



SF BEHAVIORAL HEALTH CENTER ADULT RESIDENTIAL FACILITY WORKING GROUP

January 30, 2020

Focus Area

A Working Group for the SF Behavioral Health Center Adult Residential Facility (SFBHC ARF), formed under Ordinance No. 295-19, File No. 191102, adopted by the San Francisco Board of Supervisors on December 17, 2019 and signed by the Mayor on December 20, 2019. It will be in effect starting January 20, 2020

The Working Group is convened through December 31, 2021, to advise the Board of Supervisors and the Mayor on issues relating to resident care, training, workplace conditions, and staffing at the SFBHC ARF.

Membership

Members include representatives appointed by organized labor and by the Department of Public Health in the manner provided by Administrative Code Article XLII, Section 5.42-2(a). Six seats are designated for organized labor and six seats for the Department of Public Health.

Operations

The SFBHC ARF Working Group will function as an Advisory Group. Meetings will be open to the public and subject to the provisions of the Ralph M. Brown Act (Government Code Sections 54950, et seq.) and the Sunshine Ordinance (Chapter 67 of the Administrative Code.) The SFBHC ARF Working Group is not to be confused with the functions of a labor/management group that are established under Memorandum of Understanding.

Working Group meetings will be held monthly at a regular scheduled day and time, to be determined at the first group meeting.

The Working Group will initially be chaired by the Department of Public Health and meetings will be subject to quorum. The Rules of Order are attached.

For additional information about the SFBHC ARF Working Group or to be added to the email notification list for meetings, please contact: emeterio.garcia@sfdph.org.

Rules of Order
SF Behavioral Health Center Adult Residential Facility Working Group
January 20, 2020 – December 31, 2021

1. SF Behavioral Health Center Adult Residential Facility Working Group

The Board of Supervisors, by adopting Ordinance No. 295-19, File No. 191102 to amend the San Francisco Administrative Health Code by adding Article XLII, sections 5.42-1 through 5.42-5, that establishes the Adult Residential Facility Working Group ("Working Group"), consisting of twelve members, six appointed by organized labor and six appointed by the Department of Public Health Director. Applicable provisions of the Charter and Administrative Code sections 5.42-1 through 5.42-5, as amended from time to time, are incorporated in these Rules of Order (the "Rules") and shall take precedence in the event of a conflict between those laws and these Rules.

2. Mission

The mission of the Working Group is to publicly discuss and make recommendations to the Board of Supervisors and the Mayor on the following issues as specified in the Ordinance:

- Resident care
- Training
- Workplace conditions
- Staffing

3. SF Behavioral Health Center Adult Residential Facility Working Group Objectives

The Working Group will:

- Always serve in the best interests of the residents at the Adult Residential Facility;
- Provide timely and clear reports, in writing, to the Mayor and the Board of Supervisors;
- Provide any special reporting it determines advisable;
- Prepare such reports and conduct its activities in a professional and truthful manner, using the best abilities of its members; and
- Gather information from and be open to the concerned public.

4. Appointment and Term

There shall be twelve members of the Working Group, each appointed in the manner provided by Administrative Code Article XLII, Section 5.42-2(a). Appointing authorities shall make appointments to the Working Group within one month of the effective date of Article XLII. Members of the Working Group shall serve at the pleasure of their respective appointing authorities and may be removed by the member's appointing authority at any time. Any member who misses three regular meetings of the Working Group within a six-month period without the express approval of the Working Group at or before each missed meeting shall be deemed to have resigned from the Working Group 10 days after the third unapproved absence. The applicable appointing authority (organized labor or Director of Health) shall make a replacement appointment within 30 days of the resignation date.

5. Election of Officers

The initial meeting of the Working Group will be chaired by the Department of Public Health. At the second calendared meeting, the members of the Working Group can elect alternative members to serve as chair, vice-chair and secretary of the Working Group.

