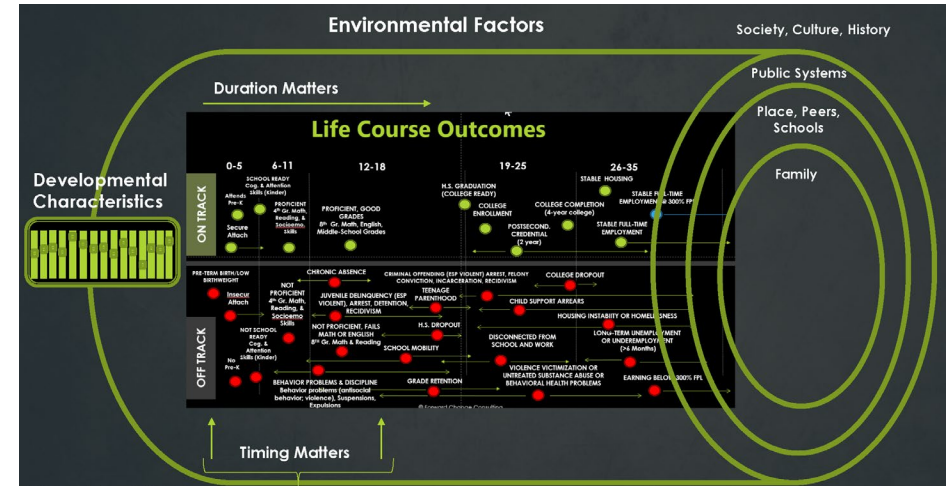
Development of our Result Areas and the services they contain was informed by 2 frameworks:

## Results-Based Accountability



Used to create Results Areas during 2017 SAP process.  
Current process adapted from RBA.

## Life Course Framework



Helps us think about services needed by developmental stage as well as approaches for both on and off-track youth and TAY

[Click to Access: Life Course Framework Presentation](#)

Conditions needed for children,  
youth, TAY & families...

...which make these  
results possible

in their families  
& communities

within  
themselves



Children & Youth Are  
Supported By Nurturing  
Families & Communities

Children & Youth Are  
Physically & Emotionally  
Healthy

Children & Youth Are  
Ready To Learn &  
Succeed In School

Youth Are Ready For  
College, Work &  
Productive Adulthood

# CITYWIDE/ UNIVERSAL NEED

All SF children, Youth, TAY and their families

## CONCENTRATED NEED

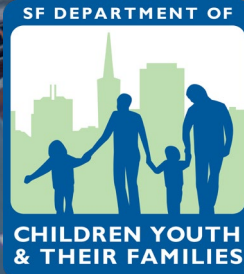
## CHARACTERISTICS OF INCREASED NEED

- African American, American Indian/ Alaska Native, Hispanic/LatinX & Pacific Islander children, youth, TAY & families
- Low-income Asian children, youth, TAY & families
- Families economically impacted by COVID
- Individuals with disabilities & their families

- English Learner
- Foster Youth
- LGBTQQ
- Teen Parent
- Under-housed
- Undocumented
- Children of Incarcerated Parents
- Justice System Involvement
- Exposure to Violence, Abuse or Trauma
- Academic Underperformance or Disconnect from School



Children & youth are supported by nurturing families & communities







# CHILDREN & YOUTH ARE SUPPORTED BY NURTURING FAMILIES & COMMUNITIES

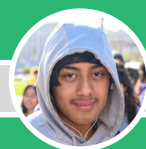
Associated with programs, resources, supports and activities that increase the ability for families to nurture their children and for communities to be safe, connected and engaged.



0 - 5



6 - 13



14 - 17



18 - 24

## DCYF LANES

### OUR LANE

- Caring Adults
- Social Emotional Learning
- Community Building & Engagement
- Community Events & Activities
- Family Support Programs
- Access To Resources

### OUR LANE WITH PARTNERS

- Childcare (DEC)
- Family Resource Centers (DEC)
- Child Welfare (HSA)
- Resources For Basic Needs (HSA)
- Economic Supports & Resources (HSA, MOHCD, HRC)
- Violence Prevention & Response (DPH, MYR)
- Supports For Homeless Families (HSA/HSB)

### NOT OUR LANE

- Public Safety (SFPD, DA, PD)
- Housing (HSH, HSA)



## CURRENT SERVICES WITH PRIMARY IMPACT

### FAMILY EMPOWERMENT

#### FUNDING STRATEGIES

Community Collaboratives

#### DCYF INITIATIVES

Safe & Sound Talkline

#### PARTNERSHIPS

Family Resource Centers (DEC)

### JUSTICE SERVICES

#### PARTNERSHIPS

Street Violence Intervention Prgm. (DPH)

### MENTORSHIP

#### FUNDING STRATEGIES

Mentorship

### OUTREACH & ACCESS

#### DCYF INITIATIVES

Our415.org

Resource Fairs

Click to Access: [DCYF's Service Area Guide](#)

**Children & youth  
are physically &  
emotionally healthy**





# CHILDREN & YOUTH ARE PHYSICALLY & EMOTIONALLY HEALTHY

Associated with programs, resources, supports and activities that promote physical, emotional, behavioral and mental health as well as healing from trauma.



