

FILE NO. 070084

ORDINANCE NO. 150-07

1 [Shelter Monitoring Committee.]
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3 Ordinance amending sections 20.302, 20.303, 20.304, and 20.312 of the San Francisco
4 Administrative Code to: 1) require the Department of Public Health to provide
5 administrative support for the Shelter Monitoring Committee; 2) broaden the purpose
6 of the Shelter Monitoring Committee by authorizing it to assess City policies that affect
7 shelter clients; 3) require Committee members to keep certain information confidential;
8 4) designate divisions within the Department of Human Services and the Department of
9 Public Health from which Committee members may be appointed; 5) require City
10 departments to respond to reasonable requests for information from the Shelter
11 Monitoring Committee within 15 days, and 6) eliminate the Committee's obligation to
12 prepare annual reports with the Local Homeless Coordinating Board.

13 Note: Additions are *single-underline italics Times New Roman*;
14 deletions are *strikethrough italics Times New Roman*.
15 Board amendment additions are double underlined.
16 Board amendment deletions are ~~strikethrough normal~~.

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

17 Section 1. The San Francisco Administrative Code is hereby amended by amending
18 section 20.304, to read as follows:

19 **SEC. 20.302. ESTABLISHMENT.**

20 A Shelter Monitoring Committee ("Committee") is hereby established. The Committee
21 shall document its findings and shall submit reports consistent with this Article to the Mayor,
22 the Board of Supervisors, the Local Homeless Coordinating Board, the public, and any other
23 entity, as appropriate. The ~~Mayor's Office of Community Development~~ Department of Public Health
24 ~~or any successor agency shall provide funding for at least one full-time staff person that~~ shall provide
25 administrative support for the Committee. The ~~full-time staff person~~ Committee shall, among

1 other things, receive and document complaints made to the Committee regarding shelters and
2 shall refer complaints to appropriate committee members for follow-up.

3 **SEC. 20.303. PURPOSE.**

4 The purpose of the Committee is to provide the Mayor, the Board of Supervisors, the
5 Local Homeless Coordinating Board, the public, and any other appropriate agency with
6 accurate, comprehensive information about the conditions in and operations of shelters
7 covered by this Article, as well as City policies in place that affect operations of shelters or their
8 impact on shelter clients.

9 **SEC. 20.304. POWERS AND DUTIES.**

10 The Committee shall have all of the powers and duties necessary to carry out the
11 functions of the Committee as follows:

12 (a) **Site Visits.** Individual Committee members shall form teams and make
13 unannounced site visits to all shelters a minimum of 4 times per year, per site. The scope of
14 the site visits shall be limited to gathering information relevant to: 1) health and safety
15 conditions in shelters, 2) the adequacy of policies and procedures governing each facility, and
16 3) the treatment and personal experience of shelter residents in the shelters. Committee
17 members shall conduct site visits in the least invasive manner possible and shall respect the
18 privacy rights of shelter clients. In addition, teams shall make two announced site visits per
19 year for the purpose of giving shelter residents the opportunity to discuss shelter conditions
20 with the members of the Committee. All site visits shall occur during shelter operating hours
21 only. After consulting shelter staff, the Committee shall post Committee contact information
22 and information regarding announced visits at each shelter. Each team shall prepare a report
23 for the full Committee on their findings and recommendations as described below under
24 subsection (b), "Reports."
25

1 (b) **Reports.** The Committee shall prepare and submit quarterly reports that shall
2 include but not be limited to information on the following: safety in the shelter, cleanliness in
3 the shelter, disability access to and within the shelter, family life in the shelter, a review of
4 policies and procedures in place at the shelter, and any information received regarding the
5 treatment and personal experiences of shelter residents. In order to enable the Committee to
6 prepare reports required under this subsection, City departments that contract for services at a shelter
7 that is under review must respond within 15 days to any reasonable request for information submitted
8 by the Committee relative to the shelter or to City policies that affect operations of shelters or their
9 impact on shelter clients. The reports shall also include recommended action steps for the
10 shelter and for the City department that contracts for services at the shelter. The reports City
11 departments and the reports referenced in this subsection shall not identify shelter residents or
12 disclose any confidential information concerning shelter residents consistent with state and
13 federal law. The Committee may issue emergency reports at any time it deems necessary.
14 The reports shall be provided to: 1) the Mayor, 2) the Board of Supervisors, 3) the Local
15 Homeless Coordinating Board, 4) the appropriate city department responsible to take action,
16 5) the city department that contracts for services at the shelter, 6) the shelter under review,
17 and 7) the public. These reports shall be public documents. Any city department identified in
18 the report as responsible to take action recommended in the report shall, within 30 days of
19 issuance of the report, provide to the Board of Supervisors a departmental report setting forth
20 how the department intends to respond to the Committee's recommendations.

21 (c) **Training.** All members of the Committee shall receive training in confidentiality
22 laws regarding the provision of services to homeless people, as applicable, and will agree in
23 writing to comply with any and all confidentiality requirements. In addition, members of the
24 Committee may not disclose the following information before an unannounced shelter visit occurs: the
25 date, time, and location of an unannounced shelter visit and the identity of the members of the team

1 conducting the visit. After providing notice and an opportunity to be heard, the Committee may remove
2 a Committee member for making disclosures prohibited by this subsection. If the Committee removes a
3 Committee member pursuant to this subsection, it shall inform the appointing authority of this fact and
4 request that the appointing authority appoint a replacement as soon as possible. All members of the
5 Committee shall receive sensitivity training related to cultural differences, gender issues and
6 the Americans With Disabilities Act. Committee members shall receive other training deemed
7 necessary by the Committee to carry out its functions.

