



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

RESOLUTION NO. 140111

Introduced February 20, 2014

Councilmember Jones

Referred to the Committee
on
Law and Government

RESOLUTION

Proposing an amendment to The Philadelphia Home Rule Charter to establish an independent Community Oversight Board for the Department of Human Services, and to provide for the Board's appointment, powers and duties; and providing for the submission of the amendment to the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. § 13106), an amendment to The Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,

That the following amendment to The Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

~~Strikethrough~~ indicates matter deleted by these amendments.

Bold italics indicates matter added by these amendments.

ARTICLE III – EXECUTIVE AND ADMINISTRATIVE BRANCH – ORGANIZATION

CHAPTER 1 OFFICERS, DEPARTMENTS, BOARDS, COMMISSIONS AND OTHER AGENCIES

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§3-100. Executive and Administrative Officers, Departments, Boards, Commissions and Agencies Designated.

The executive and administrative work of the City shall be performed by:

* * *

(d) The following departments which are hereby created:

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Department of Public Welfare (*also to be known as Department of Human Services*);

Water Department;

Department of Public Property;

(e) The following independent boards and commissions, which, except for the Board of Trustees of the Free Library of Philadelphia, are hereby created:

City Planning Commission;

Commission on Human Relations;

Board of Trustees of the Free Library of Philadelphia;

Board of Pensions and Retirement;

Civil Service Commission;

Philadelphia Tax Reform Commission and its Advisory Committee;

Board of Ethics;

Youth Commission;

Zoning Code Commission; ~~and~~

Jobs Commission; *and*

DHS Community Oversight Board

* * *

CHAPTER 8 – INDEPENDENT BOARDS AND COMMISSIONS

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§ 3-810 DHS Community Oversight Board

(a) *Composition. The DHS Community Oversight Board shall be composed of 15 members appointed by the Mayor, to include ten members selected from a list of*

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at least twenty nominees proposed by City Council. Members shall be individuals with expertise or experience in the field of child welfare or family services and, to the extent practicable, shall be representative of the City's population in relation to race, sex, and ethnicity. All appointments shall be made within sixty days after the Board is first created.

(1) Additional membership requirements: (a) at least two Board members shall be employees of the Defender Association Child Advocacy Unit, of whom one shall be an attorney and one a social worker; (b) at least one member shall be an attorney who has, for at least seven years, devoted a significant portion of his or her practice to representation of parents and families in dependency proceedings; and (c) no Board member (other than ex officio members) shall be employed by the Department of Human Services ("DHS").

(2) The Commissioner of the Department of Human Services, and the City official responsible for administration of services related to behavioral health, shall serve as ex-officio, non-voting members of the Board.

(3) The Mayor shall appoint a Chairperson of the Board. The Board may elect such other officers as it deems necessary.

(4) All members shall be appointed to terms of two years, and may be re-appointed for additional two-year terms, adhering to the procedure and the requirements for Board diversity and representation as set forth in this section.

(5) Members of the Board shall not be compensated.

(6) Vacancies on the Board shall be filled by the Mayor, by the same appointment procedure used for the member whose seat has become vacant.

(b) Operation.

(1) The Board shall meet regularly at such times and places as it may determine, but shall meet at least four times per year.

(2) The Board may hire such staff as it determines to be necessary and permitted by its budget, and may contract with consultants to assist in performing its duties. No such staff member or contractor shall be a person currently employed by or contracting with DHS.

(c) Powers and Duties. The Board shall:

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(1) Advise DHS administrators on the development of the Department's plan and budget for children and youth services, and other such duties as may be required by the Pennsylvania Department of Public Welfare;

(2) Monitor and assess DHS's progress in implementing reform recommendations for policies and procedures regarding child welfare;

(3) Review and make recommendations pertaining to DHS's children and youth programs and policies, and the operation of the division providing such services;

(4) Assess whether additional reforms at DHS are necessary in order to ensure the safety of children and improve services to families;

(5) In connection with the performance of its duties, and including its staff, have access to all DHS documents and files, subject to the execution of appropriate confidentiality agreements and applicable law; and

(6) At least annually, provide the Mayor, Council and the public with a report outlining its findings on DHS's progress in implementing reforms, including those recommended by the Board.