

FILE NO. 210024

Petitions and Communications received from December 30, 2020, through January 7, 2021, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on January 12, 2021.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Office of the Mayor, pursuant to Charter, Section 4.112, making the following appointment to the Public Utilities Commission: Copy: Each Supervisor. (1)

- **Dr. Newsha Ajami** - term ending August 1, 2024

From the Department of Public Health, submitting Health Orders Nos. C19-07q and C19-17; and Directive of the Health Officer Nos. 2020-02d and 2020-03d. Copy: Each Supervisor. (2)

From the Controller's City Services Auditor, in coordination with the Port Commission, submitting the Performance Audit Report for AMB Pier One, LLC, dba Prologis, from July 1, 2016 through June 30, 2019. Copy: Each Supervisor. (3)

From the District Attorney, pursuant to Ordinance No. 10-12, submitting the 2020 Annual Report for the Sentencing Commission. Copy: Each Supervisor. (4)

From the Department on the Status of Women, pursuant to Administrative Code, Section 4.27(b)(2), submitting the report, entitled "Representation of Women in City Property: A Gender Analysis of Art, Streets, Buildings, and Parks." Copy: Each Supervisor. (5)

From the Public Defender, pursuant to Charter, Section 13.103.5, making the following appointment to the Elections Commission: Copy: Each Supervisor (6)

- **Becca Chappell** - term ending January 1, 2026

From the Juvenile Probation Department, pursuant to Administrative Code, Chapter 12I, submitting the Semi-Annual Report on Civil Detainers and communications with Federal agency charged with enforcement of the Federal immigration law, from June 30, 2020 through December 31, 2020. Copy: Each Supervisor. (7)

From the Department of Homelessness and Supportive Housing, pursuant to Ordinance No. 273-20, submitting the Weekly Shelter in Place Hotel Report, dated January 4, 2021. File No. 201328. Copy: Each Supervisor. (8)

From Karin Flood, regarding the proposed Resolution Urging OEWD and Public Works to Adopt a Policy Regarding Community Benefit Districts (CBD), Business Improvement Districts (BID) and Green Benefit Districts (GBD) with Respect to Private Contributions and Surveillance Technology. File No. 201372. Copy: Each Supervisor. (9)

From concerned citizens, regarding the proposed Mayoral Appointments to the Municipal Transportation Agency Board of Directors: Emanuel Yekutieli and Fiona Hinze. File Nos. 201146 and 201237. 4 letters. Copy: Each Supervisor. (10)

From Anonymous, regarding various subjects. 12 letters. Copy: Each Supervisor. (11)

From the Black Employee Alliance, regarding various subjects. 4 letters. Copy: Each Supervisor. (12)

From Jordan Davis, regarding the proposed appointment of Grant Nash Colfax, MD, as Health Officer. File No. 201406. Copy: Each Supervisor. (13)

From The Sierra Club, San Francisco Group, SF Bay Chapter, regarding the Hearing on the Comprehensive Parnassus Heights Plan and Memorandum of Understanding. File No. 201429. Copy: Each Supervisor. (14)

From concerned citizens, regarding California State Assembly Bill 14, Multifamily Housing Program; and California State Assembly Bill 15, COVID-19 relief. 4 letters. Copy: Each Supervisor. (15)

From Mid-Sunset Neighborhood Association, regarding the property located at 2555 Irving Street. Copy: Each Supervisor. (16)

From Jamey Frank, regarding Supervisor Haney's remarks on Vision Zero after a pedestrian tragedy. Copy: Each Supervisor. (17)

From concerned citizens, regarding rent increases and landlord assistance. Copy: Each Supervisor. (18)

From concerned citizens, regarding the decline of City Services and safety in San Francisco during COVID-19. 2 letters. Copy: Each Supervisor. (19)

From concerned citizens, regarding assistance for restaurants during COVID-19. 2 letters. Copy: Each Supervisor. (20)

From concerned citizens, regarding homelessness related issues. 2 letters. Copy: Each Supervisor. (21)

From Michael Papesh, regarding the Marina Times as the only source of critical information about San Francisco government. Copy: Each Supervisor. (22)

From Cliff, regarding the removal of Mark Zuckerberg's name from San Francisco General Hospital. Copy: Each Supervisor. (23)

From Shad Fenton, regarding Navigation Center living and safety. 18 letters. Copy: Each Supervisor. (24)

From concerned citizen, regarding the extension of the Shelter in Place Order. Copy: Each Supervisor. (25)

From Alexistori Gonzalez, regarding the Police Department's illegal use of private cameras to spy on Black led protests against police violence. Copy: Each Supervisor. (26)

From Martin Alperen, regarding 911 Computer Aided Dispatch. Copy: Each Supervisor. (27)

From: [Mchugh, Eileen \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: Fwd: Mayoral Nomination: PUC
Date: Friday, January 8, 2021 2:34:47 PM
Attachments: [Clerk's Memo 1.7.21.pdf](#)
[2020-Newsha Ajami-PUC-Appt Letter.pdf](#)
[Newsha Ajami-bio-.pdf](#)
[2021-Newsha Ajami-F700v2.pdf](#)

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From: Mchugh, Eileen (BOS)
Sent: Thursday, January 7, 2021 7:44:53 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; BOS-Administrative Aides <bos-administrative-aides@sfgov.org>
Cc: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Young, Victor (BOS) <victor.young@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>; PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>; Kittler, Sophia (MYR) <sophia.kittler@sfgov.org>; Peacock, Rebecca (MYR) <rebecca.peacock@sfgov.org>
Subject: Mayoral Nomination: PUC

Hello,

The Office of the Mayor submitted the attached complete nomination package. Please see the memo from the Clerk of the Board for more information and instructions.

Thank you,

Eileen McHugh
Executive Assistant
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-7703 | Fax: (415) 554-5163
eileen.e.mchugh@sfgov.org | www.sfbos.org

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

Date: January 7, 2021
To: Members, Board of Supervisors
From: *ACC* Angela Calvillo, Clerk of the Board
Subject: Nominations by the Mayor - Public Utilities Commission

On January 5, 2021, the Mayor submitted the following nomination package pursuant to Charter, Section 4.112. Appointments in this category are subject to confirmation by a majority of the Board of Supervisors and are not effective until the Board takes action.

- Dr. Newsha Ajami - Public Utilities Commission - term ending August 1, 2024

The Office of the Clerk of the Board will open a file for this nomination and will work with the Rules Chair to schedule a hearing before the Rules Committee.

(Attachments)

c: Hillary Ronen - Rules Committee Chair
Alisa Somera - Legislative Deputy
Victor Young - Rules Clerk
Anne Pearson - Deputy City Attorney
Sophia Kittler - Mayor's Legislative Liaison

OFFICE OF THE MAYOR
SAN FRANCISCO



LONDON N. BREED
MAYOR

Notice of Nomination of Appointment

January 5, 2021

San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Honorable Board of Supervisors,

Pursuant to Charter §4.112, of the City and County of San Francisco, I make the following nomination:

Dr. Newsha Ajami, for appointment to the Public Utilities Commission for a four-year term ending August 1, 2024. Dr. Ajami will fill Seat 5, formerly held by Tim Paulson.

