

File No. 200340

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date April 15, 2020

Board of Supervisors Meeting

Date _____

Cmte Board

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Completed by: Linda Wong Date _____

Completed by: Linda Wong Date _____

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

2

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.

9

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

11

12 Section 1. Findings.

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

18
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.

11
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.

20 //
21 //
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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.

8
9 APPROVED AS TO FORM:
10 DENNIS J. HERRERA, City Attorney

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

14 n:\legana\as2020\2000427\01437668.docx

LEGISLATIVE DIGEST

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

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

Existing Law

Chapter 10, Article XIII of the Administrative Code establishes a number of funds that provide for the acceptance and expenditure of monies and goods for specified purposes.

Administrative Code Section 10.100-1 sets forth eight types of fund categories. This section specifies that for a category eight fund, the City will automatically appropriate available monies for expenditures consistent with the purpose and use of the fund, any interest earned on principal shall be credited to the fund, and any unexpended or unencumbered monies shall carry forward to the next fiscal year.

Amendments to Current Law

The proposed ordinance would create the COVID-19 Disaster Family Relief Fund ("Fund"), to provide financial support to San Francisco families with children or dependents who are 18 years old or younger impacted by the COVID-19 pandemic. This Fund would seek to provide financial assistance of at least \$500 a month for up to 5,000 San Francisco families.

The proposed ordinance would establish the Fund in Chapter 10, Article XIII of the Administrative Code and would designate it as a category eight fund. The Fund would be able to accept any legally available monies appropriated or donated to the Fund including, but not limited to, funds appropriated by the Board of Supervisors, funding made available from the federal or State governments, and private donations and grants.

The Human Rights Commission would administer the Fund and adopt rules regarding disbursement of the monthly stipends. The Human Rights Commission's rules would incorporate and further develop the following criteria for disbursement:

- the degree to which the family has been directly impacted by the economic hardship caused by the COVID-19 pandemic; and
- whether the family does not qualify for funding or payments provided by the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), or other federal or state assistance programs specific to the COVID-19 pandemic for families or individuals, due to the family's or a family member's citizenship or immigration status, lack of a social security number, or tax return filing history.

<p>Items 2, 3, & 4 Files 20-0339, 20-0340, & 20-0341 <i>(Continued from April 8, 2020)</i></p>	<p>Department: Human Rights Commission</p>
<p>EXECUTIVE SUMMARY</p>	
<p style="text-align: center;">Legislative Objectives</p> <ul style="list-style-type: none"> • <u>File 20-0339</u>: The proposed emergency ordinance would amend the Administrative Code to establish the COVID-19 Disaster Family Relief Fund as a “Category 8” fund. Under Administrative Code Section 10.100-1, monies in a Category 8 fund are automatically appropriated and do not require Board of Supervisors’ authorization for spending. The provisions of this ordinance expire sixty days after it becomes effective. • <u>File 20-0340</u>: The proposed ordinance contains the same provisions as File 20-0339 for establishing the COVID-19 Disaster Family Relief Fund. The provisions of this ordinance expire sixty days after the Mayor withdraws the state of emergency proclamation related to COVID-19. • <u>File 20-0341</u>: The proposed ordinance would appropriate \$10 million from the General Reserve to the Human Rights Commission. <p style="text-align: center;">Key Points</p> <ul style="list-style-type: none"> • Under the proposed ordinances, the Human Rights Commission would administer the COVID-19 Disaster Family Relief Fund. Monies in this fund would be available for up to 5,000 families with a minimum monthly disbursement of \$500. In evaluating applicants, the Department would assess (1) the severity of the financial hardship, (2) the extent to which the family qualifies for federal or state financial relief, and (3) how disbursement may impact eligibility for other public assistance. <p style="text-align: center;">Fiscal Impact</p> <ul style="list-style-type: none"> • File 20-0341 would appropriate \$10 million from the General Reserve to a General Fund account under the Human Rights Commission. As noted above, spending from the COVID-19 Disaster Family Relief Fund does not require Board of Supervisors’ approval. Upon termination of the fund, any remaining money will revert to the General Fund. <p style="text-align: center;">Policy Consideration</p> <ul style="list-style-type: none"> • According to the Controller’s March 31, 2020 presentation to the Board of Supervisors, the General Reserve currently contains \$150 million. <p style="text-align: center;">Recommendations</p> <ol style="list-style-type: none"> 1. Amend the proposed appropriation ordinance (File 20-0341) to clarify that once the COVID-19 Disaster Family Relief Fund is established, the Controller will transfer the funds from the Human Rights Commission account into the proposed COVID-19 Disaster Family Relief Fund. 2. Amend the proposed ordinances (File 20-0339, 20-0340, and 20-0341) to require a quarterly written report from the Human Rights Commission to the Board of Supervisors detailing the disbursement of funds from the COVID-19 Disaster Family Relief Fund. 3. Approval of the proposed ordinances, as amended, is a policy matter for the Board of Supervisors. 	

MANDATE STATEMENT

City Charter Section 2.105 states that all legislative acts shall be by ordinance, approved by a majority of the members of the Board of Supervisors. Passages of ordinances require two readings by the Board of Supervisors; ordinances are effective 30 days after passage.

City Charter Section 2.107 states that the Board of Supervisors may pass emergency ordinances on their first reading with a 2/3 affirmative vote. Emergency ordinances become effective upon approval by the Mayor, the expiration of the ten-day period for the Mayor to approve or veto, or the Board of Supervisors' override of the Mayor's veto. Emergency ordinances expire sixty days after their passage.

City Charter Section 9.105 states that amendments to the Annual Appropriations Ordinance, after the Controller certifies the availability of funds, are subject to Board of Supervisors approval by ordinance. As with other ordinances, passage of the ordinance requires two readings by the Board of Supervisors and the ordinance is effective 30 days after passage.

BACKGROUND

On February 25, 2020, Mayor London Breed proclaimed a state of emergency in response to the Novel Coronavirus 2019 Disease ("COVID-19") pandemic. On March 16, 2020, the San Francisco Health Officer issued Order C19-07b, generally requiring, among other things, residents to remain at home and most businesses to shutter. On March 31, 2020 the Health Officer issued Order C19-07b, which extends and tightens those rules through May 3, 2020. While necessary to maintain public health, these restrictions have imposed financial hardship to residents.

DETAILS OF PROPOSED LEGISLATION

File 20-0339: The proposed emergency ordinance would amend the Administrative Code to establish the COVID-19 Disaster Family Relief Fund as a "Category 8" fund. Under Administrative Code Section 10.100-1, monies in a Category 8 fund are automatically appropriated and do not require Board of Supervisors' authorization for spending. The provisions of this ordinance expire sixty days after it becomes effective.

File 20-0340: The proposed ordinance contains the same provisions as File 20-0339 for establishing the COVID-19 Disaster Family Relief Fund. The provisions of this ordinance expire sixty days after the Mayor withdraws the state of emergency proclamation related to COVID-19.

File 20-0341: The proposed ordinance would appropriate \$10 million from the General Reserve to the Human Rights Commission.

Disbursement of COVID-19 Disaster Family Relief Fund

Under the proposed ordinances, the Human Rights Commission would administer the COVID-19 Disaster Family Relief Fund. Monies in this fund would be available for up to 5,000 families¹ in

¹ Families must have at least one dependent that is 18 years old or younger.

San Francisco who are experiencing financial hardship, with a minimum disbursement of \$500 per month per family. In evaluating applicants, the Human Rights Commission would assess:

1. the severity of the financial hardship
2. the extent to which the family qualifies for federal or state financial relief
3. how disbursement may impact eligibility for other public assistance

The Human Rights Commission would conduct outreach through community-based organizations.

FISCAL IMPACT

File 20-0341 would appropriate \$10 million from the General Reserve to a General Fund account under the Human Rights Commission. The proposed ordinance should be amended to clarify that once the COVID-19 Disaster Family Relief Fund is established, the Controller will transfer the funds from that account into the proposed COVID-19 Disaster Family Relief Fund. As noted above, spending from the COVID-19 Disaster Family Relief Fund does not require Board of Supervisors' approval. Upon termination of the fund, any remaining money will revert to the General Fund.

POLICY CONSIDERATION

Administrative Code Section 10.60 (b) provides for a General Reserve equal to 2.75 percent of budgeted General Fund revenues in FY 2019-20. If the General Reserve is drawn down, the Administrative Code provides for appropriation of sufficient funds in the Annual Appropriation Ordinance to restore the required funding level. However, the Board of Supervisors may suspend this provision following a declaration of an emergency due to a natural disaster.

According to the Controller's March 31, 2020 presentation to the Board of Supervisors, the General Reserve currently contains \$150 million.

RECOMMENDATIONS

1. Amend the proposed appropriation ordinance (File 20-0341) to clarify that once the COVID-19 Disaster Family Relief Fund is established, the Controller will transfer the funds from that account into the proposed COVID-19 Disaster Family Relief Fund.
2. Amend the proposed ordinances (File 20-0339, 20-0340, and 20-0341) to require a quarterly written report from the Human Rights Commission to the Board of Supervisors detailing the disbursement of funds from the COVID-19 Disaster Family Relief Fund.
3. Approval of the proposed ordinances, as amended, is a policy matter for the Board of Supervisors.

CITY AND COUNTY OF SAN FRANCISCO
BOARD OF SUPERVISORS
BUDGET AND LEGISLATIVE ANALYST

1390 Market Street, Suite 1150, San Francisco, CA 94102 (415) 552-9292
FAX (415) 252-0461

[April 3, 2020](#)


TO: Budget and Finance Committee
FROM: Budget and Legislative Analyst 
SUBJECT: April 8, 2020 Special Budget and Finance Committee Meeting

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	20-0341	Appropriation - General Reserve - Human Rights Commission - \$10,000,000 - FY2019-20201

Items 1, 2, & 3 Files 20-0339, 20-0340, & 20-0341	Department: Human Rights Commission
EXECUTIVE SUMMARY	
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DETAILS OF PROPOSED LEGISLATION

File 20-0339: The proposed emergency ordinance would amend the Administrative Code to establish the COVID-19 Emergency Family Relief Fund as a "Category 8" fund. Under Administrative Code Section 10.100-1, monies in a Category 8 fund are automatically appropriated and do not require Board of Supervisors' authorization for spending. The provisions of this ordinance expire sixty days after it becomes effective.

File 20-0340: The proposed ordinance contains the same provisions as File 20-0339 for establishing the COVID-19 Emergency Family Relief Fund. The provisions of this ordinance expire sixty days after the Mayor withdraws the state of emergency proclamation related to COVID-19.

In addition, File 20-0341 is an appropriation ordinance pending before the Board of Supervisors that would appropriate \$10 million from the General Reserve to the Human Rights Commission.

Disbursement of COVID-19 Emergency Family Relief Fund

Under the proposed ordinances, the Human Rights Commission would administer the COVID-19 Emergency Family Relief Fund. Monies in this fund would be available for up to 5,000 families¹ in

¹ Families must have at least one dependent that is 18 years old or younger.

San Francisco who are experiencing financial hardship, with a minimum disbursement of \$500 per month per family. In evaluating applicants, the Human Rights Commission would assess:

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FISCAL IMPACT

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POLICY CONSIDERATION

Administrative Code Section 10.60 (b) provides for a General Reserve equal to 2.75 percent of budgeted General Fund revenues in FY 2019-20. If the General Reserve is drawn down, the Administrative Code provides for appropriation of sufficient funds in the Annual Appropriation Ordinance to restore the required funding level. However, the Board of Supervisors may suspend this provision following a declaration of an emergency due to a natural disaster.

According to the Controller's March 31, 2020 presentation to the Board of Supervisors, the General Reserve currently contains \$150 million.

RECOMMENDATIONS

1. Amend the proposed appropriation ordinance (File 20-0341) to clarify that once the COVID-19 Emergency Family Relief Fund is established, the Controller will transfer the funds from that account into the proposed COVID-19 Emergency Family Relief Fund.
2. Amend the proposed ordinances (File 20-0339, 20-0340, and 20-0341) to require a quarterly written report from the Human Rights Commission to the Board of Supervisors detailing the disbursement of funds from the COVID-19 Emergency Family Relief Fund.
3. Approval of the proposed ordinances, as amended, is a policy matter for the Board of Supervisors.



LONDON N. BREED
MAYOR
RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2020 FEB 27 PM 2:42

BY AK
**PROCLAMATION BY THE MAYOR DECLARING
THE EXISTENCE OF A LOCAL EMERGENCY**

WHEREAS, California Government Code Sections 8550 et seq., San Francisco Charter Section 3.100(13) and Chapter 7 of the San Francisco Administrative Code empower the Mayor to proclaim the existence of a local emergency, subject to concurrence by the Board of Supervisors as provided in the Charter, in the case of an emergency threatening the lives, property or welfare of the City and County or its citizens; and

WHEREAS, The United States has confirmed cases of individuals who have a severe acute respiratory illness caused by a novel (new) coronavirus (“COVID-19” or “the virus”) first detected in Wuhan, Hubei Province, People’s Republic of China (“China”). The virus was first reported in China on December 31, 2019. As of February 24, 2020, the World Health Organization (“WHO”) has reported approximately 77,262 confirmed cases of COVID-19 in China, more than the number of confirmed cases of Severe Acute Respiratory Syndrome (SARS) during its 2003 outbreak. An additional 2,069 cases have been confirmed across 29 other countries; in many of these cases, the infected individuals had not visited China. More than 2,500 people have died from the virus, including 23 outside of China. The number of confirmed cases has continued to escalate dramatically over a short period of time; and

WHEREAS, WHO officials now report that sustained human-to-human transmission of the virus is occurring. Transmission from an asymptomatic individual has been documented. Although the majority of individuals infected with COVID-19 recover from the disease without special treatment, approximately 1 in 6 may become seriously ill. Manifestations of severe disease have included severe pneumonia, acute respiratory distress syndrome, septic shock, and multi-organ failure. Approximately 2% of the people confirmed infected with COVID-19 have died; and

WHEREAS, On January 30, 2020, WHO declared the COVID-19 outbreak a public health emergency of international concern, and on January 31, 2020, the U.S. Department of Health and Human Services declared a Public Health Emergency for the United States; and

WHEREAS, The Centers for Disease Control and Prevention (“CDC”) has determined that the virus presents a serious public health threat, requiring coordination among state



and local health departments to ensure readiness for potential health threats associated with the virus; and

WHEREAS, The CDC has issued guidance to local and State health departments, including San Francisco's Department of Public Health ("DPH"), concerning risk assessment and public health management of persons with potential exposure to COVID-19. These guidelines require DPH to make extraordinary efforts to monitor ongoing communicable disease threats and prepare for management of individuals who may have been exposed to COVID-19; and

WHEREAS, DPH, the Department of Emergency Management, and other City partners have been working successfully and diligently to implement CDC guidelines, but now require additional tools and resources to protect the public health given the current state of the epidemic and the need for a sustained response; and

WHEREAS, The City's Director of Public Health has determined that DPH cannot comply with the CDC's guidance without immediate action beyond the City's ordinary response capabilities, including directing personnel and resources from other City departments to assist with the ongoing and developing threat of COVID-19; and

WHEREAS, Conditions of extreme peril to the safety of persons and property have arisen; and

WHEREAS, The Mayor does hereby proclaim that the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency,

NOW, THEREFORE,

I, London N. Breed, Mayor of the City and County of San Francisco, proclaim the existence, effective immediately on February 25, 2020, of an emergency within the City and County threatening the lives, property or welfare of the City and County and its citizens;

It is further ordered that:

(1) All City and County officers and employees take all steps requested by the Director of Public Health to prevent the spread of COVID-19 and to prevent or alleviate illness or death due to the virus; and



(2) All City and County officers and employees take all steps requested by the Director of Public Health to qualify the City for reimbursement from the Federal Emergency Management Agency and for other state and federal relief as may be available to reimburse the City for the expenses it incurs in addressing this emergency; and

I further proclaim and order that:

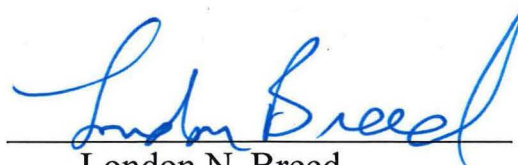
By the terms of this emergency declaration the government of the City and County of San Francisco is organized under the provisions of the Incident Command System (ICS), which system forms an essential part of the City's Emergency Operations Plan. The head of each City department and agency shall observe his or her proper relationship in the command structure outlined by the system and shall respond to the orders and requests of the Lead Department designated to exercise supervision over his or her department during the course of this emergency;

Because of the extreme peril to its residents and visitors, the Governor of the State of California is hereby requested to include the area of the City and County of San Francisco in any emergency declaration by the State, and is further requested to ensure that the City and County is included in any emergency declaration that may be issued by the President of the United States.

