

[Administrative Code - Establishing African American Reparations Advisory Committee]

Ordinance amending the Administrative Code to establish the African American Reparations Advisory Committee to advise the Board of Supervisors, the Mayor, the Human Rights Commission, and the public regarding the development, adoption, and implementation of a San Francisco Reparations Plan that determines the scope and eligibility for a citywide reparations program, examines current structural discrimination within San Francisco, and proposes institutional reforms to guard against the need for future redress.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. Chapter 5 of the Administrative Code is hereby amended by adding Article XLVI, consisting of Sections 5.46-1 through 5.46-7, to read as follows:

ARTICLE XLVI:

AFRICAN AMERICAN REPARATIONS ADVISORY COMMITTEE

SEC. 5.46-1. CREATION OF ADVISORY COMMITTEE.

The Board of Supervisors hereby establishes the African American Reparations Advisory Committee (the "Advisory Committee") of the City and County of San Francisco.

SEC. 5.46-2. PURPOSE.

1 The purpose of the Advisory Committee is to advise the Board of Supervisors, Mayor, the
2 Human Rights Commission, and the public on the development of a San Francisco Reparations Plan
3 that: 1) chronicles the legacy of American chattel slavery, post-Civil War government-sanctioned
4 discrimination against African Americans, and ongoing institutional discrimination that has prevented
5 the enslaved and their descendants from fully benefiting from the growth of the U.S. economy, with an
6 emphasis on systemic, City-sanctioned discrimination that has adversely impacted the lives of Black
7 San Franciscans; 2) determines the scope of and eligibility for a citywide reparations program and the
8 means of disbursing reparations in order to make whole those who have been wronged or who continue
9 to suffer harm from past wrongs, to close racial wealth gaps, and to address ongoing discrimination,
10 anti-Black prejudice, and inequities; 3) improves education, housing, workforce development,
11 economic opportunities, financial stability, small businesses, transit access, and food security, while
12 reducing violence, health disparities, and over-criminalization, experienced by Black people; and 4)
13 examines current and historic structural discrimination within the City and County of San Francisco
14 and proposes institutional reforms to guard against the need for future redress.

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16 **SEC. 5.46-3. MEMBERSHIP.**

17 (a) The Advisory Committee shall consist of 15 voting members, appointed by the Board of
18 Supervisors.

19 (1) Seat 1 shall be held by a person who works for a media outlet that principally
20 serves the African American community, is a storyteller of African American stories, or is a historian
21 with expertise in African American history.

22 (2) Seat 2 shall be held by a person who has been displaced from San Francisco
23 due to gentrification. This member shall not be required to reside in the City and County of San
24 Francisco during their participation on the Advisory Committee.

1 (3) Seat 3 shall be held by an individual with expertise in private equity, venture
2 capital, or fundraising in the financial industry.

3 (4) Seat 4 shall be held by an individual who is 65 years of age or older and who has
4 lived in a predominantly African American community.

5 (5) Seat 5 shall be held by an individual who has been incarcerated.

6 (6) Seat 6 shall be held by an individual who has experienced discrimination in the
7 workplace.

8 (7) Seat 7 shall be held by an individual who has experienced or is experiencing
9 homelessness.

10 (8) Seat 8 shall be held by an individual with expertise in the impact of
11 redevelopment activities in the Fillmore District and the Western Addition on Black communities.

12 (9) Seat 9 shall be held by an individual with experience as a small business owner
13 principally serving the African American community.

14 (10) Seat 10 shall be held by a person who is employed by or in a leadership position
15 in a charitable, social service, or religious organization principally serving the African-American
16 community.

17 (11) Seat 11 shall be held by a person who works in the technology industry with
18 experience in the field of technological equity.

19 (12) Seat 12 shall be held by a person who is between the ages of 14 and 24,
20 inclusive, with experience working with community groups serving the African American community.

21 (13) Seat 13 shall be held by a person representing the sectors served by the Office of
22 Economic and Workforce Development (construction, building and trades, hospitality, and medical
23 sectors) with experience working in predominantly African American communities.

24 (14) Seat 14 shall be held by an individual with experience as a parent or caregiver
25 of a child or children experiencing barriers to or disparate treatment in education.

1 (15) Seat 15 shall be held by an individual who has lived or is currently living in
2 public housing.

3 (b) In appointing members to the Advisory Committee, the Board of Supervisors shall strive
4 to identify individuals who not only meet the qualifications set forth in subsection (a), but who also:

5 (1) Are willing to perform work in service of the Advisory Committee outside of
6 Advisory Committee meetings;

7 (2) Bring diverse skills and experiences to the Advisory Committee;

8 (3) Have experience living or working in predominantly African American
9 neighborhoods or communities in San Francisco;

10 (4) Appreciate the diversity of viewpoints and experiences that exists within San
11 Francisco's Black communities; and

12 (5) Have personally experienced discrimination in employment, access to
13 healthcare, or access to social services.