I am confident that Dr. Ajami will serve our community well. Attached are her qualifications to serve, which demonstrate how her appointment represents the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

I encourage your support and am pleased to advise you of this appointment nomination. Should you have any question about this appointment nomination, please contact my Director of Commission Affairs, Tyra Fennell, at 415-554-6696.

Sincerely,

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

London N. Breed
Mayor, City and County of San Francisco



ORDER OF THE HEALTH OFFICER No. C19-07q

**ORDER OF THE HEALTH OFFICER
OF THE CITY AND COUNTY OF SAN FRANCISCO
DIRECTING ALL INDIVIDUALS IN THE COUNTY TO CONTINUE
STAYING SAFER AT THEIR PLACES OF RESIDENCE TO THE
EXTENT THEY CAN EXCEPT FOR IDENTIFIED NEEDS AND
ACTIVITIES, AND TO FOLLOW HEALTH RISK REDUCTION
MEASURES OUTSIDE THEIR RESIDENCES; URGING GOVERNMENT
AGENCIES TO PROVIDE SHELTER AND SANITATION FACILITIES
TO INDIVIDUALS EXPERIENCING HOMELESSNESS; REQUIRING
ALL BUSINESSES AND RECREATION FACILITIES THAT ARE
ALLOWED TO OPERATE TO IMPLEMENT HEALTH RISK
REDUCTION MEASURES; AND DIRECTING ALL BUSINESSES,
FACILITY OPERATORS, AND GOVERNMENTAL AGENCIES TO
CONTINUE THE TEMPORARY CLOSURE OF ALL OPERATIONS
THAT ARE NOT YET SAFE ENOUGH TO RESUME**

(STAY SAFER AT HOME)

DATE OF ORDER: December 9, 2020 (updated December 30, 2020)

NOTE (UPDATED DEC. 30, 2020) San Francisco is experiencing a rapid and significant surge in COVID-19 cases. This Order incorporates suspensions, reductions in capacity limits, and other restrictions contained in the Regional Stay At Home Order issued by the California Department of Public Health on December 3, 2020 (the CDPH Order). Effective December 17, 2020, the Bay Area Region, including San Francisco, is required to comply with the State's December 3, 2020 Regional Stay at Home Order and supplemental orders issued by the State Health Officer (the "Regional Stay at Home Order"). And on December 30, 2020, this Order's duration was extended.

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); and San Francisco Administrative Code § 7.17(b))

Summary: On February 25, 2020 the Mayor of the City and County of San Francisco (the "County") declared a state of emergency to prepare for coronavirus disease 2019 ("COVID-19"). On March 5, 2020 the County recorded its first reported case of COVID-19. On March 16, 2020 the County and five other Bay Area counties and the City of Berkeley, working together, were the first in the State to implement shelter-in-place



ORDER OF THE HEALTH OFFICER No. C19-07q

orders in a collective effort to reduce the impact of the virus that causes COVID-19. Since that time, we have come to learn that the virus can be transmitted in the air through aerosols and that the risk of such airborne transmission is generally higher indoors. Also, while treatments for the disease are improving and vaccines are on the horizon, treatments remain limited and a vaccine will not likely be generally available until mid-2021. The vast majority of the population remains susceptible to infection, and local conditions could rapidly worsen if people fail to safely modify their behavior, including wearing face coverings, adhering to social distancing requirements, and avoiding gatherings.

Initially the shelter-in-place orders generally required individuals to stay in their residences except for essential needs like grocery shopping, working in essential businesses, providing essential government functions, or engaging in essential travel. Over time, and based on health data and a risk analysis, the County allowed the phased resumption of some businesses and activities, consistent with the roadmap that the State has established under its order. Consistent with the State's April 2020 initial four-stage roadmap for reopening, the County created its own phased reopening plan. The County's plan provides for the incremental resumption of certain business and other activities to gradually increase the volume of person-to-person contact to help contain the risk of a surge in COVID-19 cases in the County and the region. The County's plan is available online at <https://sf.gov/topics/reopening>.

Because of the density of San Francisco and local health conditions, the County has moved more cautiously than the State otherwise allows. Our collective effort had a positive impact on limiting the spread of the virus. Early on the County, along with the other Bay Area jurisdictions, were able to bend the curve and preserve hospital capacity. Still, the severe danger the virus poses to the health and welfare of all continues. We need to be vigilant and there remains a continuing risk a surge will overwhelm the capacity of our hospital system.

Indeed, back in July 2020 the County and the region experienced a second surge in infections and hospitalizations, and took appropriate steps to respond, including pausing the reopening process. Along with all the other counties in the Bay Area, the County was placed on the State monitoring list and temporarily suspended certain additional business activities as required by the State Health Officer. Over the next month, with the collective efforts of businesses and residents, the County was able again to reduce its virus transmission rate and resume re-opening some businesses and other activities.

On August 28, 2020 the State adopted a new four-tiered, color-coded framework based on the prevalence of virus transmission in each county to guide reopening statewide—the Blueprint for a Safer Economy—and the State has revised that framework since its initial implementation. That framework can be found online at <https://covid19.ca.gov/safer-economy>. Under the State's framework, counties can be more restrictive than this State framework allows. The State initially assigned the County to the second most restrictive tier, substantial (red). In September and October, the County advanced from the



ORDER OF THE HEALTH OFFICER No. C19-07q

moderate (orange) tier to the minimal (yellow) tier. As case rates and other indicators have changed, the State has moved counties between tiers, and in November 2020 with case rates increasing most counties have moved to the more restrictive tiers.

Along with most of the rest of the country and State, the County is in the midst of a third surge of the virus. Based on increased case rates, on November 17, 2020, the State reassigned the County backward to the substantial (red) tier and on November 28, 2020, back to the most restrictive (purple) tier. The County's case rates and hospitalizations have continued to increase and are now higher than they were at the peak of the second (July) surge. Given the recent Thanksgiving holiday, it is expected the County – along with the rest of the nation – will see a “surge upon surge,” further reducing the capacity of acute and intensive care unit beds in the County and the region, and potentially overwhelming capacity absent further health interventions.

Local COVID-19 cases have more than quadrupled since early November 2020. San Francisco is currently averaging 247 new COVID-19 positive cases per day compared to the 34 per day that it averaged in late October. Moreover, the City currently has approximately 1,700 COVID-19 cases diagnosed per week and hospitalizations have nearly tripled over the last month. As a result, the City's hospital capacity is under considerable stress. Unlike in previous surges, the rest of the State's hospital capacity is strained and reaching patient limits and it is unlikely there will be additional hospital capacity in other counties if San Francisco's is compromised.

On December 3, 2020, the State issued a new Regional Stay at Home Order in an effort to slow the spread of COVID-19 and avoid overwhelming the State's hospitals. The December 3 order places each of the State's counties into one of five regions, with San Francisco included in the “Bay Area” region. Under the new order, once a region's capacity of adult intensive care unit (“ICU”) beds reaches a threshold that is less than 15%, the region is subject to shelter-in-place restrictions similar to those enacted by the State in March 2020 during the first surge though not as restrictive in certain limited respects. The State's Regional Stay at Home Order remains in effect for at least three weeks and until the State's four-week projections of the region's total available adult ICU bed capacity is greater than or equal to 15%.