And I further proclaim and order that:

This declaration of a local emergency shall continue to exist until it is terminated by the Mayor or the Board of Supervisors. All departments of the City and County of San Francisco are strictly ordered to cooperate with the requests for material and personnel resources that may emanate from the Incident Command Staff of the City and County which is located in the Emergency Command Center of the City and County of San Francisco.

DATED: 2/25/2020


London N. Breed
Mayor of San Francisco



LONDON N. BREED
MAYOR
BOARD OF SUPERVISORS
SAN FRANCISCO

2020 MAR 11 PM 1:53

BY AK

**SUPPLEMENT TO MAYORAL PROCLAMATION DECLARING THE
EXISTENCE OF A LOCAL EMERGENCY DATED FEBRUARY 25, 2020**

WHEREAS, California Government Code Sections 8550 et seq., San Francisco Charter Section 3.100(14) and Chapter 7 of the San Francisco Administrative Code empower the Mayor to proclaim the existence of a local emergency, subject to concurrence by the Board of Supervisors as provided in the Charter, in the case of an emergency threatening the lives, property or welfare of the City and County or its citizens; and

WHEREAS, On February 25, 2020, the Mayor issued a Proclamation (the "Proclamation") declaring a local emergency to exist in connection with the imminent spread within the City of a novel (new) coronavirus ("COVID-19"); and

WHEREAS, On March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions taken by the Mayor to meet the emergency; and

WHEREAS, On March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency to exist within the State due to the threat posed by COVID-19; and

WHEREAS, On March 6, 2020, the Local Health Officer declared a local health emergency under Section 101080 of the California Health and Safety Code, and the Board of Supervisor concurred in that declaration on March 10, 2020; and

WHEREAS, On March 6, 2020, the City issued public health guidance to encourage social distancing to disrupt the spread of COVID-19 and protect community health; and

WHEREAS, On March 7, 2020, the Local Health Officer ordered certain City facilities not to hold non-essential group events of more than 50 people for the two weeks from the date of the order and prohibited visitors from Laguna Honda Hospital; and

WHEREAS, On March 7, 2020, the Department of Human Resources issued guidance to minimize COVID-19 exposure risk for City employees who provide essential services to the local community, in particular during the current local emergency; and

WHEREAS, On March 11, 2020, the Public Health Officer issued an order prohibiting most public gatherings of 1,000 people or more for a period of two weeks; and



WHEREAS, There are currently 14 confirmed cases of COVID-19 within the City, more than 168 confirmed cases in California, and four COVID-19-related deaths in California; and

WHEREAS, Containing the spread of COVID-19 may require City non-profit service providers to close or may otherwise impact their ability to continue to provide services, and it is necessary that the City ensure the continuing financial stability of these providers so they are able to provide vital services to the City and the public in the future; and

WHEREAS, Disruptions caused by COVID-19 may impact the ability of City boards and commissions to meet, and members of such bodies who are particularly at risk of serious illness if they contract COVID-19 may be unable to attend meetings in person, and

WHEREAS, It is in the public interest to support City employees through this public health emergency by ensuring they have sufficient paid time off balances to remain out of the workplace if they or their family members are sick, quarantined, or otherwise impacted by the COVID-19 virus or actions taken in response to public health guidance or orders related to COVID-19, so they can return to work as soon as possible and function at full capacity in the service of the City and its residents, and

WHEREAS, The COVID-19 outbreak has already caused a significant negative impact on businesses in the City: conferences have been cancelled, hotel vacancy is unusually high, many of the City's largest employers have requested their employees work from home, all of which reduce economic activity in the City; the San Francisco Chamber of Commerce reports estimates of a 50%-70% reduction in gross receipts from some small businesses in the first weeks of the COVID-19 outbreak; given the economic burden on businesses in the City resulting from COVID-19, it is in the public interest to provide relief to businesses by delaying payment of City license fees and certain taxes; and

WHEREAS, The Mayor does hereby proclaim that the conditions of extreme peril exist and continue to warrant and necessitate the existence of a local emergency,



NOW, THEREFORE,

I, London N. Breed, Mayor of the City and County of San Francisco, proclaim that there continues to exist an emergency within the City and County threatening the lives, property or welfare of the City and County and its citizens;

In addition to the measures outlined in the Proclamation, it is further ordered that:

- (1) The Controller shall develop and issue a policy to allow the City to continue to provide funding under existing agreements to non-profit organizations that are unable to provide services for the City due to disruptions related to COVID-19 during the local emergency; the Controller shall determine the conditions that such funding will be available under written guidelines made available to the public; provisions of service agreements and of local law are suspended to the extent they would impede such continued payments authorized under the policy promulgated by the Controller; and
- (2) Deadlines set by local law requiring City policy bodies, including the Board of Supervisors and City boards and commissions, to take action within a certain time period are suspended during the emergency and for 14 days following the termination of the local emergency, if such policy bodies are unable to meet and comply with such deadlines due to the emergency; and
- (3) Sections 2.104 and 4.104 of the Charter requiring members of City policy bodies to attend meetings in person are suspended during the emergency; and
- (4) Sections A8.364, A8.440, and A8.441 of the Charter, Sections 16.9-29A and 16.9-29B of the Administrative Code, and Civil Service Commission Rules 120, 220, 320, and 420 regarding the accrual and use of sick leave with pay and vacation are waived to the extent determined to be necessary by the Department of Human Resources to implement a program allowing the City to advance sick leave with pay and vacation to employees if they are (a) members of vulnerable populations as defined in the March 6, 2020, public health guidance; (b) in self-isolation or quarantine on the advice of a medical provider or public official; (c) suffering from an acute respiratory illness or flu-like symptoms; (d) needed to provide care for a qualifying family member described by (a)-(c); or (e) otherwise directly impacted by the COVID-19 virus or actions taken in response to public health guidance or orders related to COVID-19, as determined by the Human Resources Director. The Department of Human Resources may issue guidance and implement this program; and



(5) The due date for license fees otherwise due on March 31, 2020, under Section 76.1 of Article 2 of the Business and Tax Regulations Code, is extended to June 30, 2020, and the deadline for the Tax Collector to issue notice of such due date is extended from February 28, 2020, to May 31, 2020; and

(6) The quarterly estimated tax payments and filings of Gross Receipts Taxes, Payroll Expense Taxes, Early Care and Education Commercial Rents Taxes, and Homelessness Gross Receipts Taxes that would otherwise be due on April 30, 2020, under Section 6.9-3(a)(3) of Article 6 of the Business and Tax Regulations Code, are waived for taxpayers or combined groups that had combined San Francisco gross receipts in calendar year 2019 of \$10,000,000 or less. These quarterly estimated tax liabilities must instead be paid along with that taxpayer or combined group's annual tax payments for tax year 2020, which will generally be due by March 1, 2021; and

(7) All City departments shall comply with orders issued by the City Administrator regarding the purchase of commodities and services required to address the emergency.

DATED: March 11, 2020

A handwritten signature in blue ink that reads "London N. Breed".

London N. Breed
Mayor of San Francisco



LONDON N. BREED
RE MAYOR
BOARD OF SUPERVISORS
SAN FRANCISCO

2020 MAR 13 PM 4:47

BY eu

**SECOND SUPPLEMENT TO MAYORAL PROCLAMATION DECLARING THE
EXISTENCE OF A LOCAL EMERGENCY DATED FEBRUARY 25, 2020**

WHEREAS, California Government Code Sections 8550 et seq., San Francisco Charter Section 3.100(14) and Chapter 7 of the San Francisco Administrative Code empower the Mayor to proclaim the existence of a local emergency, subject to concurrence by the Board of Supervisors as provided in the Charter, in the case of an emergency threatening the lives, property or welfare of the City and County or its citizens; and

WHEREAS, On February 25, 2020, the Mayor issued a Proclamation (the "Proclamation") declaring a local emergency to exist in connection with the imminent spread within the City of a novel (new) coronavirus ("COVID-19"); and

WHEREAS, On March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions taken by the Mayor to meet the emergency; and

WHEREAS, On March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency to exist within the State due to the threat posed by COVID-19; and

WHEREAS, On March 6, 2020, the Local Health Officer declared a local health emergency under Section 101080 of the California Health and Safety Code, and the Board of Supervisors concurred in that declaration on March 10, 2020; and