14
15 **SEC. 5.46-4. ORGANIZATION AND TERMS OF OFFICE.**

16 (a) Members of the Advisory Committee shall serve at the pleasure of the Board of
17 Supervisors and may be removed by the Board at any time. Each member may remain on the Advisory
18 Committee until the termination of the Advisory Committee under Section 5.46-7, unless removed by
19 the Board.

20 (b) Service on the Advisory Committee shall be voluntary. Subject to the availability of
21 funds and pursuant to written policies and procedures adopted by the Human Rights Commission,
22 Advisory Committee members may receive a per meeting stipend. The amount of such stipend shall be
23 set by the Human Rights Commission based on a finding that such amount is no more than necessary to
24 compensate members for the average costs incurred by members to attend Advisory Committee
25 meetings, including but not limited to transportation and childcare costs.

1 (c) Any member who misses three regular meetings of the Advisory Committee within a six-
2 month period without the express approval of the Advisory Committee at or before each missed meeting
3 shall be deemed to have resigned from the Advisory Committee ten days after the third unapproved
4 absence. The Advisory Committee shall inform the Board of Supervisors of any such resignation.

5 (d) The Human Rights Commission shall provide administrative support for the Advisory
6 Committee.

7 (e) At the request of the Advisory Committee, and subject to the fiscal, budgetary, and civil
8 service provisions of the Charter and all applicable rules regarding competitive selection, the Human
9 Rights Commission may retain consultants with appropriate expertise to assist the Advisory Committee
10 in its development of the draft and final San Francisco Reparations Plans.

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12 **SEC. 5.46-5. POWERS AND DUTIES.**

13 (a) The Advisory Committee shall have the power and the duty to advise the Board of
14 Supervisors, Mayor, the Human Rights Commission, and the public in the development, adoption, and
15 implementation of a San Francisco Reparations Plan.

16 (b) By no later than six months after its inaugural meeting, the Advisory Committee shall
17 submit to the Board of Supervisors, the Mayor, and the Human Rights Commission a report
18 summarizing the research, outreach, and other efforts it intends to undertake in support of its
19 preparation of a San Francisco Reparations Plan.

20 (c) By no later than 18 months after its inaugural meeting, the Advisory Committee shall
21 submit to the Board of Supervisors a draft San Francisco Reparations Plan (“Draft Plan”), along with
22 a proposed resolution to accept the Draft Plan, and the Board may act by resolution to accept, reject,
23 or modify the Draft Plan. The Advisory Committee shall also submit the Draft Plan to the Mayor and
24 the Human Rights Commission, and the Director of the Human Rights Commission shall post the Draft
25 Plan on the Human Rights Commission’s website.

1 (d) By no later than 24 months after its inaugural meeting, the Advisory Committee shall
2 submit to the Board of Supervisors a final San Francisco Reparations Plan (“Final Plan”), which shall
3 incorporate feedback received from the Board of Supervisors, the Mayor, the Human Rights
4 Commission, and the public in response to the Draft Plan. The Final Plan shall be accompanied by a
5 resolution to accept the Final Plan, and the Board may act by resolution to accept, reject, or modify the
6 Final Plan.

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8 **SEC. 5.46-6. MEETINGS AND PROCEDURES.**

9 (a) The Advisory Committee shall hold its inaugural meeting not more than 90 days after
10 the effective date of the ordinance in Board File No. 2001190 enacting this Article XLVI. There shall
11 be at least ten days’ public notice of the inaugural meeting. Following the inaugural meeting, the
12 Advisory Committee shall hold a regular meeting not less than once each month.

13 (b) The Advisory Committee shall elect a chair and such other officers as it deems
14 appropriate, and may establish bylaws and rules for its organization and procedures.

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16 **SEC. 5.46-7. SUNSET.**

17 Unless the Board of Supervisors by ordinance extends the term of the Advisory Committee, this
18 Article XLVI shall expire by operation of law, and the Advisory Committee shall terminate, three years
19 after the effective date of the ordinance in Board File No. 201190 enacting this Article. In that event,
20 after the sunset date, the City Attorney shall cause this Article XLVI to be removed from the
21 Administrative Code.

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23 Section 2. Effective Date. This ordinance shall become effective 30 days after
24 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
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ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

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

By: /s/
ANNE PEARSON
Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

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

File Number: 201190

Date Passed: December 08, 2020

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November 30, 2020 Rules Committee - RECOMMENDED AS COMMITTEE REPORT

December 01, 2020 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

December 08, 2020 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 201190

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
12/8/2020 by the Board of Supervisors of
the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

12.18.20

Date Approved