0 - 5



6 - 13



14 - 17



18 - 24

## DCYF LANES

### OUR LANE

Caring Adults  
Social Emotional Learning  
CBO Based Sports Programs  
CBO Based Wellness Programs

### OUR LANE WITH PARTNERS

Mental & Behavioral Health (DPH)  
Physical Fitness And Wellness (RPD, DPH)  
Healing & Trauma (DPH)  
Food & Nutrition (HSA, DPH)  
Health Education Programs (DPH)

### NOT OUR LANE

Primary & Dental Care (DPH)



## CURRENT SERVICES WITH PRIMARY IMPACT

### EMOTIONAL WELL BEING

#### PARTNERSHIPS

Black/African Amer. Mental Health Init. (DPH)

TAY System of Care (DPH)

Wellness Initiative (DPH)

### ENRICHMENT, LEADERSHIP & SKILL BUILDING

#### FUNDING STRATEGIES

Sports & Physical Activity

### JUSTICE SERVICES

#### PARTNERSHIPS

Intensive Supervision & Clinical Support (DPH)

### OUTREACH & ACCESS

#### DCYF INITIATIVES

Nutrition Programs

**Children & youth  
are ready to learn  
& succeed in school**





# CHILDREN & YOUTH ARE READY TO LEARN & SUCCEED IN SCHOOL

Associated with programs, resources, supports and activities that provide opportunities for youth to learn, gain SEL skills, engage educationally and have access to needed supports.



0 - 5



6 - 13



14 - 17

## DCYF LANES

### OUR LANE

Caring Adults  
Social Emotional Learning  
CBO Based OST Programs  
CBO Based Academic Supports  
CBO Based Enrichment Programs

### OUR LANE WITH PARTNERS

Academic & Literacy Supports & Resources (SFUSD)  
Absenteeism & Truancy (SFUSD)  
Afterschool & Summer Programs (SFUSD, RPD, SFPL)  
Early Care & Education Programs (DEC)  
Safe Passage (SFUSD)

### NOT OUR LANE

TK-12 Public Schools (SFUSD)  
School Transportation (SFUSD, MTA)



## CURRENT SERVICES WITH PRIMARY IMPACT

### EARLY CARE & EDUCATION

#### PARTNERSHIPS

Early Learning Scholarships (DEC)

### EDUCATIONAL SUPPORTS

#### FUNDING STRATEGIES

Academic Supports  
Literacy Supports

#### DCYF INITIATIVES

Summer Transitions  
Truancy Assessment & Resource Center

### ENRICHMENT, LEADERSHIP & SKILL BUILDING

#### FUNDING STRATEGIES

Arts & Creative Expression  
Identity Formation

Science, Technology, Engineering & Math  
Service Learning

### OUT OF SCHOOL TIME

#### FUNDING STRATEGIES

Beacon  
Comprehensive Year Round & Summer

#### DCYF INITIATIVES

Summer Together

#### PARTNERSHIPS

Equitable Access (SFUSD)

[Click to Access: \*\*DCYF's Service Area Guide\*\*](#)





Youth are ready  
for college, work &  
productive adulthood





# YOUTH ARE READY FOR COLLEGE, WORK & PRODUCTIVE ADULTHOOD

Associated with programs, resources, supports and activities that help youth and TAY gain exposure, skills and abilities that prepare them for successful transitions into adulthood.



14 - 17

18 - 24

## DCYF LANES

### OUR LANE

Caring Adults  
Social Emotional Learning  
CBO Based College Prep. Programs  
Justice Involved Youth Programs  
Youth Empowerment Programs

### OUR LANE WITH PARTNERS

YWD Programs (SFUSD, OEWD, HRC)  
Career Oriented Education (SFUSD, CCSF)  
Undocumented Youth Programs (OCEIA)  
Higher Education (CCSF)  
Foster Youth (HSA)  
Financial Empowerment (TTX)

### NOT OUR LANE

Career Employment (OEWD)



# CURRENT SERVICES WITH PRIMARY IMPACT

## EDUCATIONAL SUPPORTS

### FUNDING STRATEGIES

Academic Supports  
Alternative Education

### DCYF INITIATIVES

Free City College  
Summer Transitions  
Truancy Assessment & Resource Center

## ENRICHMENT, LEADERSHIP & SKILL BUILDING

### FUNDING STRATEGIES

Arts & Creative Expression  
Identity Formation  
Science, Technology, Engineering & Math  
Service Learning  
Youth Leadership, Engagement & Organizing  
Youth Led Philanthropy

## JUSTICE SERVICES

### FUNDING STRATEGIES

Cultural Programming  
Detention Based  
Girls' & Young Women's Programming  
Multi Service  
Young Adult Court Case Management

### DCYF INITIATIVES

Community Assessment & Referral Center



# CURRENT SERVICES WITH PRIMARY IMPACT

## MENTORSHIP

### FUNDING STRATEGIES

Connective Services

## YOUTH WORKFORCE DEVELOPMENT

### FUNDING STRATEGIES

Career Awareness

High School Partnerships

Youth Workforce Development

### DCYF INITIATIVES

MYEEP

Opportunities for All Intermediary

SF YouthWorks

### PARTNERSHIPS

Workreation (RPD)

# Discussion: Identifying the Gaps

A photograph of a man with glasses and a beard holding a baby, with a young girl standing next to him. The man is wearing a necklace with a sign that says "I LOVE TO SEE MY PEOPLE DOING GOOD".

