[Shelter Monitoring Committee.]

Ordinance adding Article XII to Article 20 of the San Francisco Administrative Code to establish a Shelter Monitoring Committee to monitor and report on emergency homeless shelters funded in whole or in part by the City.

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

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

Section 1. The San Francisco Administrative Code is hereby amended by adding a new Article XII to Article 20, to read as follows:

Article XII—Shelter Monitoring Committee.

Sec. 20.300. FINDINGS. The Board of Supervisors finds and declares the following:

(a) The City and County of San Francisco funds emergency shelters and resource centers that serve homeless people; and

(b) There is a significant public interest in determining that the homeless shelters that the City funds are safe and sanitary, that the shelters’ policies and procedures are fair and meet the needs of the clients accessing shelter services; that operators receiving City funds are complying with their contractual obligations to the City, and that shelter clients benefit from the expenditure of public funds; and

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(c) The Mayor, The Board of Supervisors, the Local Homeless Coordinating Board, any future advisory body created by the City and County of San Francisco, and the public, among others, need to be able to access accurate and comprehensive information regarding emergency shelters.

Section 20.301. DEFINITIONS. For purposes of this Article only, "shelter" shall include emergency shelters and resource centers that have a primary goal of serving homeless people and that are funded in whole or in part by the City.

Section 20.302. ESTABLISHMENT. A Shelter Monitoring Committee ("Committee") is hereby established. The Committee shall document its findings and shall submit reports consistent with this Article to the Mayor, the Board of Supervisors, the Local Homeless Coordinating Board, the public, and any other entity, as appropriate. The Mayor's Office of Community Development 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 shall, among other things, receive and document complaints made to the Committee regarding shelters and shall refer complaints to appropriate committee members for follow-up.

Section 20.303. PURPOSE. The purpose of the Committee is to provide the Mayor, the Board of Supervisors, the Local Homeless Coordinating Board, the public, and any other appropriate agency with accurate, comprehensive information about the conditions in and operations of emergency shelters covered by this Article.

Section 20.304. POWERS AND DUTIES. The Committee shall have all of the powers and duties necessary to carry out the functions of the Committee as follows:

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

(b) Reports. The Committee shall prepare and submit quarterly reports that shall include but not be limited to information on the following: safety in the shelter, cleanliness in the shelter, disability access to and within in the shelter, family life in the shelter, and a review of policies and procedures in place at the shelter, and any information received regarding the treatment and personal experiences of shelter residents. The reports shall also include recommended action steps for the shelter and for the City department that contracts for services at the shelter. The reports shall not identify shelter residents or disclose any confidential information concerning shelter residents consistent with state and federal law. The Committee may issue emergency reports at any time it deems necessary. The reports shall be provided to: 1) the Mayor, 2) the Board of Supervisors, 3) the Local Homeless Coordinating Board, 4) the appropriate city department responsible to take action, 5) the city department that contracts for services at the shelter, 6) the shelter under review, and 7) the public. These reports shall be public documents. Any city department identified in the report as

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responsible to take action recommended in the report shall, within 30 days of issuance of the
report, provide to the Board of Supervisors a departmental report setting forth how the
department intends to respond to the Committee’s recommendations.

(c) Training. All members of the Committee shall receive training in confidentiality laws
regarding the provision of services to homeless people, as applicable, and will agree in writing to
comply with any and all confidentiality requirements. All members of the Committee shall receive
sensitivity training related to cultural differences, gender issues and the Americans With
Disabilities Act. Committee members shall receive other training deemed necessary by the Committee
to carry out its functions.

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

Section 20.305. MEMBERSHIP AND ORGANIZATION.

(a) The membership of the Committee shall reflect the diversity of the homeless
people that access shelter in the City. The Committee shall consist of 13 members who shall
be appointed as follows: three members shall be appointed by the Mayor, including one
member from the Department of Human Services, one member from the Department of Public
Health, and two members from the community; six members shall be appointed by the Board
of Supervisors, and four members shall be appointed by the Local Homeless Coordinating
Board.