WHEREAS, On March 6, 2020, the City issued public health guidance to encourage social distancing to disrupt the spread of COVID-19 and protect community health; and

WHEREAS, On March 7, 2020, the Local Health Officer ordered certain City facilities not to hold non-essential group events of more than 50 people for the two weeks from the date of the order and prohibited visitors from Laguna Honda Hospital; and

WHEREAS, On March 7, 2020, the Department of Human Resources issued guidance to minimize COVID-19 exposure risk for City employees who provide essential services to the local community, in particular during the current local emergency; and

WHEREAS, On March 11, 2020, the Local Health Officer issued an order prohibiting most public gatherings of 1,000 people or more for a period of two weeks; and



WHEREAS, On March 11, 2020, the Mayor issued a supplement to the Proclamation, ordering additional measures to respond to the emergency; and

WHEREAS, On March 13, 2020, the Local Health Officer issued an order prohibiting most mass gatherings in any space with a maximum occupant load of 100 people or more; and

WHEREAS, There are currently 21 confirmed cases of COVID-19 within the City, more than 250 confirmed cases in California, and five COVID-19-related deaths in California; and

WHEREAS, COVID-19 is causing and is expected to continue to cause serious negative impacts on the local economy and financial impacts to residents, including the substantial loss of income due to loss of compensable work hours or wages, layoffs, and business closures; and

WHEREAS, Workers who experience a loss of income as a result of illness, layoffs, reduced hours, or the need to care for a sick or otherwise dependent family member are more likely to be unable to stay current on rent payments; and

WHEREAS, There is a severe shortage of affordable rental housing in the City, people who are evicted are at risk of homelessness, and homeless individuals are less equipped to mitigate risks related to COVID-19; and

WHEREAS, Displacing renters who are unable to pay rent due to these types of financial impacts will worsen the present crisis by making it difficult for them to follow the health guidance of social distancing and isolation, which will put tenants and many others at great risk; and

WHEREAS, It is in the public interest to take steps to ensure that people remain housed during this public health emergency; and

WHEREAS, Loss of income as a result of the global COVID-19 pandemic may inhibit San Francisco residents and businesses from fulfilling their financial obligations including public utility payments such as water and sewer charges; and



WHEREAS, Ensuring that all people in San Francisco continue to have access to running water during this public health crisis to enable people to regularly wash their hands and maintain access to clean drinking water will help to prevent the spread of COVID-19 and prevent or alleviate illness or death due to the virus; and

WHEREAS, Ensuring that all customers in San Francisco that receive power services from the San Francisco Public Utilities Commission continue to have access to electricity so they are able to receive important COVID-19 information, keep critical medical equipment functioning, and utilize power as needed will help to prevent the spread of COVID-19 and prevent or alleviate illness or death due to the virus; and

WHEREAS, Private donors have expressed an interest in donating funds to the City to support the COVID-19 response efforts, and the City intends to use those funds in an expeditious manner to provide grants to small business and for other purposes related to the emergency response; and

WHEREAS, Many City employees have been reassigned from their normal duties or deployed as Disaster Service Workers to assist in the emergency response effort; other City employees must prioritize and for many employees devote all their work time to work related to the emergency response; City departments have been directed to support telecommuting to the extent possible and telecommuting employees may not have access to City records; these changes to the typical functioning of the City workforce and workplace have burdened the City's ability to respond to requests for public records; temporarily suspending the immediate disclosure request provision of the Sunshine Ordinance will allow the City to devote limited staff resources to emergency services and providing services to the public; the regular response deadlines contained in the California Public Records Act will apply; and

WHEREAS, The Mayor does hereby proclaim that the conditions of extreme peril exist and continue to warrant and necessitate the existence of a local emergency,

NOW, THEREFORE,

I, London N. Breed, Mayor of the City and County of San Francisco, proclaim that there continues to exist an emergency within the City and County threatening the lives, property or welfare of the City and County and its citizens;



In addition to the measures outlined in the Proclamation and in the March 11, 2020 Supplement to the Proclamation, it is further ordered that:

(1) A temporary moratorium on eviction for non-payment of rent by residential tenants directly impacted by the COVID-19 crisis is imposed as follows:

(a) Notwithstanding Section 37.9(a)(1) of the Administrative Code, if a residential tenant has not timely made a rent payment that was due on or after March 13, 2020, the landlord may not recover possession of the unit under Section 37.9(a)(1) if the tenant has provided notice to the landlord within 30 days after the date that rent was due that the tenant is unable to pay rent due to financial impacts related to COVID-19.

(b) For purposes of this Order, “financial impacts” means a substantial loss of household income due to business closure, loss of compensable hours of work or wages, layoffs, or extraordinary out-of-pocket medical expenses. A financial impact is “related to COVID-19” if it was caused by the COVID-19 pandemic, the Mayor’s Proclamation, the Local Health Officer’s Declaration of Local Health Emergency, or public health orders or recommended guidance related to COVID-19 from local, state, or federal authorities.

(c) Within one week of providing notice under subsection (a), the tenant shall provide the landlord documentation or other objectively verifiable information that due to financial impacts related to COVID-19, the tenant is unable to pay rent. If the tenant does not provide evidence of financial impacts related to COVID-19, the landlord may attempt to proceed under Section 37.9(a)(1).

(d) This Order shall last for a period of 30 days, until the Proclamation of Local Emergency is terminated, or upon further Order from the Mayor, whichever occurs sooner. The Mayor may extend this Order by an additional period of 30 days if conditions at that time warrant extension. The Mayor shall provide notice of the extension through an Executive Order posted on the Mayor’s website and delivered to the Clerk of the Board of Supervisors.

(e) Upon expiration or termination of this Order, a tenant who provided the notice required under subsection (a) shall have up to six months to pay the rent owed to the landlord, before the landlord may recover possession due to those missed rent payments



under Section 37.9(a)(1). The tenant shall pay the rent in one month if able to do so; however, if the tenant remains unable to pay the rent due to the financial impacts related to COVID-19, the tenant may provide the landlord another notice and additional documentation pursuant to subsections (a) and (c) and thereby extend the payment date by an additional one month. The tenant may provide additional notices and documentation each month to further extend the deadline, but under no circumstances shall the landlord be required to extend the deadline beyond six months after the expiration or termination of this Order. At the end of the applicable extension period, if the tenant still has not paid all outstanding rent, Section 37.9(a)(1) shall apply.

(f) The Director of the Mayor's Office of Housing and Community Development or the Director's designee, in consultation with the San Francisco Rent Board as appropriate, is delegated authority to develop and publish guidelines consistent with this Order, including developing forms and recommendations of the types of documentation that may show financial impacts related to COVID-19; and

(2) The San Francisco Public Utilities Commission ("SFPUC") shall suspend for 60 days: (a) the discontinuation or shut off of water service for residents and businesses in the City for non-payment of water and sewer bills, (b) the imposition of late payment penalties or fees for delinquent water and/or sewer bills, (c) the discontinuation or shut off of power service for SFPUC Hetch Hetchy Power Customers in San Francisco for non-payment of power bills, (d) the imposition of late payment penalties or fees for delinquent Hetch Hetchy Power Customer accounts, and (e) the return of delinquent CleanPowerSF Customers to PG&E generation service for failure to pay CleanPowerSF charges; and

(3) Sections 150.4, 150.5, and 150.6 of the Public Works Code regarding the initiation of lien proceedings for delinquent water and sewer bills are suspended for the duration of the local emergency; and

(4) The Controller is authorized to accept and expend funds in any amount contributed by individuals or entities for the purposes of assisting the City's efforts to respond to the COVID-19 emergency. Notwithstanding any authorization in the Administrative Code or other City laws to accept and expend funds, all donations, grants, gifts and bequests of money to the City for the purpose of responding to the emergency shall be accepted by the Controller, and expenditures of such funds shall be subject to the Controller's direction. Funds accepted by the Controller may be expended by the City to provide



shelter, food, financial assistance including but not limited to loans, grants, or rent, mortgage and utility payments, and other assistance to individuals and families in the City who are impacted by the emergency; to replace, repair, and rebuild public buildings, infrastructure, and other assets for use in the City's efforts to respond to the emergency; to issue and administer grants and/or interest-free loans to small businesses in the City to compensate for economic harms resulting from COVID-19; and for other City efforts to address the impacts of COVID-19. The Controller may coordinate with or delegate responsibility to any other department or agency to develop criteria for and administer the expenditure of funds. Provisions of existing agreements and of local law are suspended to the extent they would impede the disbursement of funds to outside entities for the purposes described above; and

(5) Sections 67.25(a) and 67.25(b) of the Administrative Code are suspended for the duration of the local emergency.

