

## RULES OF ORDER

### HOMELESSNESS OVERSIGHT COMMISSION (HOC) CITY AND COUNTY OF SAN FRANCISCO

~~Revised~~ **Amended Draft -for Consideration (8/3/23)**

#### **ARTICLE 1-Name and Purpose**

##### **SECTION 1. Name.**

The name of the commission shall be “Homelessness Oversight Commission.”

##### **SECTION 2. Purpose**

Pursuant to Article IV, Section 4.133 of the San Francisco City Charter, there shall be a Homelessness Oversight Commission (“Commission”) to oversee the Department of Homelessness and Supportive Housing (“Department”), or any successor agency. The Department shall, to the extent prescribed by ordinance, manage and direct housing, programs, and services for persons experiencing homelessness in the City, including, but not limited to, street outreach, homeless shelters, transitional housing, homelessness prevention, and permanent supportive housing.

#### **ARTICLE II-Members, Appointing Authorities and Seat Representation**

##### **SECTION 1 Members**

The Commission shall consist of seven (7) voting members.

## **SECTION 2 Appointing Authorities**

Seat 1, 2, 3, and 4 shall be appointed by the Mayor subject to confirmation by the Board of Supervisors. Each nomination of the Mayor shall be subject to approval by the Board of Supervisors, and shall be the subject of a public hearing and vote within 60 days of the date the Clerk of the Board receives notice of the nomination from the Mayor. If the Board fails to act on the nomination within those 60 days, the nominee shall be deemed approved. The appointment shall become effective on the date the Board adopts a motion approving the nomination or on the 61st day after the Clerk of the Board receives notice of the nomination, whichever is earlier. Seats 5, 6, and 7 shall be appointed by the Board of Supervisors

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

## **SECTION 3 Seat Representation**

**Seat 1** shall be held by a person who has personally experienced homelessness.

**Seat 2** shall be held by a person with significant experience providing services to or engaging in advocacy on behalf of persons experiencing homelessness.

**Seat 3** shall be held by a person with expertise in mental health service delivery or substance use treatment.

**Seat 4** shall be held by a person with a record of participation in a merchants' or small business association, or neighborhood association.

In addition to the aforementioned qualifications, at least one of the Mayor's appointees shall have experience in budgeting, finance, and auditing.

**Seat 5** shall be held by a person who has personally experienced homelessness.

**Seat 6** shall be held by a person with significant experience providing services to or engaging in advocacy on behalf of persons experiencing homelessness.

**Seat 7** shall be held by a person with significant experience working with homeless families with children and/or homeless youth.

~~Article IV, Section 4.101~~

Article IV, Section 4.101 of the San Francisco City Charter shall apply to these appointments, with a particular emphasis on diversity in ethnicity, race, age, sex, gender identity, sexual orientation, and types of disabilities.

### **Article III-Commissioner Terms, Commissioner Power and Duties, and Commission Secretary**

## **Section 1. Commissioner Terms**

Commission members shall serve at the pleasure of their respective appointing authorities and may be removed by their appointing authorities at any time. Vacancies shall be filled by the respective appointing authorities as prescribed in Charter Sec. 4.133. in subsections (b)(1) and (2).

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

## **Section 2. Commissioner Powers and Duties**

With respect to the Department, the Commission shall exercise all of the powers and duties of boards and commissions as set forth in Charter Sections ~~4.102, 4.103, and 4.104~~, **4.102, 4.103, and 4.104**, including but not limited to, approving applicable departmental budgets, formulating annual and long-term goals consistent with the overall objectives of the City and County, establishing departmental performance standards, holding hearings and taking testimony, conducting public education and outreach concerning programs and services for homeless persons in San Francisco, and issues concerning homelessness, and conducting performance audits of the Department to assess the efficiency and effectiveness of the Department's delivery of services to persons experiencing homelessness and persons participating in programs overseen by the Department, and the extent to which the Department has met the annual goals and performance standards established by the Commission.

