

File No. 230074

Committee Item No. 1

Board Item No. 5

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee Date March 15, 2023

Board of Supervisors Meeting Date March 21, 2023

#### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

#### OTHER (Use back side if additional space is needed)

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Completed by: Brent Jalipa Date March 9, 2023

Completed by: Brent Jalipa Date March 17, 2023

1 [Safe Consumption Sites - Behested Payment Waiver]

2

3 **Resolution authorizing the Mayor, officers and employees of the Office of the Mayor,**  
4 **and officers and employees of the Department of Public Health to solicit donations to**  
5 **support the opening and operation of safe consumption sites from various private**  
6 **entities and foundations, notwithstanding the Behested Payment Ordinance.**

7

8 WHEREAS, San Francisco is experiencing a fatal drug overdose epidemic that has  
9 claimed the lives of nearly 1,900 San Franciscans since January 2020; and

10 WHEREAS, To address this crisis, many private organizations that provide services to  
11 people with substance use disorders are exploring innovative ways to prevent overdose  
12 deaths, including opening safe consumption sites, which are places where people can use  
13 preobtained drugs safely; and

14 WHEREAS, Nearly 200 safe consumption sites operate around the world, including  
15 two in New York City that have been operated by the non-profit organization OnPoint NYC for  
16 over a year; and

17 WHEREAS, These safe consumption sites have been proven to save lives, reduce  
18 crime in the surrounding area, and improve overall street conditions; and

19 WHEREAS, Since the opening of its sites, OnPoint NYC has reversed over 700  
20 overdoses, registered over 2,300 participants, and prevented nearly 1.5 million units of  
21 hazardous waste from entering the community; and

22 WHEREAS, It costs OnPoint NYC roughly \$1.4 million dollars annually to offer safe  
23 consumption services at its sites, and OnPoint NYC has raised that money through private  
24 donations and foundation funding; and

25

1           WHEREAS, The Department of Public Health and the Office of the Mayor both partner  
2 with numerous nonprofit organizations, grantmakers, and foundations, often through contracts  
3 or grant agreements; and

4           WHEREAS, The Mayor and the Department of Public Health seek a waiver of the  
5 City’s Behested Payment Ordinance (Campaign and Governmental Conduct Code, Section  
6 3.600 et seq.) to the extent it restricts the Mayor and officers and employees of the Office of  
7 the Mayor and Department of Public Health from soliciting financial support from entities that  
8 would be considered interested parties to support local non-profits to operate safe  
9 consumption sites; now, therefore, be it

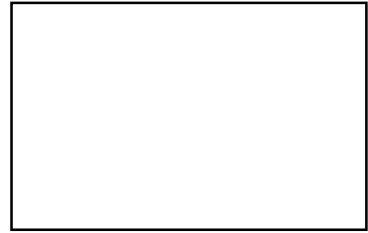
10          RESOLVED, That under Section 3.620(f) of the Campaign and Governmental Conduct  
11 Code, the Board of Supervisors hereby waives application of the Behested Payment  
12 Ordinance as to the Mayor and officers and employees of the Office of the Mayor and the  
13 Department of Public Health so that they may solicit donations from private organizations,  
14 grantmakers, and foundations to support the opening and operation of safe consumption sites  
15 by local non-profits in San Francisco; and be it

16          FURTHER RESOLVED, That granting this waiver serves the public interest by  
17 preventing and reducing overdose deaths, reducing criminality in areas surrounding the sites,  
18 and improving overall street conditions; and, be it

19          FURTHER RESOLVED, That granting this waiver does not create an appearance of  
20 impropriety.

## Introduction Form

(by a Member of the Board of Supervisors or the Mayor)



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

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)  
*(Routine, non-controversial and/or commendatory matters only)*
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor  inquiries..."
- 5. City Attorney Request
- 6. Call File No.  from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission       Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes                       No

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

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: