

1 [Concurring in Actions to Meet Local Emergency - Coronavirus Response]

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3 **Motion concurring in actions taken by the Mayor on March 17, 2020, March 18, 2020,**
4 **and March 23, 2020, to meet the ongoing local emergency related to the novel**
5 **coronavirus COVID-19 pandemic declared on February 25, 2020.**

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7 WHEREAS, On February 25, 2020, Mayor London N. Breed declared a local
8 emergency to exist in connection with the spread of the novel coronavirus COVID-19; and

9 WHEREAS, The Mayor transmitted a copy of that Proclamation Declaring the
10 Existence of a Local Emergency to the Board of Supervisors (the "Proclamation"), and on
11 March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions
12 taken by the Mayor to meet the emergency; the Proclamation and the Board's concurring
13 motion are on file with the Clerk of the Board of Supervisors in File No. 200228; and

14 WHEREAS, On March 11, 2020, and March 13, 2020, the Mayor took additional steps
15 to meet the local emergency by issuing the First and Second Supplements to the
16 Proclamation, for concurrence by the Board of Supervisors; the First Supplement orders
17 seven actions to the meet the emergency, and the Second Supplement orders five actions to
18 meet the emergency; the First and Second Supplements to the Proclamation are on file with
19 the Board of Supervisors in File No. 200294; and

20 WHEREAS, On March 17, 2020, the Mayor issued a Third Supplement to the
21 Proclamation, ordering five actions to meet the emergency; the Third Supplement is on file
22 with the Clerk of the Board of Supervisors in File No. 200326; and

23 WHEREAS, On March 18, 2020, the Mayor issued a Fourth Supplement to the
24 Proclamation, ordering one action to meet the emergency; the Fourth Supplement is on file
25 with the Clerk of the Board of Supervisors in File No. 200326; and

1 WHEREAS, On March 23, 2020, the Mayor issued a Fifth Supplement to the
2 Proclamation, ordering eight actions to meet the emergency; the Fifth Supplement to the
3 Proclamation is on file with the Clerk of the Board of Supervisors in File No. 200326; and

4 WHEREAS, Government Code, Sections 8550 et seq. and Charter, Section 3.100
5 provide for the concurrence by members of the Board of Supervisors in such emergency
6 declaration and in action taken by the Mayor to meet the emergency; now, therefore, be it

7 MOVED, That the Board of Supervisors concurs with the following actions taken by the
8 Mayor to meet the local emergency included in the Mayor’s Third Supplement to the
9 Proclamation, dated March 17, 2020, as those actions are described in full in the Third
10 Supplement and summarized as follows:

11 Action #1: Authorizing the Director of the Office of Economic Workforce
12 Development to implement a time-limited program to provide financial assistance to
13 employers that agree to supplement existing paid sick leave policies;

14 Action #2: Authorizing the Human Resources Director and the Director of
15 Transportation of the Municipal Transportation Agency (“MTA”), or their designees, to
16 temporarily waive provisions of the Civil Service Commission Rules and provisions of the
17 Charter regarding hiring, if necessary, and authorizing the Human Resource Director, or the
18 Director’s designee, to waive limitations on the hours worked for employees appointed under
19 Charter, Section 10.104(16);

20 Action #3: Authorizing the Human Resources Director and the Director of
21 Transportation of the MTA, with the concurrence of the Controller, to create a paid leave
22 program for service critical MTA employees and other City employees who are not working
23 through April 17, 2020, to mitigate the financial impacts of the emergency;

24 Action #4: Suspending any local law requiring a restaurant use to have dine-in
25 operations;

1 Action #5: Prohibiting City policy and advisory bodies, other than the Board of
2 Supervisors and its committees, from holding public meetings during the period from March
3 18, 2020, through April 7, 2020, unless the Board of Supervisors, acting by written motion, or
4 the Mayor or the Mayor’s designee directs otherwise, based on a determination that a policy
5 body has an urgent need to take action to ensure public health, safety, or essential
6 government operations; and, be it

7 FURTHER MOVED, That the Board of Supervisors concurs with the following action
8 taken by the Mayor to meet the local emergency included in the Mayor’s Fourth Supplement
9 to the Proclamation, dated March 18, 2020, as the action is described in full in the Fourth
10 Supplement and summarized as follows:

11 Action #1: Establishing a temporary moratorium on eviction for non-payment of
12 rent by commercial tenants directly impacted by the COVID-19 crisis, and delegating to the
13 Office of Economic and Workforce Development the authority to adopt regulations and to
14 develop and publish guidelines consistent with the Order; and, be it

15 FURTHER MOVED, That the Board of Supervisors concurs with the following actions
16 taken by the Mayor to meet the local emergency included in the Mayor’s Fifth Supplement to
17 the Proclamation, dated March 23, 2020, as those actions are described in full in the Fifth
18 Supplement and summarized as follows:

19 Action #1: Withdrawing Section 1 of the Mayor’s Second Supplement
20 (establishing a temporary moratorium on eviction for non-payment of rent) and replacing it
21 with a revised temporary moratorium on eviction for non-payment of rent by residential
22 tenants directly impacted by the COVID-19 crisis;

23 Action #2: Establishing a moratorium on “no fault” evictions, with certain
24 exceptions;

1 Action #3: Allowing temporary medical or public health facilities related to the
2 City's COVID-19 response, as recommended by the Director of Health or the Director's
3 designee and authorized by the Mayor or the Mayor's designee, and waiving any provision in
4 City law that limits or restricts deployment of any emergency public health response and any
5 applicable local requirements for public notice, the filing or approval of a permit application, or
6 payment of fees;

7 Action #4: Allowing hotels to be used for residential purposes related to the
8 City's COVID-19 response without losing their designation as a hotel, waiving any provision in
9 City law that limits or restricts such conversions to residential use, and suspending Chapter 37
10 of the Administrative Code as applied to any rooms used for the City's COVID-19 response in
11 a hotel or other tourist or transient use property;

12 Action #5: Waiving the requirement that employers report in 2020 on prior year
13 health care expenditures under the Health Care Security Ordinance and Fair Chance
14 Ordinance compliance;

15 Action #6: Suspending various provisions of City law governing policy body
16 meetings until the termination of the emergency, unless the Mayor provides notice to the
17 Board of Supervisors that the suspension is no longer necessary and rescinds the Order;

18 Action #7: Suspending select provisions of City law governing public records for
19 pending and future records requests, until the termination of the emergency, unless the Mayor
20 provides notice to the Board of Supervisors that the suspension is no longer necessary and
21 rescinds the Order;

22 Action #8: Suspending any provision of City law that relates to meetings of
23 policy bodies or public records to the extent that it either (i) conflicts with an executive order of
24 the Governor issued in the exercise of his emergency powers, or (ii) would render it unlawful
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1 to comply with such a gubernatorial order without meeting additional requirements imposed by
2 City law.

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