

File No. 171171

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date October 3, 2018

Board of Supervisors Meeting

Date _____

Cmte Board

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Completed by: Victor Young Date Sept.28, 2018

Completed by: _____ Date _____

1 [Administrative Code - Shelter Monitoring Committee - Composition of Membership, Powers
2 and Duties, and Sunset Date]

3 **Ordinance amending the Administrative Code to change the qualifications for members**
4 **of the Shelter Monitoring Committee, create staggered terms for members, establish a**
5 **sunset date for the Committee, and to allow shelters that contract with the City to**
6 **provide clients with clean blankets if clean sheets are unavailable.**

7
8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.
10 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~strikethrough Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

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

16 Section 1. The Administrative Code is hereby amended by revising Sections 20.305,
17 20.306, 20.307, 20.308, and 20.210, and deleting Section 20.311, to read as follows:

18 **SEC. 20.305. MEMBERSHIP AND ORGANIZATION.**

19 (a) The membership of the Committee shall reflect the diversity of the homeless
20 people that access shelter in the City. The Committee shall consist of 13 members, appointed
21 as follows:

22 Seat 1 shall be held by a person who is homeless or formerly homeless, and who is living or has
23 lived with the person's homeless child under the age of 18, appointed by the Board of Supervisors.

1 Seat 2 shall be held by a person who is homeless or has been homeless within the three years
2 prior to being appointed to the Committee, and who has a disability, appointed by the Board of
3 Supervisors.

4 Seat 3 shall be held by a person with experience providing direct services to homeless people
5 through a community setting, appointed by the Board of Supervisors.

6 Seat 4 shall be held by a person nominated by one or more community agencies that provide
7 behavioral health, housing placement, or other services to homeless people, appointed by the Board of
8 Supervisors.

9 Seat 5 shall be held by a person who is homeless or formerly homeless, and who has been
10 nominated by one or more nonprofit agencies that provide advocacy or organizing services for
11 homeless people, appointed by the Board of Supervisors.

12 Seat 6 shall be held by a person nominated by one or more nonprofit agencies that provide
13 advocacy or organizing services for homeless people, appointed by the Board of Supervisors.

14 Seat 7 shall be held by a person nominated by one or more nonprofit agencies that provide
15 advocacy or organizing services for homeless people, appointed by the Local Homeless Coordinating
16 Board.

17 Seat 8 shall be held by a person who is homeless or formerly homeless, and who has experience
18 providing direct services to homeless people through a community setting, appointed by the Local
19 Homeless Coordinating Board.

20 Seat 9 shall be held by a person with experience providing direct services to homeless people
21 through a community setting, appointed by the Local Homeless Coordinating Board.

22 Seat 10 shall be held by a person who is homeless or formerly homeless, and who has been
23 nominated by one or more community agencies that provide behavioral health, housing placement, or
24 other services to homeless people, appointed by the Local Homeless Coordinating Board.

1 Seat 11 shall be held by an employee of the Department of Homelessness and Supportive
2 Housing, appointed by the Mayor.

3 Seat 12 shall be held by an employee of the Department of Public Health, appointed by the
4 Mayor.

5 Seat 13 shall be held by a person who is homeless or formerly homeless, and who has
6 experience providing direct services to homeless people through a community setting, appointed by the
7 Mayor.

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

1 ~~agencies that provide behavioral health, housing placement, or other services to homeless individuals.~~

2 In making their appointments to the Committee, the appointing authorities are encouraged to
3 select people who are bilingual.

4 (b) The Committee shall elect its own officers and may establish rules for its own organization
5 and procedures, consistent with this Article XII. Officers. At the first calendared meeting and thereafter
6 at the beginning of each even-numbered calendar year, the members of the Shelter Monitoring
7 Committee shall elect members to serve as chair, vice chair, and secretary of the Committee. The chair,
8 or vice chair, in the absence of the chair, shall be responsible for developing agendas and conducting
9 meetings. The secretary shall be responsible for approving meeting minutes and committee
10 correspondence prior to distribution.

11 (c) Limitations on site visits.

12 (1) Committee members who work at a resource center or shelter shall not
13 conduct site visits at that site or any other site that is part of that agency. If they are former
14 employees of a site, they must wait at least six months after leaving employment before
15 conducting a site visit.

16 (2) Committee members who ~~currently~~ reside at a shelter shall not conduct
17 site visits at that site or any other site that is part of ~~that~~ the agency responsible for the shelter.
18 Committee members who ~~used to reside~~ formerly resided at a shelter must wait at least six
19 months after leaving the shelter before conducting a site visit at that site or any other site that is
20 part of ~~that~~ the agency responsible for the shelter.

21 (3) Committee members from the Department of Homelessness and
22 Supportive Housing and the Department of Public Health shall not conduct official site visits
23 on behalf of the Shelter Monitoring Committee at a site where their respective agency holds a
24 contract with said site or agency.