DATED: March 13, 2020

A handwritten signature in cursive script, reading "London N. Breed".

London N. Breed
Mayor of San Francisco



2020 MAR 17 PM 2:51 2020 MAR 17 PM

BOS-11
COB/Adler

**THIRD SUPPLEMENT TO MAYORAL PROCLAMATION ^{AK} ~~DECLARING THE~~
EXISTENCE OF A LOCAL EMERGENCY DATED FEBRUARY 25, 2020**

WHEREAS, California Government Code Sections 8550 et seq., San Francisco Charter Section 3.100(14) and Chapter 7 of the San Francisco Administrative Code empower the Mayor to proclaim the existence of a local emergency, subject to concurrence by the Board of Supervisors as provided in the Charter, in the case of an emergency threatening the lives, property or welfare of the City and County or its citizens; and

WHEREAS, On February 25, 2020, the Mayor issued a Proclamation (the "Proclamation") declaring a local emergency to exist in connection with the imminent spread within the City of a novel (new) coronavirus ("COVID-19"); and

WHEREAS, On March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions taken by the Mayor to meet the emergency; and

WHEREAS, On March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency to exist within the State due to the threat posed by COVID-19; and

WHEREAS, On March 6, 2020, the Local Health Officer declared a local health emergency under Section 101080 of the California Health and Safety Code, and the Board of Supervisors concurred in that declaration on March 10, 2020; and

WHEREAS, On March 6, 2020, the City issued public health guidance to encourage social distancing to disrupt the spread of COVID-19 and protect community health; and

WHEREAS, On March 7, 2020, the Local Health Officer ordered certain City facilities not to hold non-essential group events of more than 50 people for the two weeks from the date of the order and prohibited visitors from Laguna Honda Hospital; and

WHEREAS, On March 7, 2020, the Department of Human Resources issued guidance to minimize COVID-19 exposure risk for City employees who provide essential services to the local community, in particular during the current local emergency; and

WHEREAS, On March 11, 2020 and on March 13, 2020, the Mayor issued supplements to the Proclamation, ordering additional measures to respond to the emergency; and



WHEREAS, On March 16, 2020, the Local Health Officer issued an order requiring most people to remain at home subject to certain exceptions including obtaining essential goods such as food and necessary supplies, and requiring the closure of non-essential businesses, through April 7, 2020; and

WHEREAS, There are currently 43 confirmed cases of COVID-19 within the City, more than 600 confirmed cases in California, and there have been 11 COVID-19-related deaths in California; and

WHEREAS, It is in the public interest that the City take steps to encourage employees in the City to stay home when they are sick or caring for a sick family member, and providing financial assistance to City employers who are willing to increase paid sick leave benefits and pass the City's contribution on to employees will reduce the financial and health impacts associated with the COVID-19 pandemic; and

WHEREAS, Many City employees have been reassigned from their normal duties or deployed as Disaster Service Workers to assist in the emergency response effort; other City employees must prioritize and for many employees devote all their work time to the emergency response; City departments have been directed to support telecommuting to the extent possible; the City must hire workers, such as nurses, to perform critical duties necessary to respond to the pandemic; in light of the need for quick action to deploy the City workforce effectively in these emergent circumstances and to protect the City workforce from health impacts caused by COVID-19, it is in the public interest to temporarily waive certain provisions of the City's civil service rules and rules regarding hiring to the extent such modifications are necessary to respond to the emergency; and

WHEREAS, Many City workers affected by the shelter in place order cannot perform their duties remotely and must stay home, and it is in the public interest to support such employees through the duration of the order with paid leave; and

WHEREAS, The March 16, 2020 order of the Local Health Officer prohibited restaurants from operating in-person dining but allowed restaurants to continue operating delivery and takeout; removing barriers in local law that would otherwise prohibit a restaurant from operating a delivery or take-out only business is necessary to support these restaurants and to conform with the intent of the Local Health Officer's order; and



WHEREAS, Given the March 16, 2020 shelter in place order of the Local Health Officer restricting movement within the City, the ongoing threat of community spread of COVID-19, and the need to reduce social interaction to control that spread, only essential meetings of the City's boards and commissions should be held during the Local Health Officer's shelter in place order; and

WHEREAS, The Mayor does hereby proclaim that the conditions of extreme peril exist and continue to warrant and necessitate the existence of a local emergency,

NOW, THEREFORE,

I, London N. Breed, Mayor of the City and County of San Francisco, proclaim that there continues to exist an emergency within the City and County threatening the lives, property or welfare of the City and County and its citizens;

In addition to the measures outlined in the Proclamation, in the March 11, 2020 Supplement to the Proclamation, and in the March 13, 2020 Second Supplement to the Proclamation, it is further ordered that:

(1) The Director of the Office of Economic and Workforce Development is authorized to implement a program under which the City will provide financial assistance to employers that agree to supplement their existing paid sick leave policies by providing additional paid sick leave to employees who work in the City or on City-owned property. Funds the City provides employers under this program shall be designated to fund additional paid sick leave the employer provides. The Director is delegated authority to develop and promulgate criteria for employer and employee eligibility and other rules related to the program, including but not limited to the amount the City will fund per eligible employee. The program shall last for an initial period of 90 days, for sick leave taken on or after March 16, 2020. The Mayor may extend the program if conditions warrant. The Mayor shall provide notice of the extension through an Executive Order posted on the Mayor's website and delivered to the Clerk of the Board of Supervisors; and

(2) The Human Resources Director or designee, and the Director of Transportation or designee for San Francisco Municipal Transportation Agency service critical employees, is delegated authority during the local emergency to temporarily waive provisions of Civil Service Commission Rules and provisions of the Charter regarding hiring, if the Human Resources Director or Director of Transportation deems such waiver necessary to



comply with public health orders issued by local, state, or federal health officials or to ensure continuity of City operations in response to the emergency. In addition, the Human Resources Director or designee is delegated authority during the local emergency to temporarily waive the limitation on the hours worked for employees appointed under Charter section 10.104(16). This Order ratifies any prior such waivers; and

(3) The Director of Transportation for San Francisco Municipal Transportation Agency service critical employees is authorized, with concurrence of the Controller, to create a paid leave program for those employees who are not working, including working from home, through April 17, 2020 to mitigate the financial impacts of the emergency, and for all other City employees the Human Resources Director is authorized, with concurrence of the Controller, to create a paid leave program for employees who are not working, including working from home, through April 17, 2020, to mitigate the financial impacts of the emergency; and

(4) Any local law requiring a restaurant use to have dine-in operations is suspended. Consistent with the shelter in place order of the Local Health Officer, restaurants may prepare and provide ready-to-eat cooked foods to customers for take-out or delivery purposes without providing an option for consumption on the premises, for the duration of that order as it may be modified or extended; and

(5) From March 18, 2020 through April 7, 2020, City policy and advisory bodies shall not hold public meetings, unless the Board of Supervisors, acting by written motion, or the Mayor or the Mayor's designee directs otherwise, based on a determination that a policy body has an urgent need to take action to ensure public health, safety, or essential government operations. This order applies to all City commissions, boards, and advisory bodies other than the Board of Supervisors and its committees.

DATED: March 17, 2020

A handwritten signature in blue ink that reads "London Breed".

