

OFFICE OF THE MAYOR
SAN FRANCISCO



ORD. No. 193-03

WILLIE LEWIS BROWN, JR.

July 25, 2003

Honorable Matt Gonzalez, President
Members, San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2003 JUL 25 PM 1:42
WLB

Dear President Gonzalez and Members:

I am returning with my signature the ordinance amending San Francisco's General Assistance (GA) aid program (File No. 030871).

I commend the Board for addressing the complex issue of homelessness and passing a good first step in reforming the General Assistance (GA) aid program. This legislation represents an improvement over the status quo.

Most fundamentally, it recognizes that a housing and service-based welfare system for homeless is preferable to a cash-based system. It also allows the Department of Human Services to moderately increase the City's stock of master leased hotel rooms for this population—a type of housing created by my administration that provides a permanent home for homeless individuals.

Signing this legislation into law does not limit the City's ability to implement Care Not Cash in its complete form. It also does not preclude the implementation of any future reforms passed by your Board, should such legislation be forward to me for my signature.

I look forward to working with you further on this critical issue facing our City.

Sincerely,

A handwritten signature in black ink, appearing to read "Willie L. Brown, Jr.", written over the word "Sincerely,".

WILLIE L. BROWN, Jr.
Mayor

WLB/kc

1 [General Assistance – In-Kind Assistance.]

2

3 Ordinance amending Administrative Code sections 20.57, 20.59.3, and 20.57.1; adding
4 Administrative Code sections 20.57.6A., 20.60.12, Sec. 20.60.13, and 20.60.14.

5

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

8

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

9

10 Section 1. The San Francisco Administrative Code is hereby amended by amending
11 Section 20.57 to read as follows:

11

12 **SEC. 20.57. COMPUTATION AND PAYMENT OF AID GRANTS; AMOUNTS**
13 **PAYABLE.**

13

14 (a) For each eligible individual or for each eligible family of two or more
15 persons who qualify for aid under the General Assistance Program, the maximum monthly
16 amount of aid to which such recipients are entitled is listed below.

16

17 **MAXIMUM GENERAL ASSISTANCE GRANT AMOUNT**

17

18 Single Individual

18

19 ~~\$279~~ \$320

19

20 Number of Eligible Persons in Same Family

20

21 2 Persons

21

22 ~~\$501~~ \$574

22

23 3 Persons

23

24 ~~\$565~~ \$647

24

25 4 Persons

25

1	<i>\$673</i>	<u><i>\$771</i></u>
2	5 Persons	
3	<i>\$767</i>	<u><i>\$877</i></u>
4	6 Persons	
5	<i>\$861</i>	<u><i>\$984</i></u>
6	7 Persons	
7	<i>\$946</i>	<u><i>\$1,081</i></u>
8	8 Persons	
9	<i>\$1,030</i>	<u><i>\$1,179</i></u>
10	9 Persons	
11	<i>\$1,113</i>	<u><i>\$1,273</i></u>
12	10 Persons	
13	<i>\$1,196</i>	<u><i>\$1,367</i></u>

14 In the case of more than 10 persons in a family budget unit, an additional \$14 each
15 month shall be paid for each additional person in the family budget unit. For the purpose of
16 this Section, a family is defined as an eligible applicant/recipient and his or her spouse or
17 "domestic partner," as defined under Section 62.2 of the San Francisco Administrative Code,
18 and/or any of the applicant/recipient's children who are under age 18, living with, and applying
19 for General Assistance with, such applicant/recipient, provided that such child(ren) was (were)
20 never eligible for TANF/CalWORKs. For family budget units in which members receive cash
21 payments from more than one federal, State or County assistance program, except for
22 SSI/SSP, the total aid payment shall consist of the sum of each individual's proportionate
23 share of the aid payment for a family budget unit of the same size within each program to for
24 which each member is eligible.

25

1 Any individual or family receiving aid pursuant to this subsection shall continue to
2 receive the maximum monthly grant for which they were eligible prior to any reduction in the
3 maximum monthly grant structure enacted by the Board of Supervisors, until that eligible
4 individual or family has applied for and been denied, or has refused to apply for, assistance
5 under the PAES, CALM, or SSIP Programs.

6 (b) With respect to all applicants, initial aid payments shall be conditional upon
7 completion of the Department orientation program. In addition, with respect to each
8 employable recipient, continuing aid shall be conditioned, at the option of the Department,
9 upon either completion of 20 verifiable job applications per month and/or participation in a
10 Department-approved job counseling, vocational rehabilitation, drug or alcohol treatment or
11 work assignment program. Verifiable job applications or job searches within the meaning of
12 this Section, Section 20.58(c), and Section 20.58.2(b)(5) of this Article, shall include, but not
13 be limited to: (1) sending applications, resumes and cover letters to apply for available
14 positions for which the recipient meets the minimum qualifications, with copies of these
15 documents and the telephone number of the prospective employer provided to the
16 Department of Human Services so they can be verified; and (2) participation by a union
17 member in union hiring hall programs that make use of telephone job searches for currently
18 available positions.