CHILDREN & YOUTH ARE SUPPORTED BY NURTURING FAMILIES & COMMUNITIES

CHILDREN & YOUTH ARE PHYSICALLY & EMOTIONALLY HEALTHY

CHILDREN & YOUTH ARE READY TO LEARN & SUCCEED IN SCHOOL

YOUTH ARE READY FOR COLLEGE, WORK & PRODUCTIVE ADULTHOOD

A photograph of a young man and woman standing at a podium. The man is on the left, looking thoughtful with his hands clasped. The woman is on the right, speaking into a microphone.

What gaps in services and systems are you seeing for children, youth, TAY and their families in San Francisco?



**Thank you!**



DAVID CHIU  
City Attorney

PAUL ZAREFSKY  
Deputy City Attorney

Direct Dial: (415) 554-4652  
Email: paul.zarefsky@sfcityattty.org

## MEMORANDUM

TO: Honorable London N. Breed, Mayor  
Honorable Members, Board of Supervisors  
Carmen Chu, City Administrator  
Angela Calvillo, Clerk of the Board of Supervisors

FROM: Paul Zarefsky  
Jon Givner  
Deputy City Attorneys

DATE: January 10, 2023

RE: Legal Rules Governing Remote Participation by Members of Policy Bodies in Meetings Beginning March 1, 2023

---

For close to three years, special rules necessitated by the COVID-19 public health emergency have governed the meetings of City policy bodies. That period appears to be soon coming to a close. The Governor has announced that the statewide emergency he declared on March 4, 2020 will end on February 28, 2023. We understand that the Mayor's orders regarding the conduct of meetings of policy bodies, issued under the mayoral declaration of emergency of February 25, 2020, will also end on that date.

The purpose of this memorandum is to set forth the general legal rules that will govern meetings of policy bodies – including decision-making boards and commissions as well as advisory bodies – beginning on March 1, 2023, after the statewide emergency ends and the mayoral orders regarding public meetings terminate. The key question is whether policy bodies can choose to continue to hold “remote” meetings, whether fully remote or hybrid. Generally, policy bodies will “go back to the future,” with the new rules being the same as the pre-COVID-19 emergency rules. But there are some important differences based in part on changes to state law, as we discuss below. We will monitor state legislation for further changes, if any, in state law, and update this memorandum if appropriate.

### SUMMARY

**The general rule: In-person physical presence required of members to attend meetings.** Members of policy bodies must generally be physically present in the same location at meetings of the body. The Charter requires that members of decision-making policy bodies be physically present at a meeting to participate, vote, and count toward a quorum. The Administrative Code similarly requires members of purely advisory bodies established by ordinance to be physically present at meetings. Beginning in March 2020, the Mayor suspended those rules in emergency orders relating to the pandemic. But the Charter and Administrative Code “presence” requirement will become fully operative again on March 1, 2023 when the emergency orders terminate.

## MEMORANDUM

TO: Honorable London N. Breed, Mayor  
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**Narrow exceptions to the physical presence requirement.** There are three situations in which a member of a policy body may be able to attend a meeting remotely starting March 1, 2023:

- ***Certain bodies, including subcommittees of policy bodies:*** The “presence” requirement in the Charter and Administrative Code applies to all policy bodies that are considered “units of government” or that have been established by legislative action (i.e., by Charter amendment, Board of Supervisors ordinance, or initiative ordinance). If a policy body is neither, its members may attend a meeting remotely, but such a meeting must comply with Brown Act requirements for teleconferencing discussed below. An example of such a body would be a committee of the larger policy body.
- ***Policy body members taking parental leave:*** The Charter and Administrative Code authorize members of policy bodies to attend meetings remotely based on the member’s pregnancy, their child’s birth, or a related condition, or certain child care responsibilities. But members who attend meetings remotely under this exception must also comply with Brown Act requirements for teleconferencing.
- ***Policy body members with a disability subject to a reasonable accommodation:*** If a member of a policy body has a disability under federal law (the Americans with Disabilities Act), and their disability limits or precludes their in-person attendance at meetings – for example, if their disability confines them to their residence – then the City must make a reasonable accommodation to allow the member to participate in meetings remotely. In that situation, both City and state restrictions on attendance via teleconferencing must give way to the City’s duty under federal law to reasonably accommodate the disabled member. To request a reasonable accommodation, a policy body member must submit a request in advance of the meeting to the Department of Human Resources (“DHR”) to make a determination. DHR’s determination will depend in part on whether the member’s disability restricts their ability to attend meetings in person, and whether other accommodations that include in-person attendance would be reasonable and appropriate under federal law. Unlike the first two exceptions, only some – not all – of the Brown Act requirements for teleconferencing would apply to this exception.

**Restrictions on teleconferencing under the three exceptions.** In the three circumstances described above where members may attend meetings remotely, state law, including recent amendments, sets certain rules governing remote attendance of policy body members at meetings.