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

### **Section 3 Commission Secretary**

The Commission Secretary shall manage the business affairs and operations of the Commission and any Committees. The Commission Secretary shall work closely with the Department of Homelessness and Supportive Housing Executive Director to set meeting agendas, communicate the work of the Commission to the public, facilitate communications between the Commission and the Department, respond to requests for information, and respond to the public.

## **Article IV Election of Officers and Terms and Power and Duties**

### **Section 1 Election of Officers and Term**

The Commission shall elect among their number a Chair, Vice Chair, ~~and a~~ Data Officer, and officers for other such positions, if any, that it chooses to create. Each officer shall serve for a period of one year. The Chair and the Vice Chair will each be elected from one of the two appointing bodies.

If the position of the Chair becomes vacant before expiration of the term, the following shall occur: (1) the Commissioner serving as Vice Chair at the time of the vacancy shall automatically assume the position of Chair until the first to occur of the expiration of the Commissioner's

term as Commissioner or the expiration of the remainder of the prior Chair's term and (2) at the next regular meeting of the Commission, the members of the Commission shall elect a new Vice Chair who shall serve as Vice Chair until the first to occur of the expiration of the new Vice Chair's term as a Commissioner or the expiration of the remainder of the prior Vice Chair's term. If the position of Vice Chair becomes vacant before expiration of the term, at the next regular meeting of the Commission after the vacancy occurs, the members of the Commission shall elect a new Vice Chair who shall serve as Vice Chair until the first to occur of the expiration of the new Vice Chair's term as a Commissioner or the expiration of the remainder of the prior Vice Chair's term.

The purpose of the Data Officer is to collect de-identified data, organize, analyze, and report to the HOC and the public, their findings and report any issues regarding Homelessness issues in San Francisco.

## **Section 2. Powers and Duties**

The Chair shall preside at all Commission meeting; shall preserve order and decorum; shall decide all questions of order, subject to appeal to the Commission by any member; shall appoint any committee of the Commission; and shall perform all other duties necessary or incidental to the office. The Chair shall have the right to participate in the proceedings of the Commission, including the right to make and second any resolutions or other motions, and may speak to points of order in preference to the other members. In the absence of the Chair, the Vice Chair shall preside and in absence of both the Chair and the Vice Chair, the senior member of the Commission in length of service on the Commission shall preside.

## Article V Meetings

### Section 1. Meetings

A. Regular Meetings: Meetings of the Commission will be held at City Hall 1 Dr. Carlton B. Goodlett Place room 416 in San Francisco, on every first Thursday of each month at 9:00 a.m. except that the Commission may designate a different location by motion or resolution or designate a different time, provided that the Commission give advance and proper notification to all interested parties. If the regularly scheduled meeting is on a holiday, the replacement meeting date shall be designated by a motion of the Commission.

The Commission shall conduct all of its business in a public forum. Commissioners must attend public meetings in person, unless they have been granted a waiver by the Department of Human Resources to attend remotely. Meetings are noticed at the Main Public Library, the Department of Homelessness and Supportive Housing website and other appropriate public buildings at least 72 hours prior to each meeting.

B. In the event that a quorum is not present, Commissioners may discuss the topics that were noticed, or other topics, with the individuals present, as the gathering is not a meeting of the body, but no action may be taken. The Commissioners must comply with the obligations and requirements of their membership on the Commission. The members present may continue the meeting to a new place and time.

~~A.~~ Special Meetings: Special Meetings of the Commission may be called at any time by the Chair or by a majority of the members of

the Commission. Notice of the meeting must be given at least 72 hours prior to the Special Meeting. If the Commission holds a Special Meeting in a building other than its Regular Meeting place, it must give public notice of the meeting at least 15 days in advance. The 15-day notice does not have to include a formal agenda, but should specify the time, place, and generally identify the nature and purpose of the Special Meeting. A formal agenda must be posted 72 hours in advance of the Special Meeting. A Special Meeting may be strictly informational, for the purpose of conveying information to or receiving information from the public. Special Meetings that are strictly informational must

- C. conform to all of the same requirements as any other Special Meeting, including proper notice and agenda requirements. ~~One or two Special Meetings will be held each year "In Community" at the Commission's discretion.~~

One or two Special Meetings will be held each year "In Community" at the Commission's discretion.