The State has indicated that as of Wednesday, December 30, 2020 the Bay Area region has only 7.5% of its adult ICU beds available, which is far below the 15% threshold for the State's Regional Stay at Home Order. Absent additional and immediate intervention to reduce the transmission of COVID-19, the County's and Bay Area's COVID-19 cases and hospitalizations will continue to rise and could overwhelm hospital capacity for the region. By acting now, the County and the region have the opportunity to bend the curve, avoid overwhelming hospitals, protect health care workers and first responders, and resume reopening more quickly than if we delay implementing the additional restrictions under the State's Regional Stay at Home Order. As we have done twice already, the County's and region's residents and businesses can yet again bend the curve and save lives.



ORDER OF THE HEALTH OFFICER No. C19-07q

We are going to have to live with the threat of the virus for months to come. And for us to be able to keep our schools open and continue to reopen those that are not yet providing in-person education, as well as re-open and expand business and other activities and promote the recovery of our economy, we are all going to have to take responsibility to act safely, including wearing face coverings, keeping at least six feet from others who are not in our household, washing our hands frequently, conducting activities outdoors rather than indoors where possible and avoiding gatherings. We are all in this together, and each of us is going to have to make sacrifices for the good of the community as a whole, including for our most vulnerable members.

This Order includes the following requirements, and you should review the Order itself for additional details.

General Requirements. The Order:

- Requires all residents in the County to reduce the risk of COVID-19 transmission by staying in their residences to the extent possible and minimizing trips and activities outside the home;
- Allows people to engage in listed activities, including, for example, working for or going to the businesses listed below and certain governmental and essential infrastructure activities, as well as engaging in essential activities, outdoor activities, certain additional activities, and travel related to those activities;
- Urges older individuals and others who have serious underlying health conditions to remain home other than essential needs;
- Continues to require everyone to wear face coverings while outside their residences, subject to limited exceptions;
- Continues to require everyone to follow social distancing requirements, including staying at least six feet away from members outside of their household, subject to limited exceptions;
- Continues to urge government agencies to provide shelter and sanitation facilities for individuals experiencing homelessness;
- Continues to require everyone to comply with requirements issued by the State and other Health Officer orders and directives; and
- Prohibits gatherings among different households to help reduce the transmission of the virus.

Requirements for All Businesses. The Order:

- Allows only listed businesses to operate onsite, including essential businesses, outdoor businesses, healthcare operations, and certain additional businesses;
- Allows other businesses only to operate Minimum Basic Operations (as defined in the Order) onsite;
- Requires that businesses continue to maximize the number of people who work remotely from home to the extent possible;



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- Requires businesses to complete and post a Social Distancing Protocol checklist in the form attached to the Order as Appendix A;
- Requires businesses to direct personnel to stay home when sick and prohibits adverse action against personnel for doing so;
- Requires businesses and governmental entities to report to the San Francisco Department of Public Health when three or more personnel test positive for the virus that causes COVID-19 within a two-week period;
- Requires businesses to post certain signage, including for many indoor businesses signage regarding ventilation systems;
- Urges businesses that operate indoors to implement ventilation guidelines, requires all businesses that operate indoors and are open to members of the public to post a placard about what, if any, ventilation measures they are implementing, and requires at least one ventilation measure for certain of those businesses;
- Allows for customers to use reusable shopping bags at businesses; and
- Requires businesses to cancel reservations or appointments without a financial penalty when a customer has a COVID-19 related reason.

Mandatory Best Practices Health Officer Directives. The Order requires that businesses and other entities currently permitted to operate review and comply with any applicable Health Officer Directives, and many of them require a Health and Safety Plan be completed and posted. These requirements include measures to help protect health of workers and customers, such as face covering, social distancing and sanitation protocols and in many instances capacity limits. All directives are available online at www.sfdph.org/directives.

Term. This Order, and specifically the more restrictive obligations it imposes based on the State's December 3, 2020 Regional Stay at Home Order, will remain in effect until the Bay Area Region is no longer subject to the State's Regional Stay at Home Order and the Health Officer has also had an adequate opportunity to evaluate whether reopening is supported by other factors including ICU availability and other hospital capacity in the County and COVID-19 hospitalization and case rates. To evaluate the impact of any traveling and gatherings that occurred during the December 2020 and 2021 New Year's holidays, the Health Officer will not have available the information necessary to make this determination for several weeks after the holiday season ends, so the resumption of re-opening will not occur until after that evaluation is complete. Given the current state of the pandemic, a version of this Order will remain in place after it is revised to begin allowing reopening and the resumption of some activities. The Order may be extended, rescinded, superseded, or amended in writing by the Health Officer depending on local conditions and health indicators and as may otherwise be required by the State. The Health Officer will continue to carefully monitor the evolving situation and will periodically revise this Order to loosen – or, if need be, tighten – restrictions as conditions warrant, to help further the safer economic recovery and resumption of activities. This Order's duration was first extended on December 17, 2020, as required by the State.



ORDER OF THE HEALTH OFFICER No. C19-07q

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**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. Purpose and Findings.
 - a. Purpose. As of the effective date and time set forth in Section 13, below, this Order supersedes the December 4, 2020 Order of the Health Officer, No. C19-07p,



ORDER OF THE HEALTH OFFICER No. C19-07q

(the “Prior Order”), and all individuals, Businesses (as defined in Section 8.e below), and applicable government agencies in the County are required to follow the provisions of this Order. This Order continues to temporarily prohibit certain Businesses and activities from resuming and limits gatherings with individuals from other Households (as defined in Section 3.b below) until it is safer to do so. But it allows certain other Businesses, activities, travel and governmental functions to occur subject to specified health and safety restrictions, limitations, and conditions to limit the transmission of Novel Coronavirus Disease 2019 (“COVID-19”). COVID-19 continues to pose a severe risk to residents of our County, and significant safety measures are necessary to protect against a surge in COVID-19 cases, serious illnesses and deaths. Accordingly, this Order requires risk reduction measures to be in place across Business sectors and activities that are allowed to occur, ensuring necessary precautions are followed as we adapt the way we live and function in light of the ongoing threat that the virus now poses and is very likely to continue to pose for some time to come. The Health Officer will continue to monitor data regarding COVID-19 and the evolving scientific understanding of the risks COVID-19 poses and may amend or rescind this Order based on analysis of that data and knowledge.

- b. Intent. The primary intent of this Order is to ensure that County residents continue to stay safer in their Residences (as defined in Section 3.b, below) to the extent possible and that together as a community our residents, along with visitors and workers in the County, take appropriate risk reduction measures, especially while outside their Residences, to slow the spread of COVID-19 and mitigate its impact on the delivery of critical healthcare services in the County and the region. As further provided in Section 2, below, the Health Officer intends to allow the phased resumption of Businesses and activities to provide for a safer reopening, with specified risk reduction measures, all while the Health Officer continues to assess the transmissibility and clinical severity of COVID-19 in light of the COVID-19 Indicators and risk framework described in Section 2 below.
- c. Interpretation. All provisions of this Order must be interpreted to effectuate the intent of this Order as described in subsection (b) above. The summary at the beginning of this Order as well as the headings and subheadings of sections contained in this Order are for convenience only and may not be used to interpret this Order; in the event of any inconsistency between the summary, headings or subheadings and the text of this Order below, the text will control. Certain initially capitalized used in this Order have the meanings given them in Section 8 below. The interpretation of this Order in relation to the health orders of the State is described in Section 10 below.
- d. Effect of Failure to Comply. Failure to comply with any of the provisions of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both, as further provided in Section 12 below.



ORDER OF THE HEALTH OFFICER No. C19-07q

- e. Continuing Severe Health and Safety Risk Posed by COVID-19. This Order is issued based on evidence of continued significant community transmission of COVID-19 within the County and throughout the Bay Area; continued uncertainty regarding the degree of undetected asymptomatic transmission; scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically; evidence that the 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; and further evidence that others, including younger and otherwise healthy people, are also at risk for serious outcomes including death. Due to the outbreak of COVID-19 in the general public, which remains a pandemic according to the World Health Organization, there is a public health emergency throughout the County, region and State. That immediate threat to public health and safety is also reflected in the continuing declarations of emergency referenced in Section 9.a below. Making the problem worse, some individuals who contract the virus causing the COVID-19 disease have no symptoms or have mild symptoms, which means they may not be aware they carry the virus and are transmitting it to others. Further, evidence shows that the virus can survive for hours to days on surfaces and be indirectly transmitted between individuals and also may be transmitted through airborne micro-droplets. Because even people without symptoms can transmit the infection, and because evidence shows the infection is easily spread, gatherings of people and other direct or indirect interpersonal interactions, particularly those that occur indoors, can result in preventable transmission of the virus.
- f. Local Health Conditions Relating to COVID-19. The efforts taken beginning in March 2020 under the prior shelter-in-place orders of the Health Officer, along with those of health officers of five neighboring counties, slowed the virus's trajectory. While the public health emergency and threat to the County's population remain severe, the region has significantly increased its capacity to detect cases, contain spread, and treat infected patients through widespread testing; greatly expanded its case investigation and contact tracing program and workforce; and expanded hospital resources and capacity. At the same time, across the region and the rest of the State, there has been a significant reopening of Businesses and activities, accompanied by an increase in cases and hospitalizations, which increases carry risks to County residents and resources. As we continue to evolve our strategies for protecting residents of the County from COVID-19, we must consider both the trajectory of the virus in the County and across the region, and the increased health risks associated with the opening of many Businesses and activities under the Prior Order. To protect the community from COVID-19, we must ensure that when people engage in activities they are doing so as safely as possible.
- g. Cases, Hospitalizations and Deaths. As of December 27, 2020, there were 22,776 confirmed cases of COVID-19 in the County (up from 37 on March 16, 2020, the day before the first shelter-in-place order in the County went into effect) as well as at least 186 deaths (up from a single death on March 17, 2020). This information, as well as



ORDER OF THE HEALTH OFFICER No. C19-07q

information regarding hospitalizations and hospital capacity, is regularly updated on the San Francisco Department of Public Health's website at <https://data.sfgov.org/stories/s/fjki-2fab>. Local COVID-19 cases have more than quadrupled since early November 2020. San Francisco is currently averaging 247 new COVID-19 positive cases per day compared to the 34 per day that it averaged in late October. Moreover, the City currently has approximately 1,700 COVID-19 cases diagnosed per week and hospitalizations have nearly tripled over the last month. As a result, the City's hospital capacity is under considerable stress. Unlike in previous surges, the rest of the State's hospital capacity is strained and reaching patient limits and it is unlikely there will be additional hospital capacity in other counties if San Francisco's is compromised.

2. Health Gating and Risk Criteria Framework for Reopening.

- a. Health Gating. To inform decisions about whether and how to augment, limit, or temporarily prohibit Businesses or activities to slow the spread of COVID-19, the Health Officer will continually review (1) progress on the COVID-19 Indicators; (2) developments in epidemiological and diagnostic methods for tracing, diagnosing, treating, or testing for COVID-19; and (3) scientific understanding of the transmission dynamics and clinical impact of COVID-19.

The COVID-19 Indicators will be key drivers in the Health Officer's gating decisions. In particular, the number of new COVID-19 cases per 100,000 residents, the rate of change in COVID-19 hospitalizations, and the amount of available hospital capacity will help guide decisions. If any indicator or a collection of these and other indicators are orange or red, then the Health Officer will give serious consideration to pausing or even reversing openings if appropriate. Also, the total number of hospitalized COVID-19 patients, and whether this total number is significantly increasing, flat, or decreasing, will play a role in gating decisions, especially if these numbers become larger than the prior surge (e.g., more than 100 COVID-19 positive patients in the County's hospitals at one time). Modeling estimates of peak hospitalizations will also be considered.

Information about San Francisco's status under the COVID-19 Indicators is available on the City's website at <https://data.sfgov.org/stories/s/Key-Health-Indicators-on-Containing-COVID-19/epem-wyzb>.

In addition to evaluating the COVID-19 Indicators in making gating decisions, the Health Officer will also consider the estimate of the effective reproductive number (Re), and whether there is evidence it is increasing, stable, or decreasing. The effective reproductive number (Re) is the average number of secondary cases per infectious case in the setting of public health interventions (e.g., sheltering in place, Face Coverings, physical distancing, etc.). When $Re > 1$, the epidemic curve increases. When $Re < 1$, the epidemic curve decreases. When $Re \sim 1$, the epidemic curve is flat.



ORDER OF THE HEALTH OFFICER No. C19-07q

b. Risk Criteria for Additional Businesses and Additional Activities Under Phased Reopening.

In connection with the health indicators and other public health data discussed above, the Health Officer will consider the risk of transmission involved in Businesses or activities in determining when and how they can safely resume, or if they must remain or be ordered temporarily closed. The following risk criteria will inform this analysis:

- 1) *Ability to modify behavior to reduce risk*—whether individuals engaged in the Business or other activity can wear Face Coverings at all times, maintain at least six feet of physical distancing at all times, and comply with other Social Distancing Requirements, including hand washing and sanitation;
- 2) *Avoidance of risky activities*—whether the nature of the Business or activity necessarily involves eating or drinking (which requires removing Face Covering); gatherings with other Households (which presents risks as described in subsection d below); or singing, chanting, shouting, or playing wind/brass instruments (which all present significant risk of airborne transmission);
- 3) *Setting*—Outdoor Businesses and activities are safer than indoor businesses or activities, so outdoors is strongly preferred;
- 4) *Mixing of Households*—Mixing of people from different Households present higher risk of virus transmission and community spread, and the more different Households that mix, the greater the cumulative risk;
- 5) *Number, frequency, duration and distance of contacts*—The more people who interact, the higher the risk of virus transmission; and the more people who gather at a site, or the more sites involved in the business, possible interactions increase exponentially (number of contacts). The more often people interact, the higher the risk of virus transmission (frequency of contacts). The longer the duration of contacts, the higher the risk of virus transmission (duration of contacts). The closer the proximity of people, the higher the risk of virus transmission (distance of contacts); and
- 6) *Modification potential*—the degree to which best practices health protocols can reduce the risk of transmission, where those protocols can be properly implemented.