London N. Breed
Mayor of San Francisco



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2020 MAR 18 PM 5:00

**FOURTH SUPPLEMENT TO MAYORAL PROCLAMATION DECLARING
THE EXISTENCE OF A LOCAL EMERGENCY DATED FEBRUARY 25, 2020**

WHEREAS, California Government Code Sections 8550 et seq., San Francisco Charter Section 3.100(14) and Chapter 7 of the San Francisco Administrative Code empower the Mayor to proclaim the existence of a local emergency, subject to concurrence by the Board of Supervisors as provided in the Charter, in the case of an emergency threatening the lives, property or welfare of the City and County or its citizens; and

WHEREAS, On February 25, 2020, the Mayor issued a Proclamation (the "Proclamation") declaring a local emergency to exist in connection with the imminent spread within the City of a novel (new) coronavirus ("COVID-19"); and

WHEREAS, On March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions taken by the Mayor to meet the emergency; and

WHEREAS, On March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency to exist within the State due to the threat posed by COVID-19; and

WHEREAS, On March 6, 2020, the Local Health Officer declared a local health emergency under Section 101080 of the California Health and Safety Code, and the Board of Supervisors concurred in that declaration on March 10, 2020; and

WHEREAS, On March 6, 2020, the City issued public health guidance to encourage social distancing to disrupt the spread of COVID-19 and protect community health; and

WHEREAS, On March 7, 2020, the Local Health Officer ordered certain City facilities not to hold non-essential group events of more than 50 people for the two weeks from the date of the order and prohibited visitors from Laguna Honda Hospital; and

WHEREAS, On March 7, 2020, the Department of Human Resources issued guidance to minimize COVID-19 exposure risk for City employees who provide essential services to the local community, in particular during the current local emergency; and

WHEREAS, On March 11, 2020, March 13, 2020, and March 17, 2020, the Mayor issued supplements to the Proclamation, ordering additional measures to respond to the emergency; and



WHEREAS, On March 16, 2020, the Local Health Officer issued an order requiring most people to remain at home subject to certain exceptions including obtaining essential goods such as food and necessary supplies, and requiring the closure of non-essential businesses, through April 7, 2020; and

WHEREAS, On March 16, 2020, the Governor issued Executive Order N-28-20, finding that it is necessary to promote stability among commercial tenancies to further public health and mitigate the economic pressures of the emergency, and waiving certain provisions of state law so that local jurisdictions may achieve these purposes; and

WHEREAS, There are currently 51 confirmed cases of COVID-19 within the City, more than 850 confirmed cases in California, and there have been 15 COVID-19-related deaths in California; and

WHEREAS, COVID-19 is causing and is expected to continue to cause abrupt serious negative impacts on the local economy and abrupt serious negative financial impacts to local businesses, including, but not limited to, reductions in income due to lower customer demand or forced closures; and

WHEREAS, These abrupt serious negative impacts will irreparably harm local businesses and the residents they employ, and will jeopardize public health; and

WHEREAS, It is in the public interest to take immediate steps to ensure that local businesses can continue to operate, either as essential businesses now under the shelter in place order or after the restrictions in the shelter in place order are lifted; and

WHEREAS, The Mayor proclaims that the conditions of extreme peril exist and continue to warrant and necessitate the existence of a local emergency,

NOW, THEREFORE,

I, London N. Breed, Mayor of the City and County of San Francisco, proclaim that there continues to exist an emergency within the City and County threatening the lives, property or welfare of the City and County and its citizens;

In addition to the measures outlined in the Proclamation, in the March 11, 2020 Supplement to the Proclamation, the March 13, 2020 Second Supplement to the



Proclamation, and the March 17, 2020 Third Supplement to the Proclamation, it is further ordered that:

A temporary moratorium on eviction for non-payment of rent by commercial tenants directly impacted by the COVID-19 crisis is imposed as follows:

(a) This Order applies only to commercial tenants registered to do business in San Francisco under Article 12 of the Business and Tax Regulations Code with 2019 combined worldwide gross receipts for tax year 2019 for purposes of Article 12-A-1 of the Business and Taxation Code equal to or below \$25 million. This figure shall be prorated in the case of businesses that were not operating for the entire 2019 tax year.

(b) If a covered commercial tenant fails to make a rent payment that was due on or after March 17, 2020, then the landlord may not recover possession of the unit due to the missed or delayed payment, without first providing the tenant written notice of the violation and an opportunity to cure the violation, as set forth in subsection (c).

(c) The written notice from the landlord required under subsection (b) shall specify a cure period of at least one month from the date the tenant receives the notice, but landlords are encouraged to offer a longer period. Upon receipt of the notice, the tenant shall have the full cure period to either (1) pay the rent, or (2) provide documentation to the landlord showing that the tenant is unable to pay the rent due to a financial impact related to COVID-19. For purposes of this Order, the term "financial impact" means a substantial decrease in business income due to illness or other disruption, reduced open hours or reduced consumer demand, or temporary closure of the business, including temporary closure required to comply with restrictions or in response to restrictions under the shelter in place or other orders of the Health Officer. A financial impact is "related to COVID-19" if caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19.

(d) If the tenant provides the landlord documentation of the tenant's inability to pay rent due to a financial impact related to COVID-19, then the cure period shall be extended by one month, so that the landlord and tenant can discuss the matter in good faith and attempt to develop a payment plan for the tenant to pay the missed rent. If the landlord and tenant cannot agree to a payment plan, then the tenant shall, on or before the new date that the cure period will expire, at the one-month mark, either (1) pay the rent, or (2) provide additional documentation of its continuing inability to pay due to a



financial impact related to COVID-19, in which case the cure period shall extend by one more month. Thereafter, the tenant may obtain additional monthly extensions of the cure period by providing updated documentation each month, but under no circumstances shall the landlord be prohibited from evicting for non-payment for more than six months after the date the rent was originally due. If the tenant has not paid all outstanding rent at the end of the applicable cure period, then the landlord may proceed with the eviction for non-payment.

(e) Nothing in this Order relieves a tenant of the obligation to pay rent, nor restrict a landlord's ability to recover the rent due through means other than an eviction for non-payment.

(f) This Order will last for a period of 30 days, until the Proclamation of Local Emergency is terminated, or upon further Order from the Mayor, whichever occurs sooner. The cure period requirements of subsections (c) and (d) shall survive the expiration or termination of this Order for any missed rent payment that occurred prior to the expiration or termination of the Order. The Mayor may extend this Order by an additional period of 30 days if emergency conditions at that time warrant extension. The Mayor shall provide notice of the extension through an Executive Order posted on the Mayor's website and delivered to the Clerk of the Board of Supervisors.

(g) The Office of Economic and Workforce Development ("OEWD") is delegated authority to adopt regulations and to develop and publish guidelines consistent with this Order, including forms and recommendations of the types of documentation that may show financial impacts related to COVID-19. OEWD shall also have the authority to grant waivers from this Order to landlords who can demonstrate that being unable to evict would cause them a significant financial hardship (for example, default on debt or similar enforceable obligation).

DATED: March 18, 2020

A handwritten signature in blue ink that reads "London Breed".

London N. Breed
Mayor of San Francisco



ORDER OF THE HEALTH OFFICER No. C19-07

**ORDER OF THE HEALTH OFFICER
OF THE CITY AND COUNTY OF SAN FRANCISCO DIRECTING
ALL INDIVIDUALS LIVING IN THE COUNTY TO SHELTER AT THEIR
PLACE OF RESIDENCE EXCEPT THAT THEY MAY LEAVE TO
PROVIDE OR RECEIVE CERTAIN ESSENTIAL SERVICES OR
ENGAGE IN CERTAIN ESSENTIAL ACTIVITIES AND WORK FOR
ESSENTIAL BUSINESS AND GOVERNMENT SERVICES; EXEMPTING
INDIVIDUALS EXPERIENCING HOMELESSNESS FROM THE
SHELTER IN PLACE ORDER BUT URGING THEM TO FIND SHELTER
AND GOVERNMENT AGENCIES TO PROVIDE IT; DIRECTING ALL
BUSINESSES AND GOVERNMENTAL AGENCIES TO CEASE NON-
ESSENTIAL OPERATIONS AT PHYSICAL LOCATIONS IN THE
COUNTY; PROHIBITING ALL NON-ESSENTIAL GATHERINGS OF
ANY NUMBER OF INDIVIDUALS; AND ORDERING CESSATION OF
ALL NON-ESSENTIAL TRAVEL**

(SHELTER IN PLACE)

DATE OF ORDER: March 16, 2020

Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295, *et seq.*; California Penal Code §§ 69, 148(a)(1); San Francisco Administrative Code section 7.17(b).)

Summary: The virus that causes Coronavirus 2019 Disease (“COVID-19”) is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect all members of the community and the Bay Area region, especially including our members most vulnerable to the virus and also health care providers, this Order requires all individuals anywhere in San Francisco to shelter in place—that is, stay at home—except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing. This order begins at 12:01 a.m. on March 17, 2020 and will continue for three weeks through April 7, 2020, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

Gatherings of individuals outside the home are generally prohibited, with certain exceptions for essential activities or essential travel or to perform work for essential businesses and government agencies or perform essential infrastructure work. Consistent



ORDER OF THE HEALTH OFFICER No. C19-07

with the directive issued by Governor Gavin Newsom on March 15, 2020, all bars and nightclubs are ordered closed. Restaurants and cafes—regardless of their seating capacity—that serve food are ordered closed except solely for takeout and delivery service. Additionally, all gyms and recreation facilities are ordered closed. Homeless individuals are not subject to the shelter in place order but are strongly urged to find shelter and government agencies are urged to take steps needed to provide shelter for those individuals.