19 In addition, with respect to each unemployable recipient, continuing aid shall be
20 conditioned upon application for, and pursuit of, SSI/SSP benefits, if eligible, and participation
21 in a Department-approved rehabilitation program. Aid may be withheld, reduced, or
22 discontinued for failure to meet these requirements.

23 (c) The Maximum General Assistance Grant may include Municipal Railway ~~tokens as an~~
24 ~~in-kind grant~~, in which event the cost of the Municipal Railway tokens to the Department of
25 Human Services shall not be deducted from the Maximum General Assistance Grant Amounts

1 listed above to arrive at the Maximum Cash General Assistance Grant Amount which may be
2 issued by means of ~~warrants~~, in-kind assistance, vouchers, checks, two-party checks or
3 electronic benefit transfers. The Municipal Railway tokens shall be for the sole use of the
4 recipient.

5 (d) The Maximum General Assistance Grant Amounts listed in Section 20.57 (a) of this
6 ordinance shall be increased by any annual percentage cost of living increase to the
7 Maximum Aid Payment, and according to the same schedule, if such an increase is
8 implemented by the State of California in the TANF/CalWORKs program.

9 (e) The maximum monthly amount of aid for which an applicant is eligible shall be the
10 Maximum General Assistance Grant Amount prorated as of the eligibility determination date,
11 less minus any nonexempt assets and/or nonexempt personal property available to the
12 applicant during that calendar month, and minus the value of any prorated in-kind housing, utilities
13 and/or meals available or provided to the applicant. Rent, retroactive to the first of the month in
14 which eligibility was determined, may be authorized to prevent eviction from existing housing.
15 Applicants who anticipate receiving first-time income from other sources during the month of
16 their application for General Assistance, shall receive the prorated maximum monthly grant
17 amount for which they are eligible until the verified date of anticipated receipt of such other
18 income.

19 (f) The maximum monthly amount of aid for which a recipient is eligible shall be the
20 Maximum General Assistance Grant Amount, or the amount determined pursuant to
21 Subsection (b) less minus any cash received from sources other than General Assistance
22 which is or will be available to the recipient during the month for which aid is paid unless
23 otherwise exempt, and less minus the fair market value of any nonexempt personal property
24 which is or will be available to the recipient during the month for which aid is paid, and minus
25 the value of any in-kind housing, utilities and/or meals available or provided to the recipient.

1 (g) No grant shall be issued for less than \$5.

2 (h) To promote the transition of General Assistance recipients to gainful employment,
3 the Executive Director of the Department of Human Services may establish an Earned Income
4 and Asset Disregard Program for the recipients who are employed. The Earned Income and
5 Asset Disregard Program shall provide for disregarding a certain amount of gross income
6 which a recipient earns as wages and savings derived therefrom when determining a
7 recipient's General Assistance Program eligibility and grant amount. The total amount of gross
8 income disregarded shall not exceed the sum of the following amounts: (1) all of the first \$200
9 of recipient gross wage earnings; (2) two-thirds of the next \$150 of recipient gross wage
10 earnings; (3) one-half of the next \$150 of recipient gross wage earnings; (4) one-third of the
11 next \$150 of recipient gross wage earnings; and (5) one-fifth of the next \$150 of recipient
12 gross wage earnings. All recipient gross wage earnings above \$800 shall be offset on a
13 dollar-for-dollar basis against the grant amount to which a recipient would otherwise be
14 entitled. In addition, for recipients participating in this program up to \$2,000 of recipient
15 savings derived from the recipient's gross wage earnings shall be disregarded during the
16 recipient's participation in this program and for up to three months thereafter. Also, if as a
17 result of retrospective budgeting a recipient's total currently available financial resources in a
18 month including his or her adjusted General Assistance grant, wages, and savings are less
19 than the maximum General Assistance grant amount, the recipient shall be eligible for a grant
20 supplement in the form of a rental expense voucher for unpaid rent in that month and up to
21 \$50 in cash so that the recipient's currently available financial resources may total up to the
22 maximum General Assistance grant amount. This grant supplement is available a maximum
23 of three times per year for program participants and is not available to recipients who quit a
24 job without good cause.