1 **SEC. 20.306. TERMS OF OFFICE.**

2 (a) The terms of members of the Committee in office on the effective date of the ordinance in
3 Board of Supervisors File No. _____ shall expire on December 31, 2018. The appointing authorities
4 shall appoint members to new terms, which shall commence on January 1, 2019. For Committee
5 members in even-numbered seats, the term beginning January 1, 2019 shall be one year, and for
6 Committee members in odd-numbered seats, the term beginning January 1, 2019 shall be two years.
7 After the transitional terms that begin January 1, 2019, the term of office of each Committee
8 member shall be two years.

9 (b) In the event that a vacancy occurs during the term of office of any Committee
10 member, a successor shall be appointed by the member's appointing authority to complete the
11 expired term of office. The interim appointment shall be made in the same or similar manner that
12 governed the initial appointment of the departing member.

13
14 **SEC. 20.307. MEETINGS; ADMINISTRATIVE SUPPORT.**

15 (a) The Committee shall meet a minimum of once per quarter at such times and places
16 as the Committee shall designate. The location of the meetings shall be accessible to the public and
17 the meetings shall comply with applicable public meeting requirements under state and local law.

18 (b) The Department of Public Health shall provide clerical and administrative support and
19 staffing for the Committee.

20
21 **SEC. 20.308. ATTENDANCE REQUIREMENT.**

22 The Committee shall monitor the attendance of Committee members. In the event that
23 any Committee member misses three regularly scheduled Committee meetings in a six-month
24 period without prior notice to the express approval of the Committee at or before the missed
25 meetings, the Committee shall certify in writing to the Committee that the member missed three

1 ~~meetings in a six-month period of time. On the date of such certification,~~ the member shall be
2 deemed to have resigned from the Committee 10 days after the third unapproved absence. The
3 Committee shall notify the appointing authority accordingly and request the appointment of a
4 new member. ~~The vacant seat shall be filled within two months or an alternate appointing body shall~~
5 ~~fill the vacant seat. The alternate appointing body shall rotate per appointment as follows: the Local~~
6 ~~Homeless Coordinating Board, the Board of Supervisors, and the Mayor.~~

7
8 **SEC. 20.310. SUNSET. SEVERABILITY.**

9 Unless extended by ordinance, this Article XII shall expire by operation of law, and the
10 Committee shall terminate, on December 31, 2020. After the expiration of the Committee, the City
11 Attorney shall cause this Article to be removed from the Administrative Code.

12 ~~If any section, subsection, clause, phrase or portion of this Article is for any reason held invalid~~
13 ~~or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall~~
14 ~~be deemed a separate, distinct and independent provision and such holding shall not affect the validity~~
15 ~~of the remaining portions thereof.~~

16
17 **SEC. 20.311. INITIAL COMMITTEE REPORT.**

18 ~~Once initially constituted, the Committee shall, within sixty days, report to the Rules Committee~~
19 ~~of the Board of Supervisors (or its successor committee) regarding its planned course of action.~~

20
21 Section 2. The Administrative Code is hereby amended by revising Section 20.404, to
22 read as follows:

23 **SEC. 20.404. CONTRACT REQUIREMENTS.**

24 (a) All contracts between the City and shelter operators shall include provisions that
25 require shelter operators to:

1 * * * *

2 (12) provide shelter clients with one clean blanket; two clean sheets or, if clean
3 sheets are unavailable, two clean blankets; and one pillow enclosed in a plastic or vinyl sleeve
4 with a clean pillowcase; ~~sheets shall be cleaned~~ and to clean all sheets at least once per week and
5 upon client turnover;

6 * * * *

7
8 Section 3. Effective Date. This ordinance shall become effective 30 days after
9 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
10 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
11 of Supervisors overrides the Mayor's veto of the ordinance.

12
13 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
14 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
15 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
16 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
17 additions, and Board amendment deletions in accordance with the "Note" that appears under
18 the official title of the ordinance.

19
20 APPROVED AS TO FORM:
21 DENNIS J. HERRERA, City Attorney

22 By: 

23 JON GIVNER
24 Deputy City Attorney

25 n:\legan\as2017\1700671\01216177.docx

LEGISLATIVE DIGEST

[Administrative Code - Shelter Monitoring Committee - Composition of Membership, Powers and Duties, and Sunset Date]

Ordinance amending the Administrative Code to change the qualifications for members of the Shelter Monitoring Committee, create staggered terms for members, establish a sunset date for the Committee, and to allow shelters that contract with the City to provide clients with clean blankets if clean sheets are unavailable.

Existing Law

The Shelter Monitoring Committee is a 13-member advisory body that advises the Mayor, the Board of Supervisors, the Local Homeless Coordinating Board, and other agencies about the conditions in and operations of shelters, and City policies that affect shelters and shelter clients.

