

1 [Administrative Code - COVID-19 ~~Emergency~~ Disaster Family Relief Fund]

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3 **Ordinance amending the Administrative Code to establish the COVID-19 Emergency**
4 **Disaster Family Relief Fund.**

5 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
6 **Additions to Codes** are in *single-underline italics Times New Roman font*.
7 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
8 **Board amendment additions** are in double-underlined Arial font.
9 **Board amendment deletions** are in ~~strikethrough Arial font~~.
10 **Asterisks (* * * *)** indicate the omission of unchanged Code
11 subsections or parts of tables.

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

13 Section 1. Findings.

14 (a) On February 25, 2020, Mayor London Breed proclaimed a state of emergency
15 based on coronavirus (COVID-19) (hereinafter referred to as “the emergency”). On March 3,
16 2020, the Board of Supervisors concurred in the February 25 Proclamation and in the actions
17 taken by the Mayor to meet the emergency. On March 13, 2020, the Mayor issued a Second
18 Supplement to the February 25 Proclamation, finding that the emergency is causing severe
19 financial impacts on the local economy and on residents, including the substantial loss of
20 income due to loss of compensable work hours and wages, layoffs and business closures.
21 On March 16, 2020, the County Health Officer issued Order No. C19-07 directing people to
22 stay in their homes and requiring businesses to cease all non-essential operations at physical
23 locations in the County. Also on March 16, 2020, the Governor issued Executive Order N-28-
24 20, finding that the economic impacts of COVID-19 are significant and many Californians are
25 experiencing substantial losses of income as a result of business closures, the loss of hours
or wages, or layoffs due to COVID-19. On March 17, 2020, the Mayor issued a Fourth

1 Supplement to the February 25 Proclamation, finding that the emergency caused abrupt and
2 serious negative consequences to local businesses. Copies of these orders and directives
3 are on file with the Clerk of the Board of Supervisors in File No. 200340.

4 (b) As a consequence of these orders and directives, economic activity in San
5 Francisco and the Bay Area has shut down to an unprecedented extent. This cessation of
6 economic activity has impacted every business and industry in the City and surrounding area,
7 including but not limited to, hotels and tourism, restaurants and bars, retail, cleaning and
8 janitorial services, child care, and transportation. Many of the workers in these industries are
9 independent contractors, “gig” workers, or otherwise dependent on unpredictable wages.
10 Among other factors, the citizenship or immigration status of many of these workers may also
11 impact their eligibility for existing or planned public assistance programs.

12 (c) For the foregoing reasons, the Board of Supervisors finds it essential to provide a
13 monthly income relief at least of \$500 for the duration of the COVID-19 pandemic for San
14 Francisco families with children or dependents under 18 that will be unable to benefit from
15 other public assistance programs, including the federal Coronavirus Aid, Relief, and Economic
16 Security (CARES) Act of 2020 (P.L. 116-136), or other federal or state assistance programs
17 specific to the COVID-19 pandemic for families or individuals.

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19 Section 2. Article XIII of Chapter 10 of the Administrative Code is hereby amended by
20 adding Section 10.100-51, to read as follows:

21 **SEC. 10.100-51. COVID-19 EMERGENCY DISASTER FAMILY RELIEF FUND.**

22 **(a) Establishment of Fund. The COVID-19 Emergency Disaster Family Relief Fund**
23 **(“Fund”) is hereby established as a category eight fund to provide financial support to San Francisco**
24 **families, with children or dependents who are 18 years old or younger, which have been impacted by**
25 **the COVID-19 pandemic. This Fund will seek to provide financial assistance for up to 5,000 families.**

1 **(b) Use of Fund.** *The Fund shall be used to provide monthly payments of at least \$500 to San*
2 *Francisco families that include at least one child or dependent who is 18 years old or younger, which*
3 *are experiencing economic hardship due to the COVID-19 pandemic.*

4 **(c) Sources of Funds.** *The Fund may receive any legally available monies appropriated or*
5 *donated for the purpose set forth in subsection (b) including, but not limited to, funds appropriated by*
6 *the Board of Supervisors, funding made available from the federal or State governments, and private*
7 *donations and grants.*

8 **(d) Administration of Fund.**

9 **(1) Responsible Agency.** *The Human Rights Commission shall administer the Fund.*
10 *The Human Rights Commission may also seek the assistance of other City agencies including, but not*
11 *limited to, the Office of Economic Workforce and Development. In coordination with the Controller's*
12 *Office, the Human Rights Commission shall adopt rules for the distribution of monies in the Fund*
13 *consistent with the purpose set forth in subsection (b) and the criteria set forth in subsection (d)(2).*
14 *The Human Rights Commission shall make these rules available on its website and at its office.*

15 **(2) Criteria for Disbursement.**

16 **(A) In coordination with the Controller's Office, the Human Rights**
17 *Commission's rules regarding the distribution of monies from the Fund shall incorporate and develop*
18 *the following criteria:*

19 **(i) the degree to which the family has been directly impacted by the**
20 *economic hardship caused by the COVID-19 pandemic; and*

21 **(ii) whether the family does not qualify for funding or payments provided**
22 *by the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 (P.L. 116-136), or other*
23 *federal or state assistance programs specific to the COVID-19 pandemic for families or individuals,*
24 *due to the family's or a family member's citizenship or immigration status, lack of a social security*
25 *number, or tax return filing history.*

1 **(B) Impact on other public assistance.** Monies from the Fund may not be
2 distributed to persons where the Fund's contribution would reduce existing public assistance benefits.

3 **(3) Consultation with Community-Based Organizations.** The Human Rights
4 Commission may consult with community-based organizations regarding its adoption of rules
5 implementing the Fund, efforts to publicize the Fund, and the distribution of monies from the Fund.

6 **(e) Termination of the Fund.** The Fund shall terminate, and the Board of Supervisors shall
7 redistribute any remaining funds to the General Fund, 60 days after the date the Mayor withdraws her
8 proclamation regarding the state of emergency caused by the COVID-19 pandemic. Upon termination
9 of the Fund, the City Attorney shall cause the removal of this Section 10.100-51 from the
10 Administrative Code.

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12 Section 3. Severability. If any section, subsection, sentence, clause, phrase, or word
13 of this ordinance, or any application thereof to any person or circumstance, is held to be
14 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision
15 shall not affect the validity of the remaining portions or applications of the ordinance. The
16 Board of Supervisors hereby declares that it would have passed this ordinance and each and
17 every section, subsection, sentence, clause, phrase, and word not declared invalid or
18 unconstitutional without regard to whether any other portion of this ordinance or application
19 thereof would be subsequently declared invalid or unconstitutional.

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1 Section 4. Effective and Operative Dates.

2 (a) Effective Date. This ordinance shall become effective 30 days after enactment.

3 Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance
4 unsigned or does not sign the ordinance within ten days of receiving it, or the Board of
5 Supervisors overrides the Mayor’s veto of the ordinance.

6 (b) Operative Date. After it becomes effective, this ordinance shall become operative
7 upon the expiration of the emergency ordinance in File No. 200339.

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

11 By: /s/ Andrew Shen
12 ANDREW SHEN
13 Deputy City Attorney

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