Under any of the limited circumstances in which individuals are allowed to interact in person outside their residence, the Health Officer orders individuals to abide by the following requirements: (i) maintain at least six feet from other individuals, wash hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer, cover coughs or sneezes, and not shake hands; (ii) for people with medical conditions, regardless of age, that put them at higher risk of serious complications should they get COVID-19, and other than health care workers and other essential providers, avoid leaving their homes to the extent possible; and (iii) for employers in San Francisco that do not provide essential businesses or government services, take all steps necessary for employees to work remotely from home to the extent possible. These requirements build on the California Department of Public Health and United States Centers for Disease Control and Prevention guidelines issued March 11, 2020, extended as necessary to address the health emergency affecting the Bay Area region. No individual who is sick may go to the workplace or be outside the home except as necessary to seek or receive medical care in accordance with guidance from public health officials. The Health Officer may revise this Order as the situation evolves, and facilities must stay updated by checking the City Administrator’s website (sfgsa.org) regularly.

This Order revokes and replaces Order Number C19-05b, issued March 13, 2020, and C19-02, issued March 7, 2020. Those orders are no longer in effect as of the effective date and time of this Order. This Order does not revoke Order Numbers C19-01b, C19-03, C19-04, or C19-06.

**UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE
SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE CITY AND
COUNTY OF SAN FRANCISCO (“HEALTH OFFICER”) ORDERS:**

- 1. The intent of this Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the maximum extent possible. When people need to leave their places of residence, whether to obtain or perform vital services, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times reasonably possible comply with Social Distancing Requirements as defined in Section 10 below. All provisions of this Order should be interpreted to effectuate this intent. Failure to**



ORDER OF THE HEALTH OFFICER No. C19-07

comply with any of the provisions of this Order constitutes an imminent threat and creates an immediate menace to public health.

2. **All individuals currently living within the City and County of San Francisco (the “County”) are ordered to shelter at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 10. Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to use COVID-19 risk mitigation practices in their operation).**
3. **All businesses with a facility in the County, except Essential Businesses as defined below in Section 10, are required to cease all activities at facilities located within the County except Minimum Basic Operations, as defined in Section 10. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 10 below, including by maintaining six-foot social distancing for both employees and members of the public, including, but not limited to, when any customers are standing in line.**
4. **All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes as expressly permitted in Section 10. Nothing in this Order prohibits the gathering of members of a household or living unit.**
5. **All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, except Essential Travel and Essential Activities as defined below in Section 10, is prohibited. People must use public transit only for purposes of performing Essential Activities or to travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions. People riding on public transit must comply with Social Distancing Requirements as defined in Section 10 below, to the greatest extent feasible. This Order allows travel into or out of the County to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.**
6. **This Order is issued based on evidence of increasing occurrence of COVID-19 within the County and throughout the Bay Area, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the**



ORDER OF THE HEALTH OFFICER No. C19-07

age, condition, and health of a significant portion of the population of the County places it at risk for serious health complications, including death, from COVID-19. Due to the outbreak of the COVID-19 virus in the general public, which is now a pandemic according to the World Health Organization, there is a public health emergency throughout the County. Making the problem worse, some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus. Because even people without symptoms can transmit the disease, and because evidence shows the disease is easily spread, gatherings can result in preventable transmission of the virus. The scientific evidence shows that at this stage of the emergency, it is essential to slow virus transmission as much as possible to protect the most vulnerable and to prevent the health care system from being overwhelmed. One proven way to slow the transmission is to limit interactions among people to the greatest extent practicable. By reducing the spread of the COVID-19 virus, this Order helps preserve critical and limited healthcare capacity in the County.

7. This Order also is issued in light of the existence of 37 cases of COVID-19 in the County, as well as at least 258 confirmed cases and at least three deaths in neighboring Bay Area counties, as of 10:00 a.m. on Sunday, March 16, 2020, including a significant and increasing number of suspected cases of community transmission and likely further significant increases in transmission. Widespread testing for COVID-19 is not yet available but is expected to increase in the coming days. This Order is necessary to slow the rate of spread and the Health Officer will re-evaluate it as further data becomes available.
8. This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the February 25, 2020 Proclamation by the Mayor Declaring the Existence of a Local Emergency issued by Mayor London Breed, as supplemented on March 11, 2020, the March 6, 2020 Declaration of Local Health Emergency Regarding Novel Coronavirus 2019 (COVID-19) issued by the Health Officer, and guidance issued by the California Department of Public Health, as each of them have been and may be supplemented.
9. This Order is also issued in accordance with, and incorporates by reference the March 12, 2020 Executive Order (Executive Order N-25-20) issued by Governor Gavin Newsom. Executive Order N-25-20 expressly orders that “[a]ll residents are to heed any orders and guidance of state and local public health officials, including but not limited to the imposition of social distancing measures, to control the spread of COVID-19.” This Order is also based on statements by Governor Newsom during a press conference on March 15, 2020, indicating the guidance of the State of California that all nightclubs, bars, wineries, and brewpubs close and that persons 65 years old and older isolate at home.



ORDER OF THE HEALTH OFFICER No. C19-07

10. Definitions and Exemptions.

- a. For purposes of this Order, individuals may leave their residence only to perform any of the following “Essential Activities.” But people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.
 - ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
 - iii. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, walking, hiking, or running.
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
 - v. To care for a family member or pet in another household.
- b. For purposes of this Order, individuals may leave their residence to work for or obtain services at any “Healthcare Operations” including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. “Healthcare Operations” does not include fitness and exercise gyms and similar facilities.



ORDER OF THE HEALTH OFFICER No. C19-07

- c. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure,” including, but not limited to, public works construction, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.**
- d. For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others working for or to support Essential Businesses are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing “Essential Governmental Functions.” Essential Governmental Functions means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined this Section, to the extent possible.**
- e. For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.**
- f. For the purposes of this Order, “Essential Businesses” means:**

 - i. Healthcare Operations and Essential Infrastructure;**
 - ii. Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;**
 - iii. Food cultivation, including farming, livestock, and fishing;**



ORDER OF THE HEALTH OFFICER No. C19-07

- iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;**
- v. Newspapers, television, radio, and other media services;**
- vi. Gas stations and auto-supply, auto-repair, and related facilities;**
- vii. Banks and related financial institutions;**
- viii. Hardware stores;**
- ix. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;**
- x. Businesses providing mailing and shipping services, including post office boxes;**
- xi. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;**
- xii. Laundromats, dry cleaners, and laundry service providers;**
- xiii. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;**
- xiv. Businesses that supply products needed for people to work from home;**
- xv. Businesses that supply other essential businesses with the support or supplies necessary to operate;**



ORDER OF THE HEALTH OFFICER No. C19-07

- xvi. **Businesses that ship or deliver groceries, food, goods or services directly to residences;**
 - xvii. **Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;**
 - xviii. **Home-based care for seniors, adults, or children;**
 - xix. **Residential facilities and shelters for seniors, adults, and children;**
 - xx. **Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;**
 - xxi. **Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions:**
 - 1. **Childcare must be carried out in stable groups of 12 or fewer (“stable” means that the same 12 or fewer children are in the same group each day).**
 - 2. **Children shall not change from one group to another.**
 - 3. **If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.**
 - 4. **Childcare providers shall remain solely with one group of children.**
- g. For the purposes of this Order, “Minimum Basic Operations” include the following, provided that employees comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:**
- i. **The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions.**
 - ii. **The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.**



ORDER OF THE HEALTH OFFICER No. C19-07

- h. For the purposes of this Order, “Essential Travel” includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.**

 - i. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.**
 - ii. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.**
 - iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.**
 - iv. Travel to return to a place of residence from outside the jurisdiction.**
 - v. Travel required by law enforcement or court order.**
 - vi. Travel required for non-residents to return to their place of residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to commencing such travel.**
 - i. For purposes of this order, residences include hotels, motels, shared rental units, and similar facilities.**
 - j. For purposes of this order Social Distancing Requirements includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.**
- 11. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code section 101029, the Health Officer requests that the Sheriff and the Chief of Police in the County ensure compliance with and enforce this Order. The violation of any provision of this Order constitutes an imminent threat and creates an immediate menace to public health.**
- 12. This Order shall become effective at 12:01 a.m. on March 17, 2020 and will continue to be in effect until 11:59 p.m. on April 7, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Health Officer.**



ORDER OF THE HEALTH OFFICER No. C19-07

13. The City must promptly provide copies of this Order as follows: (1) by posting on the City Administrator's website (sfgsa.org) and the Department of Public Health website (sfdph.org); (2) by posting at City Hall, located at 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102; and (3) by providing to any member of the public requesting a copy. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy.
14. If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:

A handwritten signature in blue ink that reads "Tomás Aragón".