1 Recipient gross wage earnings are defined for purposes of this Section as any income
2 received by the recipient as payment for a recipient's labor. This Section supersedes the
3 provisions of Subsection 20.55.2(r), Section 20.56.6, Subsections 20.56.10 (a) and (b),
4 Subsections 20.57 (e) and (f), and Subsections 20.59.10 (d), (e) and (f) when determining
5 recipient eligibility and when calculating the maximum monthly amount of aid for program
6 participants. All other recipient income and assets shall continue to be offset on a dollar-for-
7 dollar basis when calculating the grant amount to which a recipient is otherwise eligible. For
8 recipients participating in this program, General Assistance eligibility shall be determined on a
9 monthly basis and a recipient's grant amount shall be adjusted for gross wage earnings on the
10 basis of retrospective budgeting in the month following the recipient's receipt of wage income.
11 Verified expenses which exceed the total sum of a participant's grant, wages, and savings in
12 any given month create a rebuttable presumption of ineligibility for aid.

13 (i) The automatic adjustment provisions of Subsection (d) are hereby suspended for
14 fiscal year 1997-98. Adjustments for subsequent fiscal years made pursuant to this Section
15 shall not include any adjustments for any fiscal year in which the cost of living was
16 suspended.

17 Section 2. The San Francisco Administrative Code is hereby amended by amending
18 Section 20.59.3 to read as follows:

19 Sec. 20.59.3 AID PAYMENTS; IN-KIND AID.

20 Assistance in the form of in-kind benefits, in-kind orders, ~~vouchers~~ or emergency checks
21 ~~issued at the General Assistance office~~ shall be used for:

22 (a) ~~Emergency assistance~~ As aid payments.

23 (b) For applicants and recipients who declare themselves to be homeless. Applicants and
24 recipients are required to provide a verifiable rent receipt, or verifiable documentation of shared
25 housing, or verifiable documentation of rent-free housing. Self-declared homeless applicants and

1 recipients shall receive in-kind benefits for housing, utilities and/or meals. If in-kind benefits are not
2 available, such applicants and recipients shall receive the cash assistance equivalent to the income-in-
3 kind value of housing, utilities and/or meals whichever is not available, if otherwise eligible for these
4 amounts, in the form of an emergency check. Failure to comply with the rules of a housing program
5 that results in ejection from that housing program will be considered failure to satisfy the requirements
6 for continuing eligibility for aid and will result in discontinuance from the General Assistance
7 Program, subject to the notice and hearing provisions of this Article. Other short-term cases:

8 (c1) For Eligible persons awaiting transportation arrangements, provided that aid shall
9 not exceed one week.

10 (d2) For Eligible homeless persons awaiting admission into a hospital or institution.

11 ~~(e3) Cases in which a disability rating of seven days or less has been given by the General~~
12 ~~Hospital and the individual does not appear to be eligible for further aid at the termination of the~~
13 ~~disability period.~~

14 (ee) For Persons who have demonstrated inability to handle cash payments for
15 necessities of life.

16 Section 3. The San Francisco Administrative Code is hereby amended by amending
17 Section 20.57.1 to read as follows:

18 SEC. 20.57.1. HOUSING.

19 (a) "Housing" shall mean single occupancy residential hotels, master lease rooms,
20 transitional housing, supportive housing programs, or residential substance abuse and mental health
21 treatment facilities.

22 (b) There shall be no reduction in the amount of General Assistance for to which an
23 applicant or recipient is eligible entitled because he or she shares housing with others who are
24 not members of the applicant's family as defined in Section 20.57(a). All applicants and
25 recipients shall be required to present a verifiable rent receipt. If the applicant or recipient is not the

1 owner or prime lessee of the premises, a verifiable rent receipt signed by the owner or prime lessee
2 may provide evidence of the applicant's or recipient's place of residence and monthly share of housing
3 costs.

4 ~~(c) Rent free housing shall not be considered an alternative means of support. Where~~ When an
5 applicant or recipient obtains rent-free housing, such housing shall be valued according to the
6 ~~Value of~~ Income-in-Kind ~~Values~~ Chart set forth in Title 22 of the California Code of Regulations,
7 Section 50511 (the "Income-in-Kind Chart"), rather than at fair market value. The value of the
8 rent-free housing, which is presumed to include utilities, as determined under the Income-in-Kind
9 Chart, shall be deducted from the maximum monthly grant amount. If the applicant or recipient
10 receives rent-free housing, but pays for utilities, the applicant or recipient must present a verifiable bill
11 for utilities at that address, and a verifiable receipt for payment of any portion of that utility bill.

12 ~~(db)~~ Verified payments made directly to a housing provider on behalf of an applicant or
13 recipient for the entire amount of the rent and/or utilities, or rent-free housing, or housing
14 received in exchange for work, shall be assigned an in-kind value as specified by the Income-
15 in-Kind Chart, and that value shall be deducted from the maximum monthly grant ~~to for~~ which
16 that applicant or recipient is eligible.

