

BOARD of SUPERVISORS



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MEMORANDUM

TO: Abigail Stewart-Kahn, Interim Director, Department of Homelessness and Supportive Housing
Dr. Grant Colfax, Director, Department of Public Health
Robert Collins, Executive Director, Rent Board

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: November 18, 2020

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Peskin on November 10, 2020:

File No. 201285

Reenactment of emergency ordinance (Ordinance No. 84-20, reenacted and amended by Ordinance No. 161-20) to establish protections for occupants of residential hotels ("SRO Residents") during the COVID-19 pandemic by, among other things: making it City policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation or quarantine established by the County Health Officer, and requiring the Department of Public Health to: develop a protocol to assist health care providers to identify SRO Residents who may require protection against or treatment for COVID-19; notify the operator of a residential hotel when an SRO Resident has tested positive for COVID-19, to facilitate contact tracing, testing for COVID-19, and cleaning; establish a telephone hotline for SRO Residents, to respond to questions about accessing COVID-19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO Residents and workers in residential hotels; and provide daily aggregate data concerning the incidence of COVID-19 among SRO Residents, access to quarantine rooms by such residents, and the number of such residents who have died due to complications from COVID-19.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: erica.major@sfgov.org.

cc: Dylan Schneider, Department of Homelessness and Supportive Housing
Emily Cohen, Department of Homelessness and Supportive Housing
Greg Wagner, Department of Public Health
Dr. Naveena Bobb, Department of Public Health
Sneha Patil, Department of Public Health

1 [Emergency Ordinance - Protections for Occupants of Residential Hotels During COVID-19
 2 Pandemic]

3 **Reenactment of emergency ordinance (Ordinance No. 84-20, reenacted and amended**
 4 **by Ordinance No. 161-20) to establish protections for occupants of residential hotels**
 5 **(“SRO Residents”) during the COVID-19 pandemic by, among other things: making it**
 6 **City policy to place in solitary hotel rooms SRO residents who meet the criteria for**
 7 **isolation or quarantine established by the County Health Officer, and requiring the**
 8 **Department of Public Health to: develop a protocol to assist health care providers to**
 9 **identify SRO Residents who may require protection against or treatment for COVID-19;**
 10 **notify the operator of a residential hotel when an SRO Resident has tested positive for**
 11 **COVID-19, to facilitate contact tracing, testing for COVID-19, and cleaning; establish a**
 12 **telephone hotline for SRO Residents, to respond to questions about accessing COVID-**
 13 **19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO**
 14 **Residents and workers in residential hotels; and provide daily aggregate data**
 15 **concerning the incidence of COVID-19 among SRO Residents, access to quarantine**
 16 **rooms by such residents, and the number of such residents who have died due to**
 17 **complications from COVID-19.**

18 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
 19 **Additions to Codes** are in *single-underline italics Times New Roman font*.
 20 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
 21 **Board amendment additions** are in double-underlined Arial font.
 22 **Board amendment deletions** are in ~~strikethrough Arial font~~.
 23 **Asterisks (* * * *)** indicate the omission of unchanged Code
 24 subsections or parts of tables.

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

Section 1. Declaration of Emergency Pursuant to Charter Section 2.107.

1 (a) Section 2.107 of the Charter authorizes passage of an emergency ordinance in
2 cases of public emergency affecting life, health, or property, or for the uninterrupted operation
3 of any City or County department or office required to comply with time limitations established
4 by law. An emergency ordinance enacted under Charter Section 2.107 automatically
5 terminates on the 61st day after passage, but may be reenacted upon the same terms and
6 conditions applicable to its initial enactment.

7 (b) Pursuant to Charter Section 2.107, the City enacted Ordinance No. 84-20, an
8 emergency ordinance, which temporarily established protections for occupants of residential
9 hotels (“SRO Residents”) during the COVID-19 pandemic. The emergency ordinance became
10 effective when enacted, on May 29, 2020. On September 11, 2020, Ord. No. 84-20 was
11 reenacted by another emergency ordinance, Ord. No. 161-20, and amended to address the
12 City’s duty to post information in residential hotels concerning the rights of residents to access
13 services related to COVID-19. Ord. No. 161-20 will terminate automatically on November 11,
14 2020, unless reenacted.

15 (c) The Board of Supervisors hereby finds that the findings declared in Section 1 of
16 Ordinance No. 84-20 and reaffirmed in Section 1 of Ord. No. 161-20 remain valid and
17 compelling, and declares further that an actual emergency continues to exist that requires the
18 reenactment of Ordinance No. 84-20, as amended by Ord. No. 161-20, to reduce the spread
19 of COVID-19. COVID-19 continues to present an extremely dangerous public health risk to
20 the residents of residential hotels and to individuals who work in residential hotels.