## MEMORANDUM

TO: Honorable London N. Breed, Mayor  
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RE: Legal Rules Governing Remote Participation by Members of Policy Bodies in Meetings Beginning March 1, 2023

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- ***The first two exceptions:*** If City law allows a policy body member to attend a meeting remotely under either of the first two exceptions, then the member may attend meetings by teleconference in accordance with the Brown Act. But the Act's requirements are detailed and stringent. The Brown Act's longstanding teleconference provision, which requires public access to all teleconference locations, including a policy body member's home, is generally not well suited to remote attendance by members, especially those who want to attend meetings from their home. A new Brown Act teleconference provision, AB 2449, enacted in 2022, provides greater opportunities for remote attendance, but also with significant restrictions. Under AB 2449, remote attendance must be required due to "just cause" or "emergency circumstances," terms that are strictly defined in the statute. There are certain procedural steps required for a policy body member to invoke these justifications for remote attendance, and AB 2449 limits how often the member may invoke them. Further, AB 2449 requires the City to permit members of the public to attend the meeting remotely when a member of the policy body is attending remotely.
- ***The exception based on reasonable accommodation of a policy body member with a disability:*** When the City provides a reasonable accommodation allowing a member to join a meeting remotely, some of the requirements for remote attendance under AB 2449 would apply, particularly the requirement that the member remain visible on screen while at the meeting. Other requirements would not apply. For example, there is no limit on the number of meetings that a member with a disability may attend remotely, and no requirement that members of the public have the option to attend the meeting remotely. Further, there is a different process than under AB 2449 for determining the policy body member's entitlement to attend meetings remotely.

**Remote Public Attendance and Public Comment.** Where a member of a policy body attends meetings remotely under AB 2449, the policy body must allow members of the public to attend remotely and offer public comment remotely. Otherwise, there is neither a requirement for – nor a prohibition on – allowing members of the public to attend meetings of a policy body remotely, except to the extent that disability law in some cases may require such an accommodation for members of the public who are disabled. The Board of Supervisors (the "Board") could adopt an ordinance setting a Citywide policy regarding remote attendance by members of the public. In the absence of an ordinance, each policy body may adopt its own policy after considering the logistical and staffing implications, and any legal implications. We recommend that any policy body consult with their staff, the City Administrator, and the Department of Technology before deciding to allow remote public comment. In any event, each agenda for meetings in which members of the public may attend remotely should describe how

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RE: Legal Rules Governing Remote Participation by Members of Policy Bodies in Meetings Beginning March 1, 2023

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members of the public may make public comment, that is, here, whether they can make public comment remotely and if so how.

**Other rules that will apply on March 1, 2023.** With the termination of the Mayor's emergency orders regarding the conduct of meetings of policy bodies, the Charter and Administrative Code presence requirements will be reinstated, and various provisions of the Sunshine Ordinance that had been suspended will become operative again. Most notably, four Sunshine Ordinance rules will be reinstated beginning on March 1: 1) the requirement for 72 hours' notice before a special meeting of a policy body; 2) the requirement for 15 days' notice before a special meeting at a location other than the policy body's regular meeting location; 3) the requirement that public commenters on an agenda item receive equal time; and 4) rules regarding gatherings of passive meeting bodies.

**DISCUSSION**

1. The "presence" requirement in the Charter and Administrative Code generally bars members of policy bodies from attending meetings remotely.

The City Charter requires the "presence" of members of an appointive board, commission, or other unit of government to constitute a quorum and transact business at a public meeting, and imposes a separate but identical requirement for meetings of the Board. (Charter §§ 4.104(b), 2.104.) Charter Sections 4.104(c) and 2.104(a) provide an exception to the "presence" rule, authorizing such policy bodies and the Board to enact parental leave policies "including, but not limited to, authorization to participate in meetings by teleconferencing or other electronic means...."

This Office has long opined that "presence," as referenced in Charter Sections 4.104(b) and 2.104, means physical presence – which, in turn, means that members of the body must attend the meeting in the same room, subject to open meeting laws. Indeed, the sentences in Sections 4.104(b) and 2.104(a) permitting teleconferencing in circumstances relating to "pregnancy, childbirth, or related condition" and childcare "after birth of the child, or after placement of the child with the member or the member's immediate family for adoption or foster care," originated as exceptions to the longstanding presence requirement. Those sentences were added to the Charter with the voters' adoption of Proposition B at the November 7, 2006 election. As the Ballot Simplification Committee's Digest for Proposition B stated:

The City Charter does not permit members of the Board of Supervisors or members of other boards and commissions to participate in meetings by teleconference or by other electronic means. Members must be physically present at the meeting to participate.

*(Voter Information Pamphlet, Consolidated General Election, November 7, 2006, at 107 (Ballot Type 34).)* To the same effect is the Controller's Statement on Proposition B ("Currently the Board of Supervisors and other City boards and commissions can only meet in person."). (*Id.*)

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Charter Section 4.104(b) applies to “unit[s] of government,” rather than to all policy bodies. Thus, to state Section 4.104(b)’s presence requirement more precisely, it precludes members of policy bodies that are units of government from participating in meetings through teleconferencing. As a general rule, for purposes of Section 4.104(b), decision-making boards and commissions are considered “units of government.” By contrast, purely advisory bodies are generally not considered “units of government.”

