

REVISED LEGISLATIVE DIGEST

(Amended in Board, 7/13/2021)

[Administrative Code - Food Empowerment Market Fund]

Ordinance amending the Administrative Code to establish a special fund for grants to nonprofit agencies to establish and operate food empowerment markets, and designating the Human Services Agency to administer and establish rules for the program.

Existing Law

City law does not currently provide for a program of local food empowerment markets or a grant program to fund creation and operation of such markets.

Amendments to Current Law

The proposed legislation is an ordinance that would amend the Administrative Code to create a special fund to provide grants to nonprofit organizations to establish and operate food empowerment markets. Money in the fund would come from City appropriations or any gifts made to the City to support this program.

Under the ordinance, a “food empowerment market” would be a community facility operated as a free food market or pantry for the distribution of donated or discounted food and other supplies related to cooking and dining from commercial grocery retailers and community food banks, as well as from any other sources. A market would also, within 2 years of opening, include a community kitchen that would teach healthy cooking and restaurant skills, using, in whole or in part, the donated food and supplies; the market could either operate a kitchen onsite or partner with an offsite community kitchen. And the market would have a free delivery service for seniors, persons with disabilities, or other persons needing assistance.

A market would be open to any San Francisco resident who is:

- Receiving public assistance, including programs such as CalFresh, Medi-Cal, and Cash-Aid;
- A member of the undocumented community;
- An occupant of a residential hotel; or
- A senior aged 65 years or older.

In addition, the market would accept daily meal vouchers issued by service agencies or community organizations to persons in need who were not included in one of the categories listed above.

Each food empowerment market would be required to have a “district food liaison.” The liaison would serve as the primary point of contact for the facility, convene or participate in public meetings within the district regarding food security and related issues, and coordinate with public agencies on programs affecting the facility and administration of the grant, including coordinating with the Food Security Task Force. The liaison would also oversee efforts to keep the local community informed about the facility and its offerings.

The Human Services Agency (HSA) would administer the fund. The ordinance would include a timeline for HSA to adopt rules for the program, including a selection process for awarding grants and eligibility criteria for grant recipients. HSA could contract with a grocery or supermarket business consultant to assist HSA with preparing the rules for the grant program and assist the grantees with setting up the food empowerment markets; the costs of the contract could be charged to the Fund.

Subject to funding, HSA initially would award grants for one food empowerment market each in Supervisorial Districts 6, 9, 10, and 11. After that, HSA could expand the program to other Supervisorial districts. There would be no limit on the number of food empowerment markets that could be located in a particular Supervisorial district, nor would there be a requirement that all Supervisorial districts have a food empowerment market.

The overall goal of the program would be to address food insecurity in the City’s most vulnerable neighborhoods and equip those communities with tools and skills to produce their own healthy and culturally appropriate food and to define their own food systems, otherwise referred to as “food sovereignty.”

The ordinance would require HSA to consult with the Food Security Task Force on the development of the grant process, including consideration of the “2018 Assessment of Food Security” report issued by the Task Force. HAS would also consult with the Office of Economic and Workforce Development (OEWD) on development of the rules as they affected the community kitchen component of the grant program. And the rules for grant recipients would require them to work on an ongoing basis with the Department of Public Health, OEWD, and the Human Services Agency to implement City programs and guidance regarding food security, community nutrition, and public health where relevant to the operation of the markets. Grantees would be required to cooperate with the Department of Public Health in the preparation of the biennial Food Security and Equity Report pursuant to Administrative Code Chapter 59A, and, after the report is issued, to conform their operations as much as possible to the relevant findings and recommendations contained in the report.

HSA would submit an annual report on the program to the Board of Supervisors and the Mayor.

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The ordinance as amended in committee on July 12, 2021 makes 5 changes from the version introduced on May 18, 2021.

First, the amended version adds a requirement that a food empowerment market have a free delivery service for people who, by reason of their age, underlying health conditions, or other factors, would have difficulty accessing the market and its programs.

Second, the amended version adds “occupants of residential hotels” to the list of people who would be eligible to receive food and services at a food empowerment market.

Third, the ordinance as introduced requires a food empowerment market to establish and operate a community kitchen as part of the market. The amended version adds a provision allowing the grantee up to 2 years after it receives its grant to open the kitchen.

Fourth, the amended version adds a requirement that each food empowerment market have a “district food liaison.” The liaison would serve as the primary point of contact for the facility, convene or participate in public meetings within the district regarding food security and related issues, and coordinate with public agencies on programs affecting the facility and administration of the grant, including coordinating with the Food Security Task Force. The liaison would also oversee efforts to keep the local community informed about the facility and its offerings.

And fifth, HSA could contract with a grocery or supermarket business consultant to assist the agency with preparing the rules for the grant program and assist the grantees with setting up the food empowerment markets. HSA could charge the costs of the contract to the Fund.

The ordinance was further amended at first reading at the Board of Supervisors on July 13, 2021 to allow a market to operate its community kitchen either onsite or in partnership with an offsite community kitchen.

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