One of the Committee's members must be homeless or have been homeless within the three years prior to appointment and must live with his or her homeless child under the age of 18.

The term of office of each Shelter Monitoring Committee member is two years. Under current law, the Committee has no sunset date.

The San Francisco Administrative Code sets forth requirements for contracts between the City and shelter operators. Under those rules, shelter operators must provide shelter clients with a number of articles, including two clean sheets.

Amendments to Current Law

The proposed ordinance would number the seats on the Committee, and would replace the seat for a homeless person currently living with his or her homeless child with a seat for a homeless or formerly homeless (within three years prior to appointment) person who has at some point lived with his or her homeless child.

The ordinance would create staggered terms for Committee members. All members' terms would expire on December 31, 2018, and the appointing authorities would appoint members to new terms beginning January 1, 2019. To ensure that the terms are staggered, the initial terms for even-numbered seats would be one year, and the initial terms for odd-numbered seats would be two years.

The ordinance would also clarify that the Department of Public Health provides clerical and administrative support for the Committee, and would make technical and administrative changes to clarify the Committee's role and authority.

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As required by the Board of Supervisors' Rules of Order, the ordinance would provide that the Committee will sunset on December 31, 2020 unless the Board of Supervisors extends the term of the Committee in a future ordinance.

The ordinance would also modify the obligations of shelter operators to allow shelter operators to provide shelter clients with clean blankets if clean sheets are unavailable.

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City and County of San Francisco Shelter Monitoring Committee

Shelter Monitoring Committee Legislation Changes

- Ongoing linen issue – Section 20.404(a) CONTRACT REQUIREMENTS #12:
 - “Provide shelter clients with one clean blanket, **two clean sheets**, and one pillow enclosed in a plastic or vinyl sleeve with a clean pillowcase; sheets shall be cleaned at least once per week and upon client turnover;”
 - **Issue:** Certain emergency shelters do not have the capability to launder sheets and provide extra blankets as a workaround. These sites continue to be cited for violating Standard #12 during site visits.
 - **Staff recommendation:** Allow extra blankets to be provided to clients as a substitute for sheets in emergency shelters that cannot provide sheets due to laundering issues.
- Shelter Monitoring Committee Appointments, Board of Supervisors Seat #1 –Section 20.305(a):
 - “...one of whom shall be a homeless person (or homeless within the 3 years prior to the appointment) **living with their homeless child who is under the age of 18.**”
 - **Issue:** It has been difficult for the Committee to identify and keep candidates that meet the requirements for this seat.
 - **Staff recommendation:** Change the requirement to someone who has lived with a homeless child who was under the age of 18 at some point within the candidate’s lifetime.
- Section 20.306 TERMS OF OFFICE.
 - “**The term of office of each Committee member shall be two years.** In the event that a vacancy occurs during the term of office of any Committee member, a successor shall be appointed to complete the expired term of office. The interim appointment shall be made in the same or similar manner that governed the initial appointment of the departing member.”
 - **Issue:** Currently, the only legislation related to terms of office is the section describing the 2 year term limit. With all Committee members being nominated and having their seats expire at the same time, there have been problems with the Committee maintaining full membership.
 - **Staff recommendation:** Establish a new system where member terms are staggered instead of all expiring at the same time. This system would be implemented by splitting the Committee seats in half and have one half of the Committee have their terms expire on odd years and the other half would have their terms end on even years. This would allow the Committee to have half of the seats expire at the same time instead of all of the seats expiring at the same time.

Approved by SMC Policy Subcommittee: November 13th, 2015

Notified HSA: January 13th, 2016

Approved by Shelter Monitoring Committee: January 20th, 2016

Discussed during HSA-SMC-DPH meeting: March 3rd, 2016

Presented to Rules Committee, Board of Supervisors: March 10, 2016



San Francisco Department of Public Health

Barbara A. Garcia, MPA
Director of Health

City and County of San Francisco
Edwin M. Lee
Mayor

November 3, 2017

Angela Calvillo, Clerk of the Board
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
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BY [Signature]

Dear Ms. Calvillo:

Attached please find an original single-sided and two single-sided, black and white copies of the proposed legislation for the Board of Supervisors approval, which includes an ordinance and legislative digest to amend the Administrative Code to change qualifications for members of the Shelter Monitoring Committee, create staggered terms for members, and establish a sunset date for the Committee, and to allow shelters that contract with the City to provide clients with clean blankets if clean sheets are unavailable.

The accompanying document details the recommended legislative changes that were presented to the Rules Committee in March 2016 (file no. 140353) during a hearing on Shelter Monitoring committee quarterly reports.

The following person may be contacted regarding this matter:
Jeff Simbe, Shelter Monitoring Committee Staff
415-255-3647
jeff.simbe@sfdph.org

Thank you for your time and consideration.

Sincerely,



Barbara Garcia, MPA
Director of Health