For purposes of this memorandum, the concept of a “purely” advisory body and its differences from other bodies that are units of government do not matter, because Section 1.29 of the Administrative Code also imposes a “presence” requirement regarding bodies, including advisory bodies, “created by legislative action,” and that requirement parallels Charter Section 4.104(b)’s “presence” requirement for units of government. Because the “presence” language in Administrative Code Section 1.29 parallels the language in Charter Section 4.104(b), it has the same meaning as the Charter language. The result is that members of policy bodies created by legislation must be physically present in the same location at meetings.

Thus, except in the limited circumstances discussed in points 2, 3, and 5 below, City law – the Charter and the Administrative Code – precludes members of the City’s many policy bodies from attending meetings remotely. If there is an interest in changing this general rule to provide greater opportunities for members of policy bodies to attend meetings remotely, that change must be done by Charter amendment, amendment of the Administrative Code, or possibly both, depending on the specifics of any such amendment.

2. Members of policy bodies that are not subject to the presence requirement in the Charter or Administrative Code may attend a meeting remotely, provided that the meeting complies with the Brown Act’s strict requirements for teleconferencing.

Some City policy bodies are not units of government and were not established by legislative action. Therefore, they are not subject to the presence requirement imposed by the Charter and Administrative Code respectively, and may attend meetings remotely to the extent permitted by the Brown Act (described in section 4, below).

The prime example of such a policy body is an advisory committee of a policy body, created by that parent policy body. Such a committee is typically not a unit of government, because its typical role is purely advisory. And it is not created by legislative action, within the meaning of Administrative Code Section 1.29, because it is created by the parent policy body, or possibly by the chair of the parent body on behalf of the body under its rules.

3. Policy body members taking parental leave may attend meetings remotely, but only in accordance with the Brown Act’s strict requirements for teleconferencing.

As stated in Charter Sections 2.104(a) and 4.104(b) and (c), members of a policy body may attend a meeting by teleconference as permitted by the Brown Act under an ordinance requiring that policy bodies adopt a parental leave policy. In 2021, the City implemented that provision by adopting Ordinance No. 156-21, adding Administrative Code Section 2.3 (pertaining to the Board) and Administrative Code Section 67B.1 (pertaining to boards,

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commissions, and other multi-member units of government, as well as purely advisory policy bodies).

The teleconference provisions of Administrative Code Sections 2.3 and 67B.1 are identical:

- If the member is physically unable to fulfill their duties, including attending meetings of the body in person, due to the member's pregnancy, birth of a child, or related condition, as certified by a health care provider, the member is eligible for parental leave for a maximum of 32 weeks, or a lesser time if no longer eligible for parental leave on this basis. During the parental leave, the member may attend meetings by teleconference to the extent authorized by the Brown Act.
- If the member is absent to care for their child after birth of the child, or after placement of the child with the member or the member's immediate family for adoption or foster care, the member is eligible for parental leave for a maximum of 16 weeks, or a lesser time if no longer eligible for parental leave on this basis. During the parental leave, the member may attend meetings by teleconference, again to the extent authorized by the Brown Act.

Section 67B.1(h) provides that each policy body "shall amend its rules of order or other similar document to include the parental leave policy, and shall provide a copy to all [policy body] staff and newly-appointed [policy body] members." Failure to comply with this provision does not invalidate the teleconference options described above. Nevertheless, all policy bodies should take steps, if they haven't yet done so, to comply with this provision.

4. In the two circumstances described above where the presence requirement is not applicable, members of policy bodies may attend meetings by teleconference under the Brown Act, which provides two teleconference possibilities, including a new option suited to accommodate remote attendance, albeit with significant restrictions.

Once the Mayor has rescinded her emergency orders regarding the conduct of public meetings, the presence requirement under City law will be reinstated, with the result, as noted above, that almost all City policy bodies are no longer permitted to hold fully or partially remote meetings except in the two circumstances described above – and then only if the Brown Act allows remote attendance. Starting March 1, there will be two limited options under the Brown Act for policy body members to attend meetings remotely: the long-established process, codified at subsection (b) of Section 54953 of the California Government Code, and a new process, which is arguably less onerous but still very limited, codified at subsection (f) of Section 54953 (to be redesignated as subsection (e) on January 1, 2024).

***Remote attendance under pre-pandemic rules.*** The long-established process for teleconferencing permitted by the Brown Act remains an option for members of City policy

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bodies not subject to the presence requirement. The requirements for teleconferencing under this option are as follows:

- The meeting agenda must be posted at each teleconference location.
- The meeting agenda must identify each teleconference location.
- Each teleconference location must be accessible to the public.
- Members of the public must have an opportunity at each teleconference location to directly address members of the policy body.
- A quorum of the members of the policy body must participate in the meeting from teleconference locations within the jurisdiction.
- All votes taken must be by roll call.
- The technology used for the teleconference may be audio only, or both audio and visual.

As is apparent from the above description, this option does not allow for a policy body member's remote attendance, as has typically occurred during the COVID-19 emergency. For example, if a policy body member were to attend the meeting electronically from their home, the home address would have to be published on the agenda, the home would have to be accessible to disabled persons, and the public would be entitled to enter the home to observe the member at the meeting and offer public comment from that location. With rare exceptions, this option would not work during the COVID-19 emergency.