6. Duties of Officers

The Chair of the Working Group, or in his or her absence, the vice-chair, shall preside at all meetings of the Working Group. The chair, or vice-chair, in the absence of the chair, shall be responsible for developing agendas. The Secretary will be responsible for approving meeting minutes and Working Group correspondence prior to distribution.

7. Meetings

Meetings of the Working Group will be held at times and a place designated by the majority of the Working Group within the City limits of the City and County of San Francisco. The Working Group shall meet no fewer than nine times in a twelve-month period, unless the Chair and the Working Group agree to a different frequency of meetings. Meeting schedules will maximize, to the extent feasible, the opportunity for public attendance and participation in the meeting.

8. Notice of Meetings and Agendas

The notice of each Working Group meeting and associated meeting agenda (the "Agenda Packet") must be posted and/or filed as outlined below and must be issued in accordance with applicable open meeting laws and regulations. This requires, among other things, the following:

- Two hard copies of the Agenda Packet must be filed at least 72 hours prior to the meeting with the Documents Department/Government Information Center of the San Francisco Public Library.
- The Agenda Packet must be posted on the Department of Public Health's website at least 72 hours prior to the meeting.
- It is recommended that the Agenda Packet also be posted at the meeting site (at a location regularly accessible to the public) at least 72 hours prior to the meeting.
- It is recommended that the Agenda Packet also be posted at the Department of Public Health at 101 Grove Street at least 72 hours prior to the meeting.
- Meeting agendas must contain a meaningful description of each item of business that the Working Group will discuss or on which it may take action. The description must be sufficiently clear and specific to alert people of average intelligence and education whose interests are affected that they may have reason to attend the meeting or seek more information on the item. The description should be brief, concise, and written in plain English.
- Each agenda item must state whether Working Group will take action on the item and describe the proposed action, or will merely conduct a discussion. It is also permissible to list an item as being set for "discussion and possible action."
- Any supporting materials provided to members of the Working Group must either be provided to the public at the same time via the Agenda Packet or the Agenda Packet must list where such materials may be obtained. Any materials that are only one page in length must be included in the Agenda Packet.

In addition, the agenda and notice of meeting shall include other information required by law for public meetings. The Department of Public Health will provide support for communicating with members of the Working Group and with posting of the Agenda Packet as outlined in this section.

9. Conduct of Meetings

Public Comment

All Working Group meetings shall be open to the public and held in compliance with all applicable laws and regulations. The Chair may limit time permitted for public comment, consistent with applicable state and local law. Each person wishing to speak on a matter being considered by the Working Group shall be permitted to be heard once, for up to three minutes. The Secretary or other designated person will provide speaker cards to be used for members of the public to indicate they wish to speak during public comment. A timer will be used to limit each speaker in the same manner and with the same time limit as other speakers. Speakers may use an alias when providing public comment. To the extent allowed under applicable open meeting laws, members may make limited response to public comment. Except where state or local laws or these Rules provide otherwise, meetings shall be conducted in accordance with the most recent edition of Robert's Rules of Order.

Member Conduct

During a Meeting when a member of the Working Group desires to address the Working Group, he or she shall seek recognition by addressing the presiding officer, and when recognized, shall proceed to speak. The member shall confine his or her remarks to the question before the Working Group. Members will not discuss an item until it has been introduced, or a resolution or motion has been moved and seconded. The Working Group is prohibited from discussing items that are not listed on the agenda.

Prohibited Information

The Working Group is expressly prohibited by state and federal laws and regulations from discussing protected health information and other personally identifiable information of individuals who receive care from the SFBHC ARF, from elsewhere within the Department of Public Health, or from other health providers. Any violation of these rules can result in investigation and disciplinary action, up to and including termination, of anyone involved in the disclosure of prohibited information.

10. Agenda

The chair, or vice-chair, in the absence of the chair, shall be responsible for developing agendas. The agenda of each regular meeting shall contain an item during which Working Group members may request items for the Working Group to consider at future meetings.