8 (d) **Retaliation Prohibition.** Shelter staff and shelter clients shall not be retaliated
9 against for participating in any activity involving the Committee. This section is not intended to
10 create a private right of action against the City and County of San Francisco.

11 **SEC. 20.305. MEMBERSHIP AND ORGANIZATION.**

12 (a) The membership of the Committee shall reflect the diversity of the homeless
13 people that access shelter in the City. The Committee shall consist of 13 members, one of
14 whom shall be a homeless person (or homeless within the 3 years prior to appointment) with a
15 disability and one of whom shall be a homeless person (or homeless within the 3 years prior
16 to appointment) living with their homeless child who is under the age of 18. The 13 members
17 of the Committee shall be appointed as follows: three members shall be appointed by the
18 Mayor, including one member from the Department of Human Services, one member from the
19 Department of Public Health, and one member who is homeless or formerly homeless and
20 who has experience providing direct services to the homeless through a community setting.
21 Six members shall be appointed by the Board of Supervisors including: two homeless or
22 formerly homeless individuals; one member who has experience providing direct services to
23 the homeless through a community setting; one member selected from a list of candidates
24 that are nominated by community agencies that provide behavioral health, housing
25 placement, or other services to the homeless; and two members selected from a list of

1 candidates that are nominated by non-profit agencies that provide advocacy or organizing
2 services to homeless people, one of which is homeless or formerly homeless. Four members
3 shall be appointed by the Local Homeless Coordinating Board, including: one member
4 selected from a list of candidates that are nominated by non-profit agencies that provide
5 advocacy or organizing services to homeless people; two members who have experience
6 providing direct services to the homeless through a community setting, one of which is
7 formerly homeless; and one member shall be homeless or formerly homeless and selected
8 from a list of candidates that are nominated by community agencies that provide behavioral
9 health, housing placement, or other services to homeless individuals. In making their
10 appointments to the Committee, the appointing authorities are encouraged to select people
11 who are bilingual.

12 (b) Officers. At the first calendared meeting and thereafter at the beginning of each
13 even-numbered calendar year, the members of the Shelter Monitoring Committee shall elect
14 members to serve as chair, vice-chair, and secretary of the Committee. The chair, or vice-
15 chair, in the absence of the chair, shall be responsible for developing agendas and conducting
16 meetings. The secretary ~~will~~shall be responsible for approving meeting minutes and
17 committee correspondence prior to distribution.

18 (c) Committee members who work at a resource center or shelter shall not conduct
19 site visits at that site or any other site that is part of that agency. If they are former employees
20 of a site, they must wait at least six months before conducting a site visit. Committee
21 members who currently reside at a shelter shall not conduct site visits at that site or any other
22 site that is part of that agency. Committee members who used to reside at a shelter must wait
23 at least six months before conducting a site visit at that site or any other site that is part of that
24 agency.

1 Committee members from the Human Services Agency and the Department of Public
2 Health shall not conduct official site visits on behalf of the Shelter Monitoring Committee at a
3 site where their respective agency holds a contract with said site or agency..

4 **SEC. 20.308 ATTENDANCE REQUIREMENT.**

5 The Committee ~~member from the Department of Human Services~~ shall monitor the
6 attendance of Committee members. In the event that any Committee member misses three
7 regularly scheduled Committee meetings in a six-month period without prior notice to the
8 Committee, the Committee ~~member from the Department of Human Services~~ shall certify in writing
9 to the Committee that the member missed three meetings in a six-month period of time. On
10 the date of such certification, the member shall be deemed to have resigned from the
11 Committee. The Committee shall notify the appointing authority accordingly and request the
12 appointment of a new member. The vacant seat shall be filled within two months or an
13 alternate appointing body shall fill the vacant seat. The alternate appointing body shall rotate
14 per appointment as follows: the Local Homeless Coordinating Board, the Board of
15 Supervisors, and the Mayor.

16 **SEC. 20.312. COORDINATION WITH LOCAL HOMELESS COORDINATING BOARD.**

17 ~~The Committee shall, jointly with the Local Homeless Coordinating Board, prepare and submit~~
18 ~~an annual report to the Board of Supervisors regarding the progress of the Committee's efforts,~~
19 ~~including the results of the Committee's quarterly and/or emergency reports issued pursuant to section~~
20 ~~20.304(b) of this section. In addition, the~~ The Chair of the Shelter Monitoring Committee, or his or
21 her designee, shall attend all meetings of the Full Local Homeless Coordinating Board and
22 Local Homeless Coordinating Board Steering Committee in order to report on this
23 Committee's site visits and recommended actions based on those site visits.
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APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: 
for JENNIFER WILLIAMS
Deputy City Attorney



City and County of San Francisco

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Tails

Ordinance

File Number: 070084

Date Passed:

Ordinance amending sections 20.302, 20.303, 20.304, and 20.312 of the San Francisco Administrative Code to: 1) require the Department of Public Health to provide administrative support for the Shelter Monitoring Committee; 2) broaden the purpose of the Shelter Monitoring Committee by authorizing it to assess City policies that affect shelter clients; 3) require Committee members to keep certain information confidential; 4) designate divisions within the Department of Human Services and the Department of Public Health from which Committee members may be appointed; 5) require City departments to respond to reasonable requests for information from the Shelter Monitoring Committee within 15 days, and 6) eliminate the Committee's obligation to prepare annual reports with the Local Homeless Coordinating Board.

April 10, 2007 Board of Supervisors — SUBSTITUTED

June 19, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

June 26, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

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I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on June 26, 2007 by the Board of Supervisors of the City and County of San Francisco.

JUL 03 2007

Date Approved

Kay Gulbengay

Kay Gulbengay
Interim Clerk of the Board

[Signature]

Mayor Gavin Newsom