3. General Requirements for Individuals.

- a. Staying Safer At Home Is The Best Way To Control Risk. Staying home as much as possible is the best way to prevent the risk of COVID-19 transmission, and therefore minimizing trips and activities outside the home helps reduce risk to individuals and the community. All activities that involve contact with people from different



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Households increase the risk of transmission of COVID-19. Accordingly, all individuals currently living within the County are for the time being ordered to stay in their place of Residence to the extent possible. They may leave their Residence only to:

- Work for or access Businesses that are allowed to be open under this Order (Essential Businesses, Outdoor Businesses, and Additional Businesses, as those terms are defined in Sections 8.a, 8.b and 8.c);
- Work for, volunteer at, or access services at Healthcare Operations, as that term is defined in Section 8.g;
- Engage in activities that are allowed under this Order (Essential Activities, Outdoor Activities, and Additional Activities, as those terms are defined in Sections 8.h, 8.i and 8.j); and
- Engage in Essential Travel, as that term is defined in Section 8.k; or
- Provide any services or perform any work necessary to the operation maintenance of Essential Governmental Functions or Essential Infrastructure, as those terms are defined in Sections 8.l and 8.m.

Further, on November 19, 2020, the Acting California State Public Health Officer issued an order (the “Limited Stay At Home Order”) requiring that “all gatherings with members of other households and all activities conducted outside the residence, lodging, or temporary accommodation with members of other households cease between 10:00 p.m. and 5:00 a.m., except for those activities associated with the operation, maintenance, or usage of critical infrastructure or required by law.” The Limited Stay At Home Order is available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/limited-stay-at-home-order.aspx>.

Beginning at 10:00 p.m. on November 30, 2020, and continuing until the earlier of the expiration of the Limited Stay At Home Order or the State’s reassignment of San Francisco to a tier that is less restrictive than the State Blueprint’s purple tier, and in addition to the requirements of this Order, all covered individuals are required to comply with the limitations on gatherings and the other requirements set forth in the Limited Stay At Home Order, as it may be amended or extended.

- b. Residences and Households. For purposes of this Order, “Residences” include hotels, motels, shared rental units, and similar facilities. Residences also include living structures and outdoor spaces associated with those living structures, such as patios, porches, backyards, and front yards that are only accessible to a single family or Household. For purposes of this order “Household” means people living in a single Residence or shared living unit. Households do not refer to individuals who live together in an institutional group living situation such as in a dormitory, fraternity, sorority, monastery, convent, or residential care facility.



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- c. Individuals Experiencing Homelessness. Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter. Government agencies and other entities operating shelters and other facilities that house or provide meals or other necessities of life for individuals experiencing homelessness are strongly urged to, as soon as possible, make such shelter available, and must take appropriate steps to help ensure compliance with Social Distancing Requirements, including adequate provision of hand sanitizer. Also, individuals experiencing homelessness who are unsheltered and living in encampments should, to the maximum extent feasible, abide by 12 foot by 12 foot distancing for the placement of tents, and government agencies should provide restroom and hand washing facilities for individuals in such encampments as set forth in Centers for Disease Control and Prevention Interim Guidance Responding to Coronavirus 2019 (COVID-19) Among People Experiencing Unsheltered Homelessness (<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/unsheltered-homelessness.html>).
- d. Older Adults and Individuals of Any Age with Certain Medical Conditions. Older adults and individuals with certain medical conditions—including cancer, chronic kidney disease, chronic obstructive pulmonary disease, immunocompromised state from solid organ transplant, obesity, serious heart conditions (such as heart failure, coronary artery disease, or cardiomyopathies), sickle cell disease, smoking, and Type 2 diabetes—are strongly urged to stay in their Residence except to access critical necessities such as food, and to seek or provide medical care or Essential Governmental Functions. Individuals with other medical conditions might be at increased risk for severe illness from COVID-19 and are encouraged to minimize activities and interactions with people outside their Household to the extent practicable, except as necessary to seek or provide medical care or Essential Governmental Functions. The most up-to-date information about who is at increased risk of severe illness and people who need to take extra precautions can be found at <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-increased-risk.html>.
- e. Mandatory Risk Reduction Measures For Individuals Outside their Place of Residence. When people leave their place of Residence, they must (1) strictly comply with the Social Distancing Requirements as defined in Section 8.0, including maintaining at least six feet of social distance from other people not in the same Household, except as expressly provided in this subsection below or elsewhere in this Order, and (2) wear Face Coverings as defined and provided in, and subject to the limited exceptions in, Health Officer Order No. C19-12d issued December 22, 2020 (the “Face Covering Order”), including any future amendments to that order. The requirement to strictly comply with Social Distancing Requirements is subject to a limited exception as necessary to provide care (including childcare, adult or senior care, care to individuals with special needs, and patient care); as necessary to carry out the work of Essential Businesses, Essential Governmental Functions, or provide for Minimum Basic Operations; or as otherwise expressly provided in this Order. For



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clarity, individuals who do not currently reside in the County must comply with all applicable requirements of this Order when in the County.

- f. Limitations on Gatherings that Involve Mixing of Different Households to Reduce Virus Transmission Risk. Gatherings of individuals from different Households pose a significant risk of virus transmission to the community. The greater the number of people from different households in a gathering, the greater the risk of the spread of COVID-19. All public and private gatherings of any number of people occurring outside a single Household are prohibited, except as expressly permitted in this Order including, but not limited to, gatherings allowed as Additional Activities in Appendix C-2. If, despite this prohibition, people find themselves with members of other Households, they are required to follow the health guidelines for safer interactions set forth in the Tip Sheet for Safer Interactions During COVID-19 Pandemic, posted at: www.sfdcp.org/communicable-disease/diseases-a-z/covid19whatsnew.
 - g. Quarantine and Isolation Requirements and Recommendations Upon Moving to, Traveling to, or Returning to the County. Given the current surge, everyone is strongly encouraged not to travel, especially for recreational or non-essential purposes, and anyone who travels is strongly encouraged to quarantine on return to or arrival in the County. All individuals are required to comply with any travel-related orders—including any requirements for mandatory quarantine and isolation—that are issued by the State of California or the San Francisco Department of Public Health. Visit www.sfdcp.org/travel for more information.
4. General Requirements for Businesses and Business Activities.
- a. Allowed Businesses. Essential Businesses, Outdoor Businesses, and Additional Businesses, as defined in Sections 8.a, 8.b and 8.c, are allowed to operate in the County under this Order. All other Businesses are temporarily required to cease all activities at facilities located within the County except Minimum Basic Operations, as defined in Section 8.d. Except as otherwise provided in Appendix C-1, Businesses that include allowed operations alongside other operations that are not yet allowed must, to the extent feasible, scale down their operations to the allowed components only.
 - b. Maximization of Telework. All Businesses must continue to maximize the number of Personnel who work remotely from their place of Residence, subject to the conditions and limitations provided in Appendix C-1.
 - c. Activities that Can Occur Outdoors. All Businesses are strongly urged to move as many operations as possible outdoors, to the extent permitted by local law and permitting requirements, where there is generally less risk of COVID-19 transmission. Businesses that operate outdoors may, subject to any applicable permit requirements, conduct their operations in a tent, canopy, or other shelter, as long as the shelter complies with: (1) the California Department of Public Health's November



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25, 2020 guidance regarding “Use of Temporary Structures for Outdoor Business Operations” (available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Use-of-Temporary-Structures-for-Outdoor-Business-Operations.aspx>); and (2) any additional requirements or guidance issued by SFDPH.