17 ~~(ee)~~ Housing and utilities provided to applicants and recipients who are unable to provide a
18 verifiable rent receipt, or verifiable documentation of shared housing, or verifiable documentation of
19 rent-free housing shall be valued as in-kind housing, utilities and/or meals as specified by the Income-
20 In-kind Chart, and that value shall be deducted from the maximum monthly grant for which that
21 applicant or recipient is eligible.

22 ~~(fe)~~ Nothing in this Section shall be construed as requiring an otherwise eligible
23 applicant or recipient to accept housing in a facility which is either the subject of a pending
24 nuisance abatement proceeding before a duly authorized agency or department of the City
25 and County or before a court of competent jurisdiction, or which theretofore has been found to

1 be a public nuisance pursuant to any provision of any San Francisco Municipal Code by a
2 duly authorized agency or department of the City and County or by a court of competent
3 jurisdiction and which nuisance has not been abated.

4 Section 4. The San Francisco Administrative Code is hereby amended by adding
5 Section 20.57.6A. to read as follows:

6 Sec. 20.57.6A. Special Allowances; Income-in-kind Value Exceeds Monthly Maximum Grant.

7 A special allowance of up to \$59.00 per month shall be made available, in the form of an
8 emergency check, to any recipient when the income-in-kind value of housing, and/or utilities and/or
9 meals provided to that recipient exceeds the maximum monthly grant for which that recipient is
10 eligible. If such income-in-kind value does not exceed the maximum monthly grant for which that
11 recipient is eligible, but allows for less than \$59.00 cash per month, that recipient shall receive an
12 amount, in the form of an emergency check, that when added to the maximum monthly grant for which
13 that recipient is eligible equals \$59.00 cash per month. This section shall not affect the collection of
14 overpayments due to fraud, negligent failure to report facts, or administrative error as set forth in this
15 Article.

16 Section 5. The San Francisco Administrative Code is hereby amended by adding
17 Section 20.60.12 to read as follows:

18 Sec. 20.60.12. Funding.

19 A baseline appropriation for housing and related services provided as in-kind aid shall be established
20 using the City and County of San Francisco FY 2002-2003 Annual Appropriation Ordinance and any
21 supplemental appropriations for the amount of cash aid payments to applicants and recipients who
22 declare themselves to be homeless. In subsequent fiscal years, this baseline amount shall be
23 appropriated to the Department of Human Services to fund housing and related services for homeless
24 adults without dependents. This funding may be used to support, but shall not be limited to, some or all
25 of the following: hotel master lease programs, permanent supportive housing, improvements of

1 conditions in existing shelters, expansion of shelter capacity, mental health and substance abuse
2 treatment, outreach, a fund for rental deposits, SSI advocacy programs, rep-payee services, case
3 management and meals for the homeless population through direct services and/or contracts. Nothing
4 in this section is intended to conflict with Article IX of the San Francisco City Charter.

5 Section 6. The San Francisco Administrative Code is hereby amended by adding
6 Section 20.60.13 to read as follows:

7 Sec. 20.60.13 Evaluation.

8 The provision of in-kind aid is to be evaluated by the Office of the Controller of the City and
9 County of San Francisco every three years for program effectiveness and cost efficiency.

10 Section 7. The San Francisco Administrative Code is hereby amended by adding
11 Section 20.60.14 to read as follows:

12 Sec. 20.60.14 Operative Date of Amendments.

13 The provisions of this amendment, Sections 20.59.3(b); 20.57.1(a), (b), (c), (e); 20.57.6A; and
14 20.60.13 shall become operative on or before July 1, 2003.

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

17 By:

18 
ALEETA VAN RUNKLE
19 Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 030871

Date Passed:

Ordinance amending Administrative Code sections 20.57, 20.59.3, and 20.57.1; adding Administrative Code sections 20.57.6A., 20.60.12, Sec. 20.60.13, and 20.60.14.

July 8, 2003 Board of Supervisors — PASSED ON FIRST READING

Ayes: 6 - Ammiano, Daly, Ma, Maxwell, Peskin, Sandoval

Noes: 4 - Dufty, Gonzalez, Hall, McGoldrick

Excused: 1 - Newsom

July 15, 2003 Board of Supervisors — FINALLY PASSED

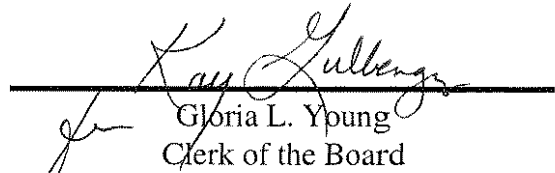
Ayes: 7 - Ammiano, Daly, Gonzalez, Ma, Maxwell, Peskin, Sandoval

Noes: 4 - Dufty, Hall, McGoldrick, Newsom

File No. 030871

I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on July 15, 2003 by the Board of Supervisors of the City and County of San Francisco.


Date Approved


Gloria L. Young
Clerk of the Board


Mayor Willie L. Brown Jr.