

County of Santa Clara


Office of the County Executive

County Government Center
East Wing – Eleventh Floor
70 West Hedding Street
San Jose, California 95110



DATE: May 4, 2021

TO: Honorable Members of the Board of Supervisors
Jeffrey V. Smith, M.D., J.D., County Executive

FROM: Sylvia Gallegos, Deputy County Executive 

SUBJECT: **Off-Agenda Report on Board Referral Regarding Provision of Free Period Products for Bathrooms in County Facilities**

At the March 23, 2021 Board of Supervisors meeting (Item No. 20), the Board approved a referral from Supervisor Chavez for the Administration to report to the Board in May 2021 during the Budget Workshops with the scope to stock all County bathrooms with free period products and an appropriation to fund these products in FY2021-22 or until AB 367 takes effect.

This memorandum addresses the status of the Administration's analysis to respond to the information requests in the Board referral.

Executive Summary

Following approval of the Board referral, the Administration convened Procurement, Parks and Recreation, Health and Hospital System, and Facilities and Fleet Department (and Roads and Social Services subsequently) to identify:

- Number of County bathrooms,
- Number of men's restroom stalls,
- The cost of period products, product dispensers, and sanitary pad receptacles,
- The labor cost to install tampon and pad dispensers in all bathrooms and sanitary pad receptacles in men's bathroom stalls including consideration of ADA requirements,
- Available procurement vendors and methods for the procurement of products, dispensers, and receptacles, and
- Signage to explain the placement of period products in men's restroom facilities and to discourage disposing of sanitary pads in toilets.

When the Administration has gathered the information above to inform the costing of the items and labor to install the associated equipment, a report will be prepared for an upcoming Board meeting.

Board of Supervisors: Mike Wasserman, Cindy Chavez, Otto Lee, Susan Ellenberg, S. Joseph Simitian
County Executive: Jeffrey V. Smith

The Administration is monitoring Assembly Bill No. 367 to ensure the staff's proposal will satisfy all requirements of the bill, if enacted, and is engaged in analysis and outreach to County departments to determine the scope and funding that would be necessary to implement these changes. The Administration will report back to the Board with the analysis and cost estimates for the Board to make an informed decision concerning implementation at County facilities.

Determining Scope and Funding to Provide Free Period Products

Following approval of the Board referral, the Administration met with the Procurement, Parks and Recreation, Health and Hospital System, Facilities and Fleet, Social Services, Roads and Airports, and the Office of LGBTQ Affairs to understand the entirety of considerations to supply free period products in all the bathrooms including men's, women's, and all-inclusive restrooms at owned County facilities and leased SSA facilities.

As a result of these meetings, County staff are currently analyzing the following factors to inform staff's report back to the Board concerning the scope and the level of funding to implement these changes at County facilities:

- Conducting a count of all bathrooms and bathroom stalls in men's bathrooms at County-owned facilities and Social Services leased facilities,
- Procurement methods for period products, dispensers, and receptacles,
- Installation requirements for product dispensers, including ADA requirements,
- The ongoing cost to supply products and one-time cost to procure and install dispensers and receptacles,
- Signage explaining the placement of period products in men's bathrooms and the proper disposal of products, and
- Coordination with facility owners to ensure period products are made available at leased facilities.

Amendments to Assembly Bill 367 – Menstrual Products

The Administration is monitoring Assembly Bill No. 367 to ensure the staff's proposal will satisfy the requirements of the bill, if enacted. For example, the current draft of the Menstrual Equity for All Act was amended in late April, and now defines "menstrual products" as menstrual pads and tampons, and the bill would additionally require the posting of notices at every restroom required to stock menstrual products that identifies the requirements of the act and contact information for a designated individual responsible for maintaining the requisite supply of menstrual products.

The Administration has engaged the Office of LGBTQ Affairs to prepare and test in the community proposed signage messaging for bathrooms, and the Administration's proposal to the Board will take into consideration any additional requirements that are included in enacted legislation when staff provides the Board with the requested information.

Report Back Concerning December 15, 2021 Appropriation to Address Period Poverty

At the December 15, 2020 Board meeting (Item No. 12), the Board approved a \$1 million appropriation to address the inequities in access to free period products by the most vulnerable populations in Santa Clara County during COVID-19 and the recovery phases for the remainder of Fiscal Year 2020-2021. At that meeting, the Board directed the Administration to report to the

Board in May 2021 during the budget workshops with an analysis of the expended funds and an appropriation to fill the gap in access to free period products in FY2021-22, and the Office of Women's Policy will be providing this information in a separate report to the Board.

- c: Megan Doyle, Clerk of the Board
- Chiefs of Staff
- Rocio Luna, Deputy County Executive
- Greg Iturria, Budget Director
- Protima Pandey, Director, Office of Women's Policy