

1 [Fee for Public Administrator/Public Guardian Representative Payee Services.]

2

3 **Ordinance amending Sec. 2A.211-A of the S.F. Administrative Code to add a monthly**  
 4 **fee of thirty five dollars for services provided by the Public Administrator/Public**  
 5 **Guardian Representative Payee Program.**

6 NOTE: Additions are *single-underline italics Times New Roman*;  
 7 deletions are ~~*strike-through italics Times New Roman*~~.  
 8 Board amendment additions are double-underlined;  
 Board amendment deletions are ~~strike through normal~~.

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

10 Section 1. Environmental Findings. The Planning Department has determined that the actions  
 11 contemplated in this Ordinance are exempt from the California Environmental Quality Act (California  
 12 Public Resources Code section 21000 et seq.). Said determination is on file with the Clerk of the Board  
 13 of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference.

14 Section 2. The San Francisco Administrative Code is hereby amended by amending  
 15 Section 2A.211-A, to read as follows:

16 **Sec. 2A.211-A. Public Administrator/Public Guardian Representative Payee**  
 17 **Program.**

18 (a) **Findings.** The Board of Supervisors finds that there are residents of the  
 19 City and County of San Francisco who are recipients of Social Security Administration  
 20 benefits, Department of Veteran's Affairs benefits, General Assistance, and other income from  
 21 public and private sources who are unable to manage such income to their best advantage.

22 There are also residents of the City and County of San Francisco who are  
 23 denied the payment of Social Security Administration benefits, Department of Veteran's  
 24 Affairs benefits, General Assistance, and other income from public and private sources

25

1 because of mental and/or physical disability who would benefit from assistance in applying for  
2 and managing funds.

3 Therefore, the Board of Supervisors authorizes the Public Administrator-Public  
4 Guardian, pursuant to permission of the client, to receive, manage, and disburse income and  
5 benefits from public and private sources for those persons who receive such aid, but are  
6 unable to manage their funds.

7 And, further, that the Public Administrator-Public Guardian is authorized,  
8 pursuant to permission of the client, to provide assistance in applying for public and private  
9 resources to which the client may be entitled, but which are withheld or not paid because of a  
10 determination from the funding source that the recipient is incapable of managing such funds.

11 (b) **Public Guardian Representative Payee Program.** There shall be a  
12 program called the Public Guardian Representative Payee Program (hereinafter, "Program")  
13 created in the Office of the Public Administrator-Public Guardian. Upon agreement with the  
14 client, the Program may provide the following services: (1) Collect and deposit entitlement  
15 checks and other income into accounts managed by the Public Administrator-Public Guardian.  
16 (2) Redirect the client's bills including, but not limited to, rent and utility bills to the Program  
17 and pay these bills with the client's funds. (3) Make disbursements from the client's share of  
18 funds for the client's personal needs. (4) The Public Administrator-Public Guardian shall charge  
19 each client a monthly fee of \$35.00 for services provided through the Representative Payee Program as  
20 authorized by California Government Code Section 27436 unless such client is otherwise legally  
21 exempt from payment of the fee. Clients demonstrating an inability to pay may qualify for a  
22 discretionary waiver of the fee as determined by the Public Administrator-Public Guardian or their  
23 designee.

1 (c) **Refunds.** Upon discharge or withdrawal from the Program, any and all amounts on  
2 deposit in the name of the client shall be refunded to him or her, or the succeeding fiduciary, if  
3 applicable.

4 (d) **Records.** The Public Administrator-Public Guardian shall cause full, true and  
5 correct records to be maintained, on a current basis, regarding the receipt and disbursement of all  
6 moneys belonging to any such client on deposit in accounts managed by the Public Administrator-  
7 Public Guardian. Clear and current records must be maintained showing all credits to and debits from  
8 the account for each individual client, as well as each client's current share and balance in the account.

9 (e) **Fiduciary.** The Public Administrator-Public Guardian shall keep records as befits a  
10 fiduciary entrusted with a client's funds.

11  
12 APPROVED AS TO FORM:  
13 DENNIS J. HERRERA, City Attorney

14  
15 By: \_\_\_\_\_  
16 ALEETA M. VAN RUNKLE  
17 Deputy City Attorney