(b) Except for the members appointed from the Department of Human Services and
the Department of Public Health, Committee membership shall meet the following criteria:

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— (1) — 50% of the members shall be formerly homeless;
— (2) — 5 members shall have experience with providing direct services to the homeless through a community setting;
— (3) — 2 members shall be selected from a list of candidates that are nominated by community agencies that provide behavioral health, housing placement, or other services to homeless individuals; and
— (4) — 2 members shall be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people. The membership of the Committee shall reflect the diversity of the homeless people that access shelter in the City. The Committee shall consist of 13 members, one of whom shall be a homeless person (or homeless within the 3 years prior to appointment) with a disability and one of whom shall be a homeless person (or homeless within the 3 years prior to appointment) living with their homeless child who is under the age of 18. The 13 members of the Committee shall be appointed as follows: three members shall be appointed by the Mayor, including one member from the Department of Human Services, one member from the Department of Public Health, and one member who is homeless or formerly homeless and who has experience providing direct services to the homeless through a community setting. Six members shall be appointed by the Board of Supervisors including: two homeless or formerly homeless individuals; one member who has experience providing direct services to the homeless through a community setting; one member selected from a list of candidates that are nominated by community agencies that provide behavioral health, housing placement, or other services to the homeless; and two members selected from a list of

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

(c) The Committee members from the Department of Human Services and the
Department of Public Health shall have a seat and a voice on the Committee but shall not
vote.

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

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. All
appointed Committee members shall serve at the pleasure of their appointing authority.

Section 20.307. MEETINGS. The Committee shall meet a minimum of once per quarter at such
times and places as the Committee shall designate. The location of the meetings shall be accessible to
the public and the meetings shall comply with applicable public meeting requirements under state and
local law.

Section 20.308. ATTENDANCE REQUIREMENT. The Committee member from the
Department of Human Services shall monitor the attendance of Committee members. In the event that
any Committee member misses three regularly scheduled Committee meetings in a six-month period
without prior notice to the Committee, the Committee member from the Department of Human Services
shall certify in writing to the Committee that the member missed three meetings in a six-month period
of time. On the date of such certification, the member shall be deemed to have resigned from the
Committee. The Committee shall notify the appointing authority accordingly and request the
appointment of a new member. The vacant seat shall be filled within two months or an alternate
appointing body shall fill the vacant seat. The alternate appointing body shall rotate per appointment
as follows: the Local Homeless Coordinating Board, the Board of Supervisors, and the Mayor.

Section 20.309. STIPENDS. Each Committee member, except City employees
appointed to serve as part of their official City duties, shall be granted a stipend of $25.00 per
meeting, not to exceed $600.00 per year. Each member of the Committee that participates on
a team that conducts a minimum of four site visits consistent with section 20.46D(a)20.304(a)
shall be granted an additional stipend of $100.00 per year to cover travel and related

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expenses. Such stipends shall be appropriated by the Board without expending revenue
bond funds and all stipends authorized under this section are subject to the budgetary and
fiscal provisions of the Charter.

Section 20.34009. LIMITATION OF LIABILITY. By adopting this Article, the City and County
of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming,
nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money
damages to any person who claims that such a breach proximately caused injury.

Section 20.3140. SEVERABILITY. If any section, subsection, clause, phrase or portion of this
Article is for any reason held invalid or unconstitutional by any court or federal or state agency of
competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision
and such holding shall not affect the validity of the remaining portions thereof.

Section 20.3121. INITIAL COMMITTEE REPORT. Once initially constituted, the
Committee shall, within sixty days, report to the Rules Committee of the Board of Supervisors
(or its successor committee) regarding its planned course of action.

Section 20.3132. COORDINATION WITH LOCAL HOMELESS COORDINATING
BOARD. The Committee shall, jointly with the Local Homeless Coordinating Board, prepare
and submit an annual report to the Board of Supervisors regarding the progress of the
Committee’s efforts, including the results of the Committee’s quarterly and/or emergency
reports issued pursuant to section 20.304(b) of this section. In addition, the Chair of the
Shelter Monitoring Committee, or his or her designee, shall attend all meetings of the Full
Local Homeless Coordinating Board and Local Homeless Coordinating Board Steering

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Committee in order to report on this Committee’s site visits and recommended actions based on those site visits.

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

By:  
JENNIFER WILLIAMS
Deputy City Attorney

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11/17/2004
Ordinance adding Article XII to Article 20 of the San Francisco Administrative Code to establish a Shelter Monitoring Committee to monitor and report on homeless shelters funded in whole or in part by the City.

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November 16, 2004  Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Gonzalez, Maxwell, Peskin, Sandoval
Excused: 2 - Ma, McGoldrick

November 16, 2004  Board of Supervisors — PASSED ON FIRST READING AS AMENDED
Ayes: 8 - Alioto-Pier, Ammiano, Daly, Duffy, Gonzalez, Maxwell, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 2 - Ma, McGoldrick

November 23, 2004  Board of Supervisors — FINALLY PASSED
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Duffy, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Elsbernd
I hereby certify that the foregoing Ordinance was FINALLY PASSED on November 23, 2004 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Gavin Newsom

December 1, 2004

I hereby certify that the foregoing ordinance, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board