

1 [Authorizing the Shelter Monitoring Committee to Hold Public Meetings]

2

3 **Motion authorizing the Shelter Monitoring Committee to meet remotely during the**  
4 **COVID-19 Shelter in Place Order.**

5

6 WHEREAS, On February 25, 2020, Mayor London N. Breed proclaimed a state of  
7 emergency in response to the COVID-19 pandemic and on March 3, 2020, the Board of  
8 Supervisors concurred in the February 25 Proclamation; and

9 WHEREAS, On March 16, 2020, the County Health Officer issued Order No. C19-07,  
10 replaced by Order No. C19-07b on March 31, 2020, extended and replaced by Order No.  
11 C19-07c on April 29, 2020, directing San Franciscans to stay in their homes and follow social  
12 distancing requirements when outside the home; and

13 WHEREAS, On April 30, 2020, Mayor London N. Breed issued the Eighth Supplement  
14 to the Emergency Proclamation, providing that City policy bodies may not hold public  
15 meetings from March 18 through May 31, 2020, unless the Board of Supervisors, acting by  
16 written motion, or the Mayor or the Mayor’s designee directs otherwise, based on a  
17 determination that a policy body has an urgent need to take action to ensure public health,  
18 safety, or essential government operations; and

19 WHEREAS, The Shelter Monitoring Committee (SMC) regularly conducts business that  
20 is necessary for public health, safety, and essential government business; and

21 WHEREAS, Administrative Code, Article XII Sec. 20.300, which authorizes the Shelter  
22 Monitoring Committee states that “There is a significant public interest in determining that the  
23 homeless shelters that the City funds are safe and sanitary, that the shelters' policies and  
24 procedures are fair and meet the needs of the clients accessing shelter services; that

25

1 operators receiving City funds are complying with their contractual obligations to the City, and  
2 that shelter clients benefit from the expenditure of public funds;” and

3 WHEREAS, Sec. 20.300 also states: “The Mayor, the Board of Supervisors, the Local  
4 Homeless Coordinating Board, any future advisory body created by the City and County of  
5 San Francisco, and the public, among others, need to be able to access accurate and  
6 comprehensive information regarding shelters;” and

7 WHEREAS, The SMC performs multiple essential governmental operations as the  
8 advisory body charged with conducting site visits to the City’s emergency shelters, preparing  
9 and submitting reports, and recommending actions based on those site visits; and

10 WHEREAS, Since the issuance of the Eighth Supplement to the Emergency  
11 Proclamation, several new emergency homeless shelter programs have been established, or  
12 existing programs altered; and

13 WHEREAS, Complaints by residents of these new or existing programs have been  
14 brought to the attention of individual members of the SMC, including but not limited to  
15 complaints of substandard physical conditions and inadequate access to substantive and  
16 procedural justice, and allegations of unauthorized civil detention by shelter operators; and  
17 these complaints likewise have been brought to the attention of nongovernmental housing and  
18 homelessness advocates, that, were the Shelter Monitoring Committee permitted to continue  
19 meeting on a consistent basis, would have been addressed in the Committee’s regular course  
20 of dealings; and

21 WHEREAS, So long as the Shelter Monitoring Committee is not authorized to meet, it  
22 is not clear what if any administrative recourse San Francisco offers to persons bringing such  
23 complaints; now, therefore, be it

24

25

1            MOVED, That the Board of Supervisors determines that the Shelter Monitoring  
2 Committee has an urgent need to resume meetings to ensure public health, safety, or  
3 essential government operations; and, be it

4            FURTHER MOVED, That the Shelter Monitoring Committee is authorized to hold public  
5 meetings on a regular basis, provided that such meetings occur by teleconference or other  
6 electronic means without providing a physical meeting place, and the Committee complies  
7 with all applicable rules under the Sunshine Ordinance and the Brown Act governing meetings  
8 of policy bodies, as those rules may be amended by Mayoral or Executive Order during the  
9 COVID-19 emergency.

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25