- D. Open and Public Meetings: The Commission ~~is~~ and its Committees are governed by provisions of the Ralph M. Brown Act and the San Francisco Sunshine Ordinance, Chapter 67 of the San Francisco Administrative Code.

All Commission and Committee meetings shall be open and public, and all persons shall be permitted to attend any meeting ~~of the Commission.~~ However, the Commission and Committee may, with appropriate notice, meet in closed session to consider and act upon matters authorized by Charter Section 4.104(2), the Ralph M. Brown Act, and the San Francisco Sunshine Ordinance.

E. Attendance: Unless excused, all members of the Commission and its Committees shall be in their respective seats at the hour appointed for each meeting ~~of the Commission~~. The Executive Director of the Department of Homelessness and Supportive Housing and the Commission Secretary shall attend Commission meetings unless excused by the Chair or Vice-Chair of the Commission.

Except in the event of a notified absence (defined below), each member of the Homelessness Oversight Commission is expected to attend each Regular or Special Meeting of the Commission. Commission Secretary shall maintain a record of members' attendance.

~~B.~~ Notified Absences: A member's absence shall constitute a F. "notified absence" where the member, in advance of the meeting, informs the Homelessness Oversight Chair or Commission Secretary. An absence due to unforeseen circumstances such as illness or emergency shall also qualify as a notified absence where the member reports such absence to the Homelessness Oversight Commission Secretary as soon as reasonably possible. The Commission Secretary shall record as non-notified all absences involving neither advance notice nor unforeseen circumstances.

G. Reporting Absences to the Appointing Authority: The Commission Secretary shall report all instances of non-notified absences as well as any instance of three consecutive absences of a member from Regular Meetings to the Mayor.

~~G.~~ Annual Attendance Report: At the end of each fiscal year, the Commission Secretary shall submit a written report to the appointing authority, either the Mayor or the Clerk of the Board, as applicable detailing each Homelessness Oversight

H. Commissioner's attendance at all meetings of the Homelessness Oversight Commission for that fiscal year.

I. Quorum: The Homelessness Oversight Commission shall have a quorum of four members in order to transact official business. (Charter Section 4.104.)

J. Call to Order and Roll Call: The Chair shall call each Commission meeting to order at the appointed hour. Immediately after the call to order, the Commission Secretary shall call the roll of the members of the Commission and shall record those present and those absent and shall enter in the minutes the names of those members present at the first roll call as well as the names and time of appearance of those members who arrive subsequent to the first roll call.

K. Voting: All Commissioners present shall vote on all action items pending before the Commission unless a member is excused from voting by a motion adopted by a majority of the members present (Charter Section 4.104). Action items on the Commission calendar shall be voted on either by roll call vote, voice vote or by a show of hands. The vote on resolutions and motions shall be "ayes" and

"nays". Except as otherwise provided herein, an affirmative vote of the majority of the members of the Commission shall be required for the passage of any resolution or motion. The majority vote of the Commission is four out of seven.

L. Rules of Debate: When a member desires to address the Commission, he or she shall seek recognition by addressing the presiding officer, and when recognized, shall proceed to speak, confining his or her remarks to the question before the Commission. No discussion shall take place until a resolution or motion has been moved and seconded, or a calendared item has been introduced.

~~D.~~ M. Recordings and Minutes of the Proceedings: The Commission Secretary shall ensure that every Commission meeting is recorded via audio device or audio/video device. All recordings of Regular or Special Meetings must be kept indefinitely. All recordings of closed sessions must be kept for at least ten years, or permanently if feasible. The Commission Secretary shall also record the proceedings of each Commission meeting in the minutes of the Commission and shall forward a copy of the minutes to the Main Public Library within ten (10) days of the completion of the meeting.