21
22 Section 2. Reenactment of Emergency Ordinance. Consistent with Charter Section
23 2.107, this emergency ordinance reenacts for an additional 60 days the emergency ordinance
24 providing temporary protections to occupants of residential hotels (Ordinance No. 84-20), as
25 amended by Ord. 161-20.

LEGISLATIVE DIGEST

[Emergency Ordinance - Protections for Occupants of Residential Hotels During COVID-19 Pandemic]

Reenactment of emergency ordinance (Ordinance No. 84-20, reenacted and amended by Ordinance No. 161-20) to establish protections for occupants of residential hotels (“SRO Residents”) during the COVID-19 pandemic by, among other things: making it City policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation or quarantine established by the County Health Officer, and requiring the Department of Public Health to: develop a protocol to assist health care providers to identify SRO Residents who may require protection against or treatment for COVID-19; notify the operator of a residential hotel when an SRO Resident has tested positive for COVID-19, to facilitate contact tracing, testing for COVID-19, and cleaning; establish a telephone hotline for SRO Residents, to respond to questions about accessing COVID-19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO Residents and workers in residential hotels; and provide daily aggregate data concerning the incidence of COVID-19 among SRO Residents, access to quarantine rooms by such residents, and the number of such residents who have died due to complications from COVID-19.

Existing Law

An emergency ordinance (Ordinance No. 84-20) temporarily establishes protections for occupants of residential hotels during the COVID-19 pandemic. The legislative digest for that emergency ordinance is found in Board File No. 200456. Slightly edited, it summarizes the emergency ordinance as follows:

The emergency ordinance makes it the policy of the City to place SRO residents in solitary isolation / quarantine hotel rooms where they meet the standards for isolation or quarantine established by the Health Officer, and requires the City to provide such residents with essential services and amenities, including three meals per day, during their placement in such a room.

The emergency ordinance requires the Department of Public Health to:

- Prepare and disseminate to health care providers a protocol designed to help them identify SRO residents who may require protection against or treatment for COVID-19;
- Notify residential hotel operators when a resident has tested positive for COVID-19 to facilitate contact tracing, testing, and cleaning;

- Provide personal protective equipment to SRO residents and workers who occupy areas of the residential hotel that have been accessed by people who tested positive for COVID-19.
- Establish a telephone hotline for SRO residents to facilitate screening, testing, referral to healthcare providers, and placement in solitary hotel rooms;
- Report daily data relating to the aggregate number of SRO hotels with residents who have tested positive for COVID-19, and other indicators;
- Take other specified steps to protect SRO residents against exposure to COVID-19 and to inform them of their rights.

The emergency ordinance requires SRO operators to post information in public areas of residential hotels.

Ordinance No. 84-20 became effective on May 29, 2020. On September 11, 2020, Ord. No. 84-20 was reenacted by another emergency ordinance, Ord. No. 161-20, and amended to address the City's duty to post information in residential hotels concerning the rights of residents to access services related to COVID-19. Ord. No. 161-20 will terminate automatically on November 11, 2020, unless reenacted.

Amendments to Current Law

The proposed emergency ordinance reenacts Ordinance No. 84-20, as amended and reenacted by Ord. No. 161-20, with the result that it will be extended for an additional 60 days.

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Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
2. Request for next printed agenda Without Reference to Committee.
3. Request for hearing on a subject matter at Committee.
4. Request for letter beginning : "Supervisor inquiries"
5. City Attorney Request.
6. Call File No. from Committee.
7. Budget Analyst request (attached written motion).
8. Substitute Legislation File No.
9. Reactivate File No.
10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Reenactment of emergency ordinance (Ord. No. 84-20, reenacted and amended by Ord. No. 161-20) to establish protections for occupants of residential hotels ("SRO Residents") during the COVID-19 pandemic by, among other things: making it City policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation or quarantine established by the County Health Officer, and requiring the Department of Public Health to: develop a protocol to assist health care providers to identify SRO Residents who may require protection against or treatment for COVID-19; notify the operator of a residential hotel when an SRO Resident has tested positive for COVID-19, to facilitate contact tracing, testing for COVID-19, and cleaning; establish a telephone hotline for SRO Residents, to respond to questions about accessing COVID-19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO Residents and workers in residential hotels; and provide daily aggregate data concerning the incidence of COVID-19 among SRO Residents, access to quarantine rooms by such residents, and the number of such residents who have died due to complications from COVID-19.

Signature of Sponsoring Supervisor: /s/ Aaron Peskin

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