11. Quorum / Approvals

The presence of a majority of the Working Group members (i.e., seven members of the twelve member Working Group, regardless of any vacancies) shall constitute a quorum for all purposes. The affirmative vote of a majority of the members of the full Working Group (i.e., seven members of the twelve member Working Group, regardless of any vacancies) shall be required for the approval of any and all actions, approvals, reports, recommendations and any other Working Group matters. Each approved report and recommendation may include a description of any alternative viewpoints, reports or recommendations.

Note that the presence of a majority of the members of the Working Group (seven members) at the same time and place likely constitutes a meeting and must generally occur with prior notice and an agenda. This rule also applies to communications between a majority of the members of the Working Group such as via telephone, email, or text message, including when such communications occur in a chain (such as two members exchanging an email, and then one of them forwarding it to five other members of the Working Group, making a total of seven). Such

“serial meetings” via phone, text, or email must be avoided. If information is required to be shared with a majority of the members of the Working Group, it should usually be shared by the Department of Public Health staff member serving as the clerk of the Working Group when the notice and agenda is circulated and without subsequent discussion by the Working Group members except in the context of properly noticed meetings.

12. Voting and Abstention

Each member present at a Working Group meeting shall vote “yes” or “no” when a question is put to the Working Group, unless the member is excused from voting on a matter by a motion adopted by a majority of the members or the member has a conflict of interest that legally precludes participation in the vote. Whether a Working Group member has a conflict of interest which precludes participation in a vote shall be determined by the individual member in consultation with the City Attorney’s Office. Working Group members shall not be allowed to vote by proxy. The Working Group shall take action on items on the agenda by roll call vote, (voice vote) or by a show of hands. The minutes shall reflect how each Working Group member voted on each item.

13. Attendance at Meetings

Working Group members shall not miss more than three meetings in any six-month period. In the event that a member’s attendance falls below this level the Working Group Secretary shall notify that member’s appointing authority. Any member who misses three regular meetings within a six-month period without the express approval of the Working Group at or before each missed meeting shall be deemed to have resigned from the Working Group 10 days after the third unapproved absence.

14. Meeting Minutes

Minutes shall be taken at every regular meeting. Minutes shall be approved by the majority vote of the Working Group that conducted the public meeting at a subsequent Working Group meeting, and revision of the minutes to address errors or other required changes is permitted at the time of approval by a majority vote. The clerk for the Working Group shall take the following steps regarding minutes of Working Group meetings after they are approved at a subsequent meeting: most the approved minutes on the Department of Public Health website within 48 hours of approval; and sending two copies of the approved minutes to the Government Information Center of the Public Library within five days of their being finalized.

15. Public Review File

The Working Group shall maintain a public review file in compliance with the San Francisco Sunshine Ordinance (Chapter 67 of the Administrative Code).

16. Information requests

All Working Group member requests for reports, analyses, and any other information pertaining to the business of the Working Group shall be reported in an open public session of the Working Group.

17. Amendment of Rules of Order

These Rules may be amended, by a vote of a majority of the members of the Working Group, after presentation of the proposed amendments in writing as a scheduled agenda item at a meeting of the Working Group. The Working Group shall give 10 days notice before considering any amendments. These Rules may also be amended by the Department of Public Health in

order to comply with legal requirements, and such changes will be provided to the Working Group at least 10 days in advance for review.

18. Training

The Department of Public Health will work to provide members of the Working Group with information about compliance with applicable ethical, Brown Act, and Sunshine Ordinance requirements for serving on the Working Group. In addition, members are encouraged to familiarize themselves with relevant sections of the *Good Government Guide*, which is available on the City Attorney's website at <https://www.sfcityattorney.org/good-government/good-government-guide/>.

19. Public Records Act/Sunshine Ordinance Requests

The Working Group will work with the Department of Public Health in responding to requests for records submitted pursuant to the Public Records Act and/or the Sunshine Ordinance.