

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~~.

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

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

20 **SEC. 20.302. ESTABLISHMENT.**

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

8 **SEC. 20.304. POWERS AND DUTIES.**

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

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

24 (b) **Reports.** The Committee shall prepare and submit quarterly reports that shall
25 include but not be limited to information on the following: safety in the shelter, cleanliness in

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

19 (c) **Training.** All members of the Committee shall receive training in confidentiality
20 laws regarding the provision of services to homeless people, as applicable, and will agree in
21 writing to comply with any and all confidentiality requirements. In addition, members of the
22 Committee may not disclose the following information before an unannounced shelter visit occurs: the
23 date, time, and location of an unannounced shelter visit and the identity of the members of the team
24 conducting the visit. After providing notice and an opportunity to be heard, the Committee may remove
25 a Committee member for making disclosures prohibited by this subsection. If the Committee removes a

1 Committee member pursuant to this subsection, it shall inform the appointing authority of this fact and
2 request that the appointing authority appoint a replacement as soon as possible. All members of the
3 Committee shall receive sensitivity training related to cultural differences, gender issues and
4 the Americans With Disabilities Act. Committee members shall receive other training deemed
5 necessary by the Committee to carry out its functions.

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

9 **SEC. 20.305. MEMBERSHIP AND ORGANIZATION.**

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

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

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

16 (c) Committee members selected from the Department of Human Services shall not work
17 within that department's Division of Housing and Homeless Programs and Committee members
18 selected from the Department of Public Health shall not work within that department's Division of
19 Housing and Urban Health, but must come from other divisions within each department.

20 **SEC. 20.308 ATTENDANCE REQUIREMENT.**

21 The Committee ~~member from the Department of Human Services~~ shall monitor the
22 attendance of Committee members. In the event that any Committee member misses three
23 regularly scheduled Committee meetings in a six-month period without prior notice to the
24 Committee, the Committee ~~member from the Department of Human Services~~ shall certify in writing
25 to the Committee that the member missed three meetings in a six-month period of time. On

1 the date of such certification, the member shall be deemed to have resigned from the
2 Committee. The Committee shall notify the appointing authority accordingly and request the
3 appointment of a new member. The vacant seat shall be filled within two months or an
4 alternate appointing body shall fill the vacant seat. The alternate appointing body shall rotate
5 per appointment as follows: the Local Homeless Coordinating Board, the Board of
6 Supervisors, and the Mayor.

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

8 *The Committee shall, jointly with the Local Homeless Coordinating Board, prepare and submit*
9 *an annual report to the Board of Supervisors regarding the progress of the Committee's efforts,*
10 *including the results of the Committee's quarterly and/or emergency reports issued pursuant to section*
11 *20.304(b) of this section. In addition, the The Chair of the Shelter Monitoring Committee, or his or*
12 *her designee, shall attend all meetings of the Full Local Homeless Coordinating Board and*
13 *Local Homeless Coordinating Board Steering Committee in order to report on this*
14 *Committee's site visits and recommended actions based on those site visits.*

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

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18 By: _____
19 JENNIFER WILLIAMS
20 Deputy City Attorney

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