- d. Social Distancing Protocol. As a condition of operating under this Order, the operators of all Businesses allowed to operate must comply with the requirements of the Social Distancing Protocol attached to this Order as Appendix A and must complete a Social Distancing Protocol checklist for each of their facilities in the County frequented by Personnel or members of the public. The Social Distancing Protocol checklist must be posted at or near each public entrance of each of the Business facilities and must be easily viewable by the public and Personnel. A copy of the Social Distancing Protocol checklist must also be provided in hardcopy or electronic format to each person performing work at the facility. Each Business subject to this paragraph must provide evidence of its implementation of the Social Distancing Protocol requirements to any authority enforcing this Order upon demand. A copy of the Social Distancing Protocol checklist must also be provided by the Business or entity to any member of the public on request.

With the exception of construction activities—which must comply with the Construction Project Safety Protocols set forth in Appendix B—each Business must use the Social Distancing Protocol checklist included in Appendix A or a form that is substantially similar.

- e. Industry Specific Requirements. In addition to the Social Distancing Protocol, all Businesses allowed to operate under this Order must follow any industry or activity-specific guidance issued by the Health Officer related to COVID-19 (available online at <http://www.sfdph.org/directives>) and any conditions on operation specified in this Order, including those specified in Appendix C-1.
- f. Businesses Must Allow Personnel to Stay Home When Sick. As outlined in the Social Distancing Protocol, Businesses are required to allow Personnel to stay home if they have symptoms associated with COVID-19 that are new or not explained by another condition (see <http://www.sfdcp.org/covid19symptoms>), and Personnel are prohibited from coming to work if they are sick and may only return to work as outlined in the Social Distancing Protocol. Generally speaking, Personnel with any single COVID-19 symptom that is new or not explained by another condition must have a negative COVID-19 test OR stay out of work for at least 10 days since symptoms started in order to return to work. Those who are close contacts of someone with COVID-19 must remain out of work for 14 days since their last close contact. See Personnel Screening Attachment (A-1) of the Social Distancing Protocol for more details (also posted at www.sfdcp.org/screening-handout). Each Business that is required to comply with the Social Distancing Protocol is prohibited from taking any adverse action against any Personnel for staying home in the



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circumstances listed in the Social Distancing Protocol.

- g. Signage For Indoor Activities. Although this Order allows certain indoor activities to resume, those activities are allowed subject to more stringent safety measures and, as a general matter, remain inherently riskier than activities that are done outdoors. All businesses that are allowed to be open indoors for the public must conspicuously post signage, including at all primary public entrances, reminding people to adhere to physical distancing, hygiene, and Face Covering requirements and to stay home when they feel ill. They must also post a stand-alone sign bearing the message that: (1) COVID-19 is transmitted through the air, and the risk is generally higher indoors, and (2) seniors and those with health risks should avoid indoor settings with crowds. The County is making templates for the signage available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>. The templates may be updated from time to time, and businesses are strongly urged to keep informed of those changes and update their signage accordingly.
- h. Signage For Employees To Report Unsafe Conditions Related To COVID-19. All businesses are required to post signs in employee break rooms or areas informing employees that they can report violations of COVID-19 health orders and directives by calling 311 or visiting www.sf.gov/report-health-order-violation. Signage should also state that the employee's identity will not be disclosed to the employer. Sample signage is available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>.
- i. Ventilation Requirements.
- i. All businesses that are allowed to be open indoors must review SFDPH's Guidance on "Ventilation for Non-Healthcare Organizations During the COVID-19 Pandemic," available online at <https://www.sfcdep.org/COVID-Ventilation> ("Ventilation Guidance"). Those businesses must: (1) implement as many improvements in the Ventilation Guidance document as feasible, and (2) keep a hand-annotated copy of the Ventilation Guidance showing which improvements were considered and implemented. Ventilation guidance from recognized authorities such as the CDC, ASHRAE, or the state of California can be used as an alternate to the DPH Ventilation Guidance with an annotated version of the alternate guidance kept on hand.
 - ii. As soon as possible, but no later than December 4, 2020, all businesses—including essential businesses—that operate indoors and serve members of the public indoors must conspicuously post signage, including at all primary public entrances, indicating which of the following ventilation strategies are used at the facility: All available windows and doors accessible to fresh outdoor air are kept open; Fully Operational HVAC systems; Appropriately sized portable air cleaners in each room; or None of the above.



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The County is making templates for the signage available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>. The templates may be updated from time to time, and businesses are strongly urged to keep informed of those changes and update their signage accordingly.

iii. [Temporarily suspended.]

- j. Compliance With State Orders. All businesses that are allowed to operate under this Order must operate in compliance with any applicable orders issued by the State that may limit the hours or manner of operation of businesses including, without limitation, the Acting California State Public Health Officer's November 19, 2020 Limited Stay At Home Order available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/limited-stay-at-home-order.aspx>.

For clarity, and without limiting other applicable exemptions, under the Limited Stay At Home Order essential work is permitted to continue between 10:00 p.m. and 5:00 a.m., and, subject to other applicable legal requirements, essential retail establishments may remain open during those hours, and food and beverage establishments may continue to operate for delivery and takeout during those hours.

- k. Capacity Limitations. With the exception of standalone grocery stores, all businesses that operate indoors and serve members of the public indoors (including but not limited to essential and non-essential retail stores, and other essential businesses such as banks and businesses providing mailing and shipping services) must limit capacity to the lesser of: (1) 20% the store's maximum occupancy or (2) the number of people who can maintain at least six feet of physical distance from each other in the facility at all times.

Standalone grocery stores must limit capacity to the lesser of: (1) 35% the store's maximum occupancy or (2) the number of people who can maintain at least six feet of physical distance from each other in the facility at all times.

Unless otherwise provided in an industry specific health officer directive, the capacity limit includes all staff and other personnel of a business.

Businesses are urged to institute special hours for seniors and others with chronic conditions or compromised immune systems.

- l. Metering Requirements. All businesses that that operate indoors and serve members of the public indoors subject to a capacity limitation must develop and implement written procedures to "meter" or track the number of persons entering and exiting the facility to ensure that the maximum capacity for the establishment is not exceeded. For example, an employee of the establishment may be posted at each entrance to the facility to perform this function. The establishment must provide a copy of its written



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“metering” procedures to an enforcement officer upon request and disclose the number of members of the public currently present in the facility.

