

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

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3 **Emergency ordinance amending the Administrative Code to establish the COVID-19**
4 **Emergency 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. Declaration of Emergency under Charter Section 2.107.

14 (a) Section 2.107 of the Charter authorizes passage of an emergency ordinance in
15 cases of public emergency affecting life, health, or property, or for the uninterrupted operation
16 of any City or County department or office required to comply with time limitations established
17 by law. The Board of Supervisors hereby finds and declares that an actual emergency exists
18 that requires the passage of this emergency ordinance.

19 (b) On February 25, 2020, Mayor London Breed proclaimed a state of emergency
20 based on coronavirus (COVID-19) (hereinafter referred to as “the emergency”). On March 3,
21 2020, the Board of Supervisors concurred in the February 25 Proclamation and in the actions
22 taken by the Mayor to meet the emergency. On March 13, 2020, the Mayor issued a Second
23 Supplement to the February 25 Proclamation, finding that the emergency is causing severe
24 financial impacts on the local economy and on residents, including the substantial loss of
25 income due to loss of compensable work hours and wages, layoffs and business closures.
On March 16, 2020, the County Health Officer issued Order No. C19-07 directing people to

1 stay in their homes and requiring businesses to cease all non-essential operations at physical
2 locations in the County. Also on March 16, 2020, the Governor issued Executive Order N-28-
3 20, finding that the economic impacts of COVID-19 are significant and many Californians are
4 experiencing substantial losses of income as a result of business closures, the loss of hours
5 or wages, or layoffs due to COVID-19. On March 17, 2020, the Mayor issued a Fourth
6 Supplement to the February 25 Proclamation, finding that the emergency caused abrupt and
7 serious negative consequences to local businesses. Copies of these orders and directives
8 are on file with the Clerk of the Board of Supervisors in File No. 200339.

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

17 (d) For the foregoing reasons, the Board of Supervisors finds it essential to provide a
18 monthly income relief of at least \$500 for the duration of the COVID-19 pandemic for San
19 Francisco families with children or dependents under 18 that will be unable to benefit from
20 other public assistance programs, including the federal Coronavirus Aid, Relief, and Economic
21 Security (CARES) Act of 2020 (P.L. 116-136), or other federal or state assistance programs
22 specific to the COVID-19 pandemic for families or individuals. The severe economic impact of
23 the COVID-19 pandemic and the resulting public health response is an unprecedented
24 emergency in San Francisco that will affect the life and health of San Francisco families. The
25 disruption in their income impacts their ability to feed and clothe themselves, purchase

1 essentials to keep themselves healthy such as hand sanitizer, soap and cleaning products,
2 purchase educational materials and technology products that would educate their children
3 during school closures, and creates emotional and mental stress that could last long beyond
4 the immediate public health emergency. Additional financial assistance for San Francisco
5 families without other resources or sources of public assistance is an immediate need.
6

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

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

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

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

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

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

22 **(1) Responsible Agency.** *The Human Rights Commission shall administer the Fund.*
23 *The Human Rights Commission may also seek the assistance of other City agencies including, but not*
24 *limited to, the Office of Economic Workforce and Development. In coordination with the Controller’s*
25 *Office, the Human Rights Commission shall adopt rules for the distribution of monies in the Fund*

1 consistent with the purpose set forth in subsection (b) and the criteria set forth in subsection (d)(2).
2 The Human Rights Commission shall make these rules available on its website and at its office.

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

4 (A) In coordination with the Controller’s Office, the Human Rights
5 Commission’s rules regarding the distribution of monies from the Fund shall incorporate and develop
6 the following criteria:

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

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

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

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

19
20 Section 3. Severability. If any section, subsection, sentence, clause, phrase, or word
21 of this ordinance, or any application thereof to any person or circumstance, is held to be
22 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision
23 shall not affect the validity of the remaining portions or applications of the ordinance. The
24 Board of Supervisors hereby declares that it would have passed this ordinance and each and
25 every section, subsection, sentence, clause, phrase, and word not declared invalid or

1 unconstitutional without regard to whether any other portion of this ordinance or application
2 thereof would be subsequently declared invalid or unconstitutional.

3
4 Section 4. Effective Date and Expiration.

5 (a) Effective Date. Under Charter Section 2.107, this emergency ordinance shall be
6 effective upon approval by the Mayor, the expiration of the 10 day period for the Mayor to
7 approve or veto, or the Board of Supervisors' override of the Mayor's veto.

8 (b) Expiration. This emergency ordinance shall expire on the 61st day following its
9 effective date.

10
11 Section 5. Supermajority Vote Required.

12 In accordance with Charter Section 2.107, passage of this emergency ordinance by the
13 Board of Supervisors requires an affirmative vote of two-thirds of the Board of Supervisors.

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15 APPROVED AS TO FORM:
16 DENNIS J. HERRERA, City Attorney

17 By: /s/ Andrew Shen
18 ANDREW SHEN
19 Deputy City Attorney

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