N. All motions/resolutions will be noted with an indication of who will implement the motion/resolution, what will be implemented, and the date for any requested follow-up report. The Commission

Secretary will include any follow-up report as an agenda item on the date specified in the original action. Such follow-up reports may be removed from the agenda only by action of the Commission.

O. Recess During a Meeting: The Commission meeting may have one or more recesses at the discretion of the Chair.

P. Adjournment of Meetings: The Commission may adjourn any regular, special or adjourned Special Meeting to a time and place specified in the order of adjournment.

Q. Cancellation of Meetings: The Commission shall provide notice of the cancellation of a meeting to the public as soon as reasonably possible. The Commission shall post the cancellation notice at the meeting site and at the Department office. To the extent time permits, the Commission will post the cancellation notice on its website, at the San Francisco Main Library Government Information Center, and mail notice of the cancellation to those members of the public who have requested in writing to receive meeting agendas. The Commission will make every effort to give notice of the cancellation to parties with a matter on the agenda and to persons who normally receive agendas by e-mail.

R. Agendas: Agendas for the Commission meetings will be set jointly by the Commission Chair, Vice Chair and the Executive Director. ~~The Commissioners may recommend items for consideration through the Commission Secretary or Commission Chair. An agenda item could be calendared when a Commission member makes a specific calendar item recommendation 5 days prior to the meeting. If the agenda item can't be heard at the meeting due to time constraints, the recommended calendar item will be placed on the next HOC meeting agenda.~~ The Mayor, members of the Board of Supervisors, HOC Commissioners, and members of the public may also request items to be considered by the Commission. Requests ~~shall~~should be made by notifying the Commission Secretary. -If Items can't be heard due to time constraints, the recommended calendar item will be placed on the next meeting agenda.

S. Items to be Heard by the Commission: Only matters that have been calendared will be heard by the Commission at any meeting, unless action on the item is authorized under the Brown Act and the Sunshine Ordinance. The Commission shall consider information items and action items, in accordance with Section 3. Powers and Duties, above. Authorization for the Department to accept and extend grants, enter into contractual agreements, accept gifts, or approve expenditures of funds may be made in the form of a motion.

The Commission Secretary shall call each item prior to consideration by the Commission. Discussions by the Commission shall be limited to the items called from the agenda. ~~Each Commission agenda shall have an "Other Business~~

The agenda shall include a consent calendar. Any member may request a consent item to be removed from the consent calendar, and the item will be taken off the consent calendar and treated as a separate agenda item.

The agenda shall include an “Commission Matters” item, during which Commissioners, the Executive Director, and the public may bring up topics for consideration at future meetings, providing that any discussion or action on a topic is taken after proper public notice is provided.

~~E.~~ T. Public Participation and Testimony: Members of the public are encouraged to attend the meetings and may address the Commission on agenda items and on items of interest to the public that are within the subject matter jurisdiction of the Commission that are not on the meeting agenda during general public comment. The Brown Act forbids a Commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at general public comment. The Chair of the Commission shall ask for public comments prior to calling for a vote on action items.

At its discretion, the Commission may permit members of the public to address the Commission in person from the room where the meeting is being held or remotely by telephone. Any member of the public who requests ADA accommodations to comment remotely must be obliged.

Decorum: Speakers who wish to testify before the Commission are requested to sign up at the beginning of each meeting to ensure that those who wish to speak are in the queue, but speakers may remain anonymous if they choose. During public comment to the

Commission, remarks shall be addressed to the Commission as a whole, not to individual commissioners and not to the audience. Testimony shall be limited to comments pertaining to the items under consideration by the Commission. The Chair shall be the judge of the pertinence of such comments and has the authority to limit this privilege if the comments are not pertinent to the question before the Commission or the comments are reiterative of points made by previous speakers. When an agenda item is heard at one meeting and public testimony is taken on the item and the item is continued to the next meeting for deliberation and action, the Chair of the Commission can preclude individuals who have already provided testimony from testifying at the subsequent meeting. Individuals who have points to make regarding issues that were not raised at the first meeting will be allowed to testify.