Tomás J. Aragón, MD, DrPH,
Health Officer of the
City and County of San Francisco

Dated: March 16, 2020

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-28-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, the virus remains a threat, and further efforts to control the spread of the virus to reduce and minimize the risk of infection and otherwise mitigate the effects of COVID-19 are needed; and

WHEREAS the economic impacts of COVID-19 have been significant, and could threaten to undermine Californians' housing security and the stability of California businesses; and

WHEREAS many Californians are experiencing substantial losses of income as a result of business closures, the loss of hours or wages, or layoffs related to COVID-19, hindering their ability to keep up with their rents, mortgages, and utility bills; and

WHEREAS Californians who are most vulnerable to COVID-19, those 65 years and older, and those with underlying health issues, are advised to self-quarantine, self-isolate, or otherwise remain in their homes to reduce the transmission of COVID-19; and

WHEREAS because homelessness can exacerbate vulnerability to COVID-19, California must take measures to preserve and increase housing security for Californians to protect public health; and

WHEREAS local jurisdictions, based on their particular needs, may therefore determine that additional measures to promote housing security and stability are necessary to protect public health or to mitigate the economic impacts of COVID-19; and

WHEREAS local jurisdictions may also determine, based on their particular needs, that promoting stability amongst commercial tenancies is also conducive to public health, such as by allowing commercial establishments to decide whether and how to remain open based on public health concerns rather than economic pressures, or to mitigate the economic impacts of COVID-19; and

WHEREAS in addition to these public health benefits, state and local policies to promote social distancing, self-quarantine, and self-isolation require that people be able to access basic utilities—including water, gas, electricity, and telecommunications—at their homes, so that Californians can work from home, receive public health information, and otherwise adhere to policies of social distancing, self-quarantine, and self-isolation, if needed; and

WHEREAS many utility providers, public and private, covering electricity, gas, water, and sewer, have voluntarily announced moratoriums on service disconnections and late fees for non-payment in response to COVID-19; and

WHEREAS many telecommunication companies, including internet and cell phone providers, have voluntarily announced moratoriums on service disconnections and late fees for non-payment in response to COVID-19;

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

- 1) The time limitation set forth in Penal Code section 396, subdivision (f), concerning protections against residential eviction, is hereby waived. Those protections shall be in effect through May 31, 2020.
- 2) Any provision of state law that would preempt or otherwise restrict a local government's exercise of its police power to impose substantive limitations on residential or commercial evictions as described in subparagraphs (i) and (ii) below—including, but not limited to, any such provision of Civil Code sections 1940 et seq. or 1954.25 et seq.—is hereby suspended to the extent that it would preempt or otherwise restrict such exercise. This paragraph 2 shall only apply to the imposition of limitations on evictions when:
 - (i) The basis for the eviction is nonpayment of rent, or a foreclosure, arising out of a substantial decrease in household or business income (including, but not limited to, a substantial decrease in household income caused by layoffs or a reduction in the number of compensable hours of work, or a substantial decrease in business income caused by a reduction in opening hours or consumer demand), or substantial out-of-pocket medical expenses; and
 - (ii) The decrease in household or business income or the out-of-pocket medical expenses described in subparagraph (i) was caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19, and is documented.

The statutory cause of action for judicial foreclosure, Code of Civil Procedure section 725a et seq.; the statutory cause of action for unlawful detainer, Code of Civil Procedure section 1161 et seq., and any other statutory cause of action that could be used to evict or otherwise eject a residential or commercial tenant or occupant of residential real property after foreclosure is suspended only as applied to any tenancy, or residential real property and any

occupation thereof, to which a local government has imposed a limitation on eviction pursuant to this paragraph 2, and only to the extent of the limitation imposed by the local government.

Nothing in this Order shall relieve a tenant of the obligation to pay rent, nor restrict a landlord's ability to recover rent due.

The protections in this paragraph 2 shall be in effect through May 31, 2020, unless extended.

- 3) All public housing authorities are requested to extend deadlines for housing assistance recipients or applicants to deliver records or documents related to their eligibility for programs, to the extent that those deadlines are within the discretion of the housing authority.
- 4) The Department of Business Oversight, in consultation with the Business, Consumer Services, and Housing Agency, shall engage with financial institutions to identify tools to be used to afford Californians relief from the threat of residential foreclosure and displacement, and to otherwise promote housing security and stability during this state of emergency, in furtherance of the objectives of this Order.
- 5) Financial institutions holding home or commercial mortgages, including banks, credit unions, government-sponsored enterprises, and institutional investors, are requested to implement an immediate moratorium on foreclosures and related evictions when the foreclosure or foreclosure-related eviction arises out of a substantial decrease in household or business income, or substantial out-of-pocket medical expenses, which were caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19.
- 6) The California Public Utilities Commission is requested to monitor measures undertaken by public and private utility providers to implement customer service protections for critical utilities, including but not limited to electric, gas, water, internet, landline telephone, and cell phone service, in response to COVID-19, and on a weekly basis publicly report these measures.

Nothing in this Order shall be construed to invalidate any limitation on eviction enacted by a local jurisdiction between March 4, 2020 and this date.

Nothing in this Order shall in any way restrict state or local authority to order any quarantine, isolation, or other public health measure that may compel an individual to remain physically present in a particular residential real property.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 16th day of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

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):

Walton, Ronen, Yee, Mar, Haney, Preston

Subject:

Administrative Code - COVID-19 Emergency Family Relief Fund

The text is listed:

Ordinance amending the Administrative Code to establish the COVID-19 Emergency Family Relief Fund.

Signature of Sponsoring Supervisor:



For Clerk's Use Only

April 7, 2020

Supervisor Fewer, Chair
Budget and Finance Committee
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, Ca. 94102-4689

Cc: Supervisor Walton, Committee Vice-Chair
Supervisor Mandelman, Committee Member
Linda Wong, Committee Clerk
Supervisor Preston, District 5 Supervisor

From: Calvin Quick

Re: Support for COVID-19 Emergency Family Relief Fund Legislation
– **File No. 200339, 200340, and 200341**

Dear Chair Fewer,

I write to express my strong support for Supervisor Walton's legislation to establish the COVID-19 Emergency Family Relief Fund, which has been additionally co-sponsored by Supervisors Ronen, Yee, Mar, Haney, Preston and Safai. While I serve as the District 5 appointee to the San Francisco Youth Commission, and as the Commission's Legislative Affairs Officer, I am writing this letter in my personal capacity as a constituent of District 5, as the Youth Commission has not been able to refer and hear legislation due to current circumstances.

This legislation would create the COVID-19 Emergency Family Relief Fund under the jurisdiction of the Human Rights Commission, which would aim to provide financial assistance of at least \$500 a month for up to 5,000 San Francisco families, especially those who have been severely impacted by the economic hardship caused by the COVID-19 pandemic, and those who do not qualify for federal or state assistance programs.

While the federal government of the United States has passed legislation to send stimulus checks of up to \$1,200 to most US taxpayers, most undocumented immigrants will not receive this economic support. Undocumented youth, and the children of undocumented parents, will therefore not receive the same level of economic support from the federal government as other youth and their families. This legislation attempts to fill a key gap in the social safety net for low-income families during the Shelter in Place Order key to combatting the COVID-19 pandemic.

It is however also worth noting that this is only a band-aid—a deeply needed band-aid, but such nonetheless—symptomatic of the dysfunctionality of San Francisco and the wider country's social and economic policy. Those most in need—youth, undocumented

people, communities of color, low-income families and individuals—are consistently the first left behind when the economy goes south. In most cases, vulnerable populations do not even get the support they need when the economy is “doing well”—terminology it is hard to reconcile with any part of the current American economic model. This legislation is testament to San Francisco’s leadership in times of crisis to take action to protect our most vulnerable constituents, but it also reveals the deep problems with the economic model, based on private sector-driven growth and profit, that all levels of our government are built around.

Keeping all this in mind, I urge you to pass these three related ordinances to create the COVID-19 Emergency Family Relief Fund.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Calvin Quick', with a horizontal line underneath it.

[Calvin Quick]

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