

1 [Shelter Monitoring Committee.]

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**Ordinance adding Article XII to Article 20 of the San Francisco Administrative Code to establish a Shelter Monitoring Committee to monitor and report on emergency homeless shelters funded in whole or in part by the City.**

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

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

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Section 1. The San Francisco Administrative Code is hereby amended by adding a new Article XII to Article 20, to read as follows:

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Article XII – Shelter Monitoring Committee.

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Sec. 20.300. FINDINGS. The Board of Supervisors finds and declares the following:

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(a) The City and County of San Francisco funds emergency shelters and resource centers

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that serve homeless people; and

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(b) There is a significant public interest in determining that the homeless shelters that the

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City funds are safe and sanitary, that the shelters' policies and procedures are fair and meet the needs

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of the clients accessing shelter services; that operators receiving City funds are complying with their

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contractual obligations to the City, and that shelter clients benefit from the expenditure of public funds;

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23

and

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1           (c) The Mayor, The Board of Supervisors, the Local Homeless Coordinating Board, any  
2 future advisory body created by the City and County of San Francisco, and the public, among others,  
3 need to be able to access accurate and comprehensive information regarding emergency shelters.

4           Section 20.301. DEFINITIONS. For purposes of this Article only, "shelter" shall include  
5 emergency shelters and resource centers that have a primary goal of serving homeless people and that  
6 are funded in whole or in part by the City.

7           Section 20.302. ESTABLISHMENT. A Shelter Monitoring Committee ("Committee") is hereby  
8 established. The Committee shall document its findings and shall submit reports consistent with this  
9 Article to the Mayor, the Board of Supervisors, the Local Homeless Coordinating Board, the public,  
10 and any other entity, as appropriate. The Mayor's Office of Community Development or any successor  
11 agency shall provide funding for at least one full-time staff person that shall provide administrative  
12 support for the Committee.

13           Section 20.303. PURPOSE. The purpose of the Committee is to provide the Mayor, the Board  
14 of Supervisors, the Local Homeless Coordinating Board, the public, and any other appropriate agency  
15 with accurate, comprehensive information about the conditions in and operations of emergency shelters  
16 covered by this Article.

17           Section 20.304. POWERS AND DUTIES. The Committee shall have all of the powers and  
18 duties necessary to carry out the functions of the Committee as follows:

19           (a) Site Visits. Individual Committee members shall form teams and make unannounced site  
20 visits to all shelters a minimum of 4 times per year, per site. The scope of the site visits shall be limited  
21 to gathering information relevant to health and safety conditions in shelters and to the adequacy of  
22 policies and procedures governing each facility. Committee members shall conduct site visits in the  
23 adequacy of  
24 policies and procedures governing each facility. Committee members shall conduct site visits in the  
25 adequacy of

1 least invasive manner possible and shall respect the privacy rights of shelter clients. In addition, teams  
2 shall make two announced site visits per year for the purpose of giving shelter residents the opportunity  
3 to discuss shelter conditions with the members of the Committee. All site visits shall occur during  
4 normal working hours only. Each team shall prepare a report for the full Committee on their findings  
5 and recommendations as described below under subsection (b), "Reports."

6 (b) Reports. The Committee shall prepare and submit reports that shall include but not be  
7 limited to information on the following: safety in the shelter, cleanliness in the shelter, and a review of  
8 policies and procedures in place at the shelter. The reports shall also include recommended action  
9 steps for the shelter and for the City department that contracts for services at the shelter. The reports  
10 shall not identify shelter residents or disclose any confidential information concerning shelter residents  
11 consistent with state and federal law. The reports shall be provided to: 1) the Mayor, 2) the Board of  
12 Supervisors; 3) the Local Homeless Coordinating Board, 4) the appropriate city department  
13 responsible to take action, 5) the city department that contracts for services at the shelter, 6) the shelter  
14 under review, and 7) the public. These reports shall be public documents.

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17 (c) Training. All members of the Committee shall receive training in confidentiality laws  
18 regarding the provision of services to homeless people, as applicable, and will agree in writing to  
19 comply with any and all confidentiality requirements. Committee members shall receive other training  
20 deemed necessary by the Committee to carry out its functions.