***Remote attendance for just cause or emergency circumstances under AB 2449.*** The limitations of this long-established process for teleconferencing led the Legislature in 2022 to enact AB 2449, which provides for a second teleconference option under the Brown Act. This option allows for members of City policy bodies that are not subject to the presence requirement under City law to remotely attend meetings, without having to make the location from which they attend known or accessible to the public. But the option is limited to two situations, both of which are significantly circumscribed by regulation: "just cause" and "emergency circumstances." And because it applies only to bodies that are not subject to the presence requirement, it has limited scope in any event.

AB 2449 defines "just cause" exclusively to mean one of the following:

- A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, or spouse, as those terms are defined in California Government Code Section 12945.2, or domestic partner, that requires the policy body member to remotely attend the meeting.
- A contagious illness that prevents the member of the policy body from attending the meeting in person.

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- A need related to a physical or mental disability as defined in California Government Code Sections 12926 and 12926.1, the state disability law, if not otherwise accommodated under federal disability law.
- Travel while on official business of the policy body or of another state or local agency.

(Cal. Gov. Code § 54953(j)(2).)

AB 2449 also restrictively defines “emergency circumstances,” exclusively to mean “a physical or family medical emergency that prevents a member from attending in person.” (Cal. Gov. Code § 54953(j)(1).)

Further, AB 2499 establishes specific procedural requirements regarding these two avenues for members to remotely attend policy body meetings. To teleconference on the basis of “just cause,” these requirements apply:

- A notice requirement: The member must notify the policy body as soon as possible, including at the start of a meeting, of their need to attend the meeting remotely, including a general description of the circumstances relating to the need.
- A frequency limit: The member may use this option no more than two meetings per calendar year.

(Cal. Gov. Code § 54953(f)(2)(A)(i).) And, to teleconference on the basis of “emergency circumstances,” these requirements apply:

- A request requirement: As soon as possible, the member must request approval of the policy body, and must make a separate request for each meeting in which remote attendance is sought.
- A notice requirement: The member must provide to the policy body a general description of the circumstances relating to the need to attend the meeting remotely; the description generally need not exceed 20 words and the policy body may not require the member to disclose any medical diagnosis or disability, or any personal medical information that is exempt under existing law.
- An approval requirement: The policy body must approve the request, and should approve it at the earliest opportunity; if the request does not allow sufficient time to place this proposed action on the meeting agenda, the policy body may take action at the beginning of the meeting.

(Cal. Gov. Code § 54953(f)(2)(A)(ii).)

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In addition to these requirements, there are a host of requirements that apply regardless of whether the policy body member's remote attendance is based on "just cause" or "emergency circumstances":

- A policy body member may not attend meetings remotely for more than three consecutive months or more than 20% of the policy body's meetings during the calendar year (or more than two meetings during the calendar year if the policy body meets fewer than 10 times per calendar year).
- The policy body member must disclose at the meeting, before any action is taken, whether any other individual 18 years of age or older is in the room at the remote location with the member, and the general nature of the member's relationship with any such individual.
- The policy body member must attend the meeting through both audio and visual technology.
- At least a quorum of the members of the policy body must attend the meeting in person from a single physical location clearly identified on the agenda; the location must be open to the public and situated within the jurisdiction.

(Cal. Gov. Code §§ 54953(f)(1); 54953(f)(2)(B) and (C); 54953(f)(3).)

There is one final, and important, feature of that legal regime: the requirement that members of the public be able to attend the meeting remotely and offer public comment remotely whenever a member of the body is attending remotely under AB 2449. A number of provisions ensure this right, including most importantly:

- The policy body must provide either 1) a two-way audiovisual platform, or 2) a two-way telephonic service and a live webcasting of the meeting, so that the public may remotely hear and visually observe the meeting, and remotely address the policy body.
- In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the policy body must also give notice of the means by which members of the public may access the meeting and offer public comment.
- The agenda must identify and include an opportunity for all persons to attend and address the policy body directly 1) via a call-in option, 2) via an internet-based service option, and 3) at the in-person location of the meeting.

(Cal. Gov. Code §§ 54953(f)(1)(A), (B), and (C).) Other provisions of AB 2449 address other logistics implementing the right of the public to attend the meeting of the policy body remotely, and to offer public comment remotely. (Cal. Gov. Code §§ 54953(f)(1)(D), (E), and (F).)

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In sum, because of all these requirements, this option under AB 2449 likely has very limited practical application.

**Remote attendance based on the COVID-19 emergency.** Finally, we note that for the last 15 months, City policy bodies have met remotely under a separate exception in the Brown Act – AB 361, the state law enacted in 2021 to permit remote attendance upon adoption of findings every 30 days regarding the COVID-19 emergency declared by the Governor. (California Government Code § 54953(e).) There is a question whether AB 361, standing alone, permits remote attendance at policy body meetings after the Governor’s state of emergency ends as of March 1. But in San Francisco, the presence requirement in the Charter and Administrative Code limits AB 361’s impact. And, even if AB 361 were interpreted to permit remote meetings after March 1, it would require policy bodies to make a finding that state or local officials continue to impose or recommend measures to promote social distancing. (California Government Code § 54953(e)(3).) While local and state health orders continue to recommend precautions like wearing a well-fitted mask to minimize the risk of COVID transmission, they do not require or recommend physical distancing. If policy body members have questions about the interpretation of AB 361, they should contact our Office.

5. Policy body members with a disability that precludes their attending meetings in person may attend meetings remotely, subject to requirements guaranteeing their full participation in the meeting and their visibility to the public.

Title II of the Americans With Disabilities Act (“ADA”) provides that “[n]o qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” (42 U.S.C. § 12132.) Courts and administrative authorities typically treat membership on public bodies as covered by Title II. (*E.g.*, *Crawford v. Hinds Cty. Bd. of Supervisors*, 1 F.4th 371, 376 (5th Cir. 2021) (jury); *State v. Morrow* (Ct. Crim. App. Tenn. 1998) 1998 WL 917802 (grand jury); *Herschaff v. New York Bd. of Elections* (E.D.N.Y. 2001) 2001 WL 940923 (E.D.N.Y. Aug. 13, 2001), *aff’d sub nom. Herschaff v. New York Bd. of Elections*, 37 F. App’x 17 (2d Cir. 2002) (city council); *Silver v. City of Alexandria* (W.D. La. 2020) 470 F.Supp.3d 616 (same); *Hernandez v. Enfield Board of Education* (2022) 2022 WL4104037 (school board); *Chew v. Legislature of Idaho* (D. Idaho 2021) 512 F.Supp.3d 1124 (state legislature) *Opinion No. 7318*, 22 Mich. OAG (2022) 2022 WL412112 (boards and commissions generally).) See also 28 C.F.R. § 35.130(b)(1)(vi) (regulation of U.S. Attorney General listing as a violation of Title II “[d]eny[ing] a qualified individual with a disability the opportunity to participate as a member of planning or advisory boards”).) Hence, disqualifying a person from attending and participating in meetings of a City policy body – in effect, disqualifying them from service on the body – because their disability precludes them from attending meetings in person, would come within the ambit of Title II’s provisions.

If a member of a policy body is disabled, and their disability precludes their in-person attendance at meetings of the body – threshold questions – the key question under Title II is whether remote attendance at a meeting of a policy body by a disabled member who cannot



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attend the meeting in person because of their disability is a reasonable accommodation that would not fundamentally alter the member's role. The answer is yes. In enacting AB 2449, the Legislature determined that remote participation by policy body members in various circumstances constituting "just cause" or an "emergency" is compatible with their service on the policy body. It is now clear that remote attendance at policy body meetings by a member with a disability would not fundamentally alter the role of that policy body member.

More than 20 years ago, the California Attorney General addressed a similar question, and gave a different answer. In 2001, the Attorney General concluded that "[a] city is not required under the [ADA] to provide, as an accommodation for a disabled member of its city council or an advisory board who is unable to attend a regularly scheduled meeting of the council or board, a teleconferencing connection at the member's place of residence where members of the public would not be permitted to be present." (*Opinion No. 00-1210*, 84 Ops.Cal.Atty.Gen. 181, 2001 WL 1477931 at 1 (November 14, 2001).) But Attorney General opinions are not binding on the courts, and in any event changed circumstances and changes in the law make the analysis in that opinion obsolete.

Technology has advanced to facilitate remote attendance by policy body members at meetings in which members attending remotely are readily visible to the public. And many remote policy body meetings, whether fully remote or hybrid, have occurred during the COVID-19 emergency, with rights of the public to observe the meeting and offer public comment scrupulously honored. Of greatest importance, the law has fundamentally changed since the Attorney General Opinion was issued in 2001. At that time, no provision of the Brown Act authorized a policy body member to attend a meeting remotely; even the Act's teleconference provisions required the policy body member to physically attend the meeting, in full view of the public, in person, just at a different location than where other members of the body were attending the meeting. AB 2449 has changed that.

The final question is what specific accommodations for the disabled policy member are reasonable. Stated another way, what requirements must the member satisfy to attend remotely rather than attending a meeting in person? It is reasonable to require the policy body member to attend the meeting remotely through both audio and video technology, to guarantee that the member may fully interact with other members of the body, be fully visible to them and the public, and be able to hear public comment. It is also reasonable to require, consistent with AB 2449, that the policy body member disclose at the meeting, before any action is taken, whether any other individual 18 years of age or older is in the room at the remote location with the member, and the general nature of the member's relationship with any such individual. But most if not all of the other requirements imposed by AB 2449 are not reasonable in this context, including, for example, the limitation on frequency of meetings that may be attended remotely, and the requirement that members of the public be allowed to attend meetings remotely.

To ensure fair and uniform treatment of accommodation requests from disabled members of policy bodies, DHR will process and resolve such requests, including determinations whether a policy body member is disabled, whether their disability precludes their in-person attendance at

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meetings, and what is a reasonable accommodation of their disability. Not every policy body member with a disability is necessarily legally entitled to the accommodation of attending meetings remotely. DHR's analysis will depend in part on whether the member's disability restricts their ability to attend meetings in person, and whether other accommodations that include in-person attendance are reasonable and appropriate under federal law. In making these determinations, DHR may consult, as it deems appropriate, with the Mayor's Office on Disability, the City Attorney's Office, and other appropriate City officials or departments.

6. Policy bodies are not required to allow remote attendance and remote public comment by members of the public at meetings, except where their remote attendance is required under AB 2449, or where it may be required in certain circumstances to reasonably accommodate a request by a member of the public who is unable to attend a meeting in person due to a disability.

With the two caveats stated below, there is not a legal requirement that the City allow members of the public to attend meetings of a policy body remotely and to provide remote public comment. We recommend that any policy body consult with their staff, the City Administrator, and the Department of Technology before deciding to allow remote public comment, when not required by law.

The first caveat is that, as has been discussed in this memorandum, where a member of a policy body is attending a meeting remotely in accordance with AB 2449, there are corresponding requirements that members of the public be permitted to attend remotely and offer public comment remotely.

The second caveat is more complicated. The Brown Act requires that each policy body have a procedure for receiving and swiftly resolving requests for reasonable accommodation for persons with disabilities consistent with the ADA, and, further, that the policy body "resolv[e] any doubt in favor of accessibility." (Cal. Gov. Code § 54953(g).) There is an associated notice requirement: in each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the policy body must also give notice of the procedure for receiving and resolving requests for accommodation. (*Id.*)

But it may not always be obvious what constitutes a reasonable accommodation of the person's disability. There may be significant costs and administrative disruptions involved in potential accommodations; and there may be a range of means by which a member of the public could attend a policy body meeting remotely. The City should address requests for accommodation on a case-by-case basis rather than apply hard-and-fast rules that may not be well calibrated to individual situations. If a policy body receives an accommodation request from a member of the public seeking to attend a meeting and comment remotely and has questions about how to handle that situation, we recommend that the body confer with the City Attorney's Office and, if necessary, the Mayor's Office on Disability.

Subject to the above caveats, the Board could adopt an ordinance setting a Citywide policy regarding remote attendance and public comment. In the absence of an ordinance, each policy body may adopt its own policy after considering the logistical and staffing implications,

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and consulting with this Office on any legal concerns. If remote attendance and remote public comment are permitted, each meeting agenda should describe how members of the public may access the meeting remotely and make public comment remotely.

7. Other rules regarding public meetings and gatherings of passive meeting bodies will become operative again beginning on March 1.

During the course of the COVID-19 emergency, the Mayor imposed numerous rules regarding meetings of policy bodies. Some of them have expired. But some remain. When the Mayor terminates her emergency orders regarding public meetings, those, too, will expire, and several additional rules regarding public meetings will become operative again. Most notably, as this memorandum has indicated, the presence requirement imposed by the Charter and Administrative Code will be reinstated, restricting the ability of members of policy bodies to attend meetings remotely except in limited circumstances. In addition, these provisions of the Sunshine Ordinance will be reinstated:

- 72 hours' notice for special meetings: The requirement that there be 72 hours' notice and posting of the agenda for special meetings will be reinstated. (Administrative Code § 67.6(f).) The Mayor had suspended this rule, with the result that the Brown Act requirement of 24 hours' notice for special meetings applied by default.
- 15 days' notice for off-site special meetings: The requirement that there be 15 days' notice of a special meeting to be held at a location other than the policy body's regular meeting location will be reinstated. (Administrative Code § 67.6(f).) The Mayor had suspended this rule, with the result that there was no added notice requirement for this type of special meeting.
- Equal public comment time: The requirement that members of the public have equal time to comment on an agenda item will be reinstated. (Administrative Code § 67.15(c).) The Mayor had suspended this rule, subject to the proviso that any departure from the rule not be intended to favor or discriminate against a particular viewpoint. Absent the rule, policy bodies had somewhat greater flexibility in managing public comment.
- Passive meeting body rules: The Sunshine Ordinance requires limited public notice and public access to gatherings of "passive meeting bodies" that are not policy bodies, such as, for example, gatherings of advisory committees or other multimember bodies created by the initiative of a member of a policy body, the Mayor, the City Administrator, a department head, or an elective officer. (Administrative Code §§ 67.3(c), 67.4.) These rules will be reinstated, including the requirement that gatherings of passive meeting bodies occur in a physical space. (Administrative Code § 67.4(a) (references to "facilities in which [gatherings] occur" and "space

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available ... consistent with legal and practical restrictions on occupancy”).) The Mayor had suspended the passive meeting body rules, with the result that passive meeting bodies could essentially set their own rules. The rules regarding passive meetings are discussed in more detail in Part III, Section V(H) of the City Attorney’s Good Government Guide.

\* \* \* \*

In this memorandum we provide general advice and guidance for all City policy bodies. There are many such bodies, and many differences among them, in terms of powers, functions, composition, and customary meetings practices, among other things. It is possible – indeed likely – that as the City transitions to the meetings rules for policy bodies that will apply starting March 1, 2023, specific questions will arise that are not addressed here, or special circumstances involving particular policy bodies or their members may warrant more of an in-depth look at an issue that is addressed in general terms here. When questions arise, we encourage policy bodies to contact their assigned Deputy City Attorney for further advice and guidance on legal issues; and if it is unclear whether an issue has a legal component, we advise erring on the side of caution and contacting the attorney. In addition, the Good Government Guide, which we are in the process of updating, offers useful guidance on many of the legal questions that arise regarding meetings of policy bodies.

cc: Carol Isen, Director of Human Resources