Time Allocation: The Chair may place a reasonable overall limit on public comment on a particular item. The Chair may limit public comment on any particular item to less than three minutes per speaker based on such factors as the nature of the item, the number of anticipated speakers for the item, and the anticipated duration of other agenda items. The Commission Secretary may be asked to time the speakers and notify the speakers when they have exceeded the time limitation.

The Commission will apply any time limits uniformly to all speakers. The Commission will not count the time for question and answer against the speaker's time. Similarly, following the period for public comment on an agenda item, if a member of the Commission questions a speaker who has offered public comment on the item, then speaker may respond even if the speaker's time for public comment has been exhausted. If a speaker has a disability that impairs the ability to comment, the Commission will extend that speaker's public comment time as necessary to reasonably

accommodate the speaker. The Commission may also grant additional time to accommodate a speaker who requires the use of a translator.

~~U.~~U. Reports: For each Commission meeting, the Commission Secretary shall provide the Commission with written reports prepared by the Department providing background information on the items under consideration. The Commission Secretary shall provide all

resolutions recommended by the Department of Homelessness and Supportive Housing staff for consideration by the Commission and shall amend the resolutions as directed by the Commission. The Commission Secretary shall make available to the public copies of resolutions under consideration at the Commission meeting.

For each Commission meeting, the Executive Director of the Department of Homelessness and Supportive Housing shall provide the Commission with a summary of pertinent information on the operations of the Department. The Director's Report shall be summarized in the Commission minutes.

## V. Order of Business

A. Call to Order

B. Roll Call

~~A.—Announcement of prohibition of sound-producing devices during a meeting~~

C. Announcements by Chair

D. Ramaytush Oholone Land Acknowledgement

~~D.~~E. Approval of the Minutes from Prior Meeting(s)

- ~~E.F.~~ Communications
- ~~F.G.~~ Employee Recognition
- ~~G.H.~~ Director's Report
- ~~H.I.~~ Quarterly Advisory Body Reports
- J. Committee Reports
- ~~I.K.~~ General Public Comment
- L. Old Business
- ~~J.M.~~ Consent Calendar ~~of Routine Matters~~
- ~~B. Old Business~~
- ~~K.N.~~ New Business
- ~~L.O.~~ Closed Session
- ~~M.P.~~ Announcements Following Closed Session
- ~~N.Q.~~ Commission Matters
- ~~O.R.~~ General Public Comment (Continued)
- ~~P.S.~~ Adjournment

W. The Ramaytush Ohlone Land Acknowledgement shall be added ~~to each~~  
~~HOC agenda and read out loud at the start of each meeting~~ and  
announced by the Chair ~~or Commission Secretary.~~

X. Rules of Order: Unless provided otherwise herein, Robert's Rules of Order shall guide the Commission in its proceedings.

The Rules of Order shall ~~for may~~ be reviewed annually, ~~or other schedule,~~ at the Commission's discretion.

These Rules of Order may be adopted or amended at any regular or special meeting of the HOC, upon at least ten days' public notice for such meeting. These Rules of Order shall be filed with the Clerk of the Board of Supervisors.

## Article VI Committees

A. Committees may be created by the Chair or by the Commission. Committees members are appointed by the Chair, and they shall serve on the committee at the pleasure of the Chair and may be removed at any time.

B. Committees may elect amongst themselves their own officers. The committee chair presides over meetings and minutes shall be prepared and approved at the subsequent committee meeting.

C. Action taken at these committee meetings shall be treated as recommendations or tentative decisions with no legal effect and shall be reviewed and approved at a Regular Meeting of the Commission.

D. The Nomination Committee shall consist of three commissioners who shall consider candidates for appointment to the Local Homelessness Coordinating Board (LHCB) and Shelter Monitoring Committee (SMC) members and to report their findings and recommendations to the Commission. The Committee will meet as needed to review candidates.