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

24 Section 20.305. MEMBERSHIP AND ORGANIZATION.  
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1           (a) The membership of the Committee shall reflect the diversity of the homeless people that  
2 access shelter in the City. The Committee shall consist of 13 members who shall be appointed as  
3 follows: three members shall be appointed by the Mayor, including one member from the Department  
4 of Human Services, one member from the Department of Public Health, and two members from the  
5 community; six members shall be appointed by the Board of Supervisors, and four members shall be  
6 appointed by the Local Homeless Coordinating Board.

7           (b) Except for the members appointed from the Department of Human Services and the  
8 Department of Public Health, Committee membership shall meet the following criteria:

- 9                   (1) 50% of the members shall be formerly homeless;  
10                   (2) 5 members shall have experience with providing direct services to the homeless  
11 through a community setting;  
12                   (3) 2 members shall be selected from a list of candidates that are nominated by  
13 community agencies that provide behavioral health, housing placement, or other services to homeless  
14 individuals; and  
15                   (4) 2 members shall be selected from a list of candidates that are nominated by non-  
16 profit agencies that provide advocacy or organizing services to homeless people.

17           (c) The Committee members from the Department of Human Services and the Department  
18 of Public Health shall have a seat and a voice on the Committee but shall not vote.

19           Section 20.306. TERMS OF OFFICE. The term of office of each Committee member shall be  
20 two years. In the event that a vacancy occurs during the term of office of any Committee member, a  
21 successor shall be appointed to complete the expired term of office. The interim appointment shall be  
22 two years. In the event that a vacancy occurs during the term of office of any Committee member, a  
23 successor shall be appointed to complete the expired term of office. The interim appointment shall be  
24 two years. In the event that a vacancy occurs during the term of office of any Committee member, a  
25 successor shall be appointed to complete the expired term of office. The interim appointment shall be

1 made in the same or similar manner that governed the initial appointment of the departing member.

2 All appointed Committee members shall serve at the pleasure of their appointing authority.

3 Section 20.307. MEETINGS. The Committee shall meet a minimum of once per quarter at such  
4 times and places as the Committee shall designate. The location of the meetings shall be accessible to  
5 the public and the meetings shall comply with applicable public meeting requirements under state and  
6 local law.

7 Section 20.308. ATTENDANCE REQUIREMENT. The Committee member from the  
8 Department of Human Services shall monitor the attendance of Committee members. In the event that  
9 any Committee member misses three regularly scheduled Committee meetings in a six-month period  
10 without prior notice to the Committee, the Committee member from the Department of Human Services  
11 shall certify in writing to the Committee that the member missed three meetings in a six-month period  
12 of time. On the date of such certification, the member shall be deemed to have resigned from the  
13 Committee. The Committee shall notify the appointing authority accordingly and request the  
14 appointment of a new member. The vacant seat shall be filled within two months or an alternate  
15 appointing body shall fill the vacant seat. The alternate appointing body shall rotate per appointment  
16 as follows: the Local Homeless Coordinating Board, the Board of Supervisors, and the Mayor.

17 Section 20.309. STIPENDS. Each Committee member, except City employees appointed to  
18 serve as part of their official City duties, shall be granted a stipend of \$25.00 per meeting, not to  
19 exceed \$600.00 per year. Each member of the Committee that participates on a team that conducts a  
20 minimum of four site visits consistent with section 20.46D(a) shall be granted an additional stipend of  
21 \$100.00 per year to cover travel and related expenses. Such stipends shall be appropriated by the  
22 Committee.

1 Board without expending revenue bond funds and all stipends authorized under this section are subject  
2 to the budgetary and fiscal provisions of the Charter.

3 Section 20.310. LIMITATION OF LIABILITY. By adopting this Article, the City and County of  
4 San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor  
5 is it imposing on its officers and employees, an obligation for breach of which it is liable in money  
6 damages to any person who claims that such a breach proximately caused injury.

7 Section 20.311. SEVERABILITY. If any section, subsection, clause, phrase or portion of this  
8 Article is for any reason held invalid or unconstitutional by any court or federal or state agency of  
9 competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision  
10 and such holding shall not affect the validity of the remaining portions thereof.

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

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16 By: \_\_\_\_\_  
17 JENNIFER WILLIAMS  
18 Deputy City Attorney