5. Schools, Childcare, Youth Programs, and Higher Education

- a. Schools. Transitional kindergarten (TK)-12 schools may operate for in-person instruction subject to the following requirements and conditions.
 - 1) Application for Waiver for In-Person Instruction for Elementary Schools. A district superintendent, private school principal/head of school, or executive director of a charter school may apply for an advance written waiver by the Health Officer of this restriction to allow the school to open for in-person instruction for grades TK-6. If the Health Officer grants a waiver, only grades TK-6 may open for in-person education even if the grade configuration at the school includes additional grades. For more information about the waiver application process, including the criteria the Health Officer or the Health Officer’s designee will consider, visit <https://www.sfdph.org/dph/covid-19/schools-education.asp> or email the Schools and Childcare Hub at schools-childcaresites@sfdph.org. Elementary schools that have already opened and are providing indoor instruction may continue to do so.
 - 2) Middle and High Schools. Middle and high schools may only operate for in-person instruction upon advance written approval of the Health Officer or the Health Officer’s designee of a plan to open for such purposes. *Approval by the Health Officer of applications for middle schools and high schools to reopen for indoor in-person education is temporarily suspended.* Middle and high schools that have already opened and are providing indoor instruction may continue to do so. High schools that have approved applications, but have not yet reopened, must pause and may not reopen for indoor instruction at this time. Middle and high schools interested in operating *outdoor* in-person programs should visit <https://www.sfdph.org/dph/covid-19/schools-education.asp> or email the Schools and Childcare Hub at schools-childcaresites@sfdph.org for more information.
 - 3) Specialized Targeted Support Services. TK-12 schools may operate to provide in-person specialized and targeted support services to vulnerable children and youth. Schools providing specialized targeted support services do not need to obtain a waiver or advance written approval of the Health Officer, but must comply with the Health Officer Directive No. 2020-26b. Additional information about what qualifies as specialized targeted support services and which students may be served in these specialized programs is available at <https://www.sfdph.org/dph/covid-19/schools-education.asp>.
 - 4) Requirements for All TK-12 Schools. All TK-12 schools must follow any applicable directives issued by the County Health Officer, including Health



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Officer Directive No. 2020-33b (www.sfdph.org/directives), as it may be updated in the future, and any applicable “COVID-19 Industry Guidance” issued by the California Department of Public Health, available at <https://covid19.ca.gov/industry-guidance/>.

For clarity, this subsection a applies to public and private schools operating in San Francisco, including independent, parochial and charter schools.

- b. Home-Based Care for Children. Home-based care for children is permitted under Section 8.a.xxi, below.
 - c. Childcare Programs for Young Children. Group care facilities for children who are not yet in elementary school—including, for example, licensed childcare centers, daycares, family daycares, and preschools (including cooperative preschools)—may operate subject to, and to the extent permitted by, the health and safety requirements set forth in Section 3.b.1 of Appendix C-1 and Health Officer Directive No. 2020-14e, as it may be amended in the future.
 - d. Out of School Time Programs. With the exception of schools, which are addressed in subsection (a) above, educational or recreational institutions or programs that provide care or supervision for school-aged children and youth—including for example, learning hubs, other programs that support and supplement distance learning in schools, school-aged childcare programs, youth sports programs, and afterschool programs—may operate subject to, and to the extent permitted by, the health and safety requirements set forth in Section 3.b.3 of Appendix C-1 and Health Officer Directive No. 2020-21e, as it may be amended in the future.
 - e. Institutions of Higher Education and Adult Education. Institutions of higher education (“IHEs”), such as colleges and universities, and other programs offering adult education—including, for example, programs offering job skills training and English as a second language classes to adults—may operate subject to, and to the extent permitted by, the health and safety requirements set forth in Section 14 of Appendix C-1, and any relevant industry-specific Health Officer directives.
 - f. Additional Information. Additional information about the operational requirements and restrictions relating to COVID-19 for schools, childcare, and youth programs is available at <https://www.sfdph.org/dph/covid-19/schools-education.asp>.
6. Public Transit.
- a. Transit agencies, people riding or waiting to ride on public transit, and people at or near a public transit stop or station must comply with Social Distancing Requirements, as defined in Section 8.o, except as provided in subsection (b) below. Personnel and passengers must wear Face Coverings as required by the Face Covering Order. Also, people riding or waiting to ride on public transit must follow any applicable directives issued by the County Health Officer



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(www.sfdph.org/directives) and any applicable “COVID-19 Industry Guidance” issued by the California Department of Public Health, available at <https://covid19.ca.gov/industry-guidance/>. For clarity, public transit may continue to operate under the State’s Limited Stay At Home Order.

- b. Transit agencies that have submitted an acceptable health and safety plan to the Department of Public Health may relax the six-foot social distancing requirement between riders, provided that they encourage riders from different Households to maintain six feet social distance to the greatest extent feasible, and in no event shall the distance between riders from different Households be less than three feet. Transit agencies that have submitted an acceptable health plan must still ensure that there is at least six-feet social distance between transit operators and members of the public. The Department of Public Health has posted a template health and safety plan at www.sfdph.org/directives.

7. Mandatory Reporting by Businesses and Government Entities When Three or More Personnel Contract COVID-19 Within Two Weeks.

Businesses and governmental entities must require that all Personnel immediately alert the Business or governmental entity if they test positive for COVID-19 and were present in the workplace within the 48 hours before onset of symptoms or, if asymptomatic, within 48 hours of the date on which they were tested. Businesses and governmental entities can learn more about what to do after a positive COVID-19 case among Personnel at www.sfdcp.org/covid19-positive-workplace. If a Business or governmental entity has three or more Personnel who test positive for COVID-19 within a two-week period, then the Business or governmental entity is required to call the San Francisco Department of Public Health at 628-217-6100 immediately to report the cluster of cases. Businesses and governmental entities must also comply with all case investigation and contact tracing measures by the County, including providing any information requested.

8. Definitions.

For purposes of this Order, the following initially capitalized terms have the meanings given below.

Allowed Businesses and Business Activities.

- a. *Essential Businesses.* “Essential Businesses” means:
 - i. Healthcare Operations (as defined in subsection g below);
 - ii. Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of unprepared food, canned food, dry goods, non-alcoholic beverages, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, as well as hygienic products and household consumer products



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necessary for personal hygiene or the habitability, sanitation, or operation of Residences. The Businesses included in this subsection include establishments that sell multiple categories of products provided that they sell a significant amount of essential products identified in this subsection, such as liquor stores that also sell a significant amount of food;

- iii. Food cultivation, including farming, livestock, and fishing;
- iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- v. Construction, but only as permitted under the State Shelter Order and only pursuant to the Construction Safety Protocols listed in Appendix B and incorporated into this Order by this reference. City public works projects shall also be subject to Appendix B, except if other protocols are specified by the Health Officer;
- vi. Newspapers, television, radio, and other media services;
- vii. Gas stations and auto-supply, auto-repair (including, but not limited to, for cars, trucks, motorcycles and motorized scooters), and automotive dealerships, but only for the purpose of providing auto-supply and auto-repair services. This subsection (vii) does not restrict the on-line purchase of automobiles if they are delivered to a Residence or Essential Business;
- viii. Bicycle repair and supply shops;
- ix. Banks and related financial institutions;
- x. Service providers that enable real estate transactions (including rentals, leases, and home sales), including, but not limited to, real estate agents, escrow agents, notaries, and title companies, provided that appointments and other residential real estate viewings must only occur virtually or, if a virtual viewing is not feasible, by appointment with no more than two visitors at a time residing within the same Household and one individual showing the unit (except that in person visits are not allowed when the occupant is present in the Residence);
- xi. Hardware stores;
- xii. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the habitability, sanitation, or operation of Residences and Essential Businesses;
- xiii. Businesses providing mailing and shipping services, including post office boxes;
- xiv. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, or as allowed under subsection (xxvi), provided that social distancing of six feet per person is maintained to the greatest extent possible;
- xv. Laundromats, drycleaners, and laundry service providers;



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- xvi. 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;
- xvii. Funeral home providers, mortuaries, cemeteries, and crematoriums, to the extent necessary for the transport, preparation, or processing of bodies or remains;
- xviii. Businesses that supply other Essential Businesses and Outdoor Businesses with the support or supplies necessary to operate, but only to the extent that they support or supply these Businesses. This exemption shall not be used as a basis for engaging in sales to the general public from retail storefronts;
- xix. Businesses that have the primary function of shipping or delivering groceries, food, or other goods directly to Residences or Businesses. This exemption shall not be used to allow for manufacturing or assembly of non-essential products or for other functions besides those necessary to the delivery operation;
- xx. Airlines, taxis, rental car companies, rideshare services (including shared bicycles and scooters), and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
- xxi. Home-based care for seniors, adults, children, and pets;
- xxii. Residential facilities and shelters for seniors, adults, and children;
- xxiii. Professional services, such as legal, notary, or accounting services, when necessary to assist in compliance with non-elective, legally required activities or in relation to death or incapacity;
- xxiv. Services to assist individuals in finding employment with Essential Businesses;
- xxv. Moving services that facilitate residential or commercial moves that are allowed under this Order;
- xxvi. Childcare establishments and other educational or recreational institutions or programs providing care or supervision for children (with the exception of summer camps, which are addressed separately in Appendix C-1, and schools, which are addressed separately in Section 6.b, above) that enable owners and Personnel of Essential Businesses and providers of Essential Governmental Functions to work as allowed under this Order;
- xxvii. Businesses that operate, maintain, or repair Essential Infrastructure.

b. *Outdoor Businesses*. “Outdoor Businesses” means:



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- i. The following Businesses that normally operated primarily outdoors before March 16, 2020, and where there is the ability to fully maintain social distancing of at least six feet between all persons:
 1. Businesses primarily operated outdoors, such as wholesale and retail plant nurseries, agricultural operations, and garden centers; and
 2. Service providers that primarily provide outdoor services, such as landscaping and gardening services, and environmental site remediation services.

For clarity, “Outdoor Businesses” do not include outdoor restaurants, cafes, or bars. Except as otherwise provided in Appendix C-1, they also do not include Businesses that promote large, coordinated, and prolonged gatherings, such as outdoor concert venues and amusement parks.

Outdoor Businesses may conduct their operations in a tent, canopy, or other shelter as provided in Section 4.c above.

- c. *Additional Businesses.* “Additional Business” means any Business identified as an Additional Business in Appendix C-1, which will be updated as warranted based on the Health Officer’s ongoing evaluation of the COVID-19 Indicators and other data. In addition to the other requirements in this Order, operation of those Additional Businesses is subject to any conditions and health and safety requirements set forth in Appendix C-1 and in any industry-specific guidance issued by the Health Officer.
- d. *Minimum Basic Operations.* “Minimum Basic Operations” means the following activities for Businesses, provided that owners, Personnel, and contractors 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 and protect the value of the Business’s inventory and facilities; ensure security, safety, and sanitation; process payroll and employee benefits; provide for the delivery of existing inventory directly to Residences or Businesses; and related functions. For clarity, this section does not permit Businesses to provide curbside pickup to customers; and
 - ii. The minimum necessary activities to facilitate owners, Personnel, and contractors of the Business being able to continue to work remotely from their Residences, and to ensure that the Business can deliver its service remotely.
- e. *Business.* A “Business” includes any for-profit, non-profit, or educational entity, whether a corporate entity, organization, partnership or sole proprietorship, and regardless of the nature of the service, the function it performs, or its corporate or entity structure.



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- f. *Personnel*. “Personnel” means the following people who provide goods or services associated with the Business in the County: employees; contractors and sub-contractors (such as those who sell goods or perform services onsite or who deliver goods for the Business); independent contractors; vendors who are permitted to sell goods onsite; volunteers; and other individuals who regularly provide services onsite at the request of the Business. “Personnel” includes “gig workers” who perform work via the Business’s app or other online interface, if any.
- g. *Healthcare Operations*. “Healthcare Operations” includes, without limitation, hospitals, clinics, COVID-19 testing locations, dentists, pharmacies, blood banks and blood drives, 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 for Healthcare Operations must be construed broadly to avoid any interference with the delivery of healthcare, broadly defined. “Healthcare Operations” excludes fitness and exercise gyms and similar facilities.

Allowed Activities.

- h. *Essential Activities*. “Essential Activities” means to:
- i. Engage in activities or perform tasks important to their health and safety, or to the health and safety of their family or Household members (including pets);
 - ii. Obtain necessary services or supplies for themselves and their family or Household members, or to deliver those services or supplies to others;
 - iii. Provide necessary care for a family member or pet in another Household who has no other source of care;
 - iv. Attend a funeral with no more than 12 individuals present (or, if higher, the number of individuals allowed to gather for social gatherings under Appendix C-2); and
 - v. Move Residences.
- i. *Outdoor Activities*. “Outdoor Activities” means:
- i. To engage in outdoor recreation activity, including, by way of example and without limitation, walking, hiking, bicycling, and running, in compliance with Social Distancing Requirements and with the following limitations:
 1. Outdoor recreation activity at parks, beaches, and other open spaces must comply with any restrictions on access and use established by the Health Officer, government, or other entity that manages such area to reduce crowding and risk of transmission of COVID-19;



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2. Except as otherwise provided in Appendix C-2 or as otherwise authorized in writing by the Health Officer, use of outdoor recreational areas and facilities with high-touch equipment or that encourage gathering—including playgrounds, gym equipment, climbing walls, pools, spas, and barbecue areas—is prohibited outside of Residences, and all such areas must be closed to public access including by signage and, as appropriate, by physical barriers; and
3. Except as otherwise provided in Appendix C-2, sports or activities that include the use of shared equipment or physical contact between participants may only be engaged in by members of the same Household.

Outdoor Activities may be conducted in a tent, canopy, or other shelter, as provided in Section 4.c above.

- j. *Additional Activities*. “Additional Activities” means:
- i. To engage in outdoor recreation activities or other activities set forth in Appendix C-2, subject to any conditions and health and safety requirements set forth there.

Allowed Travel.

- k. *Essential Travel*. “Essential Travel” means travel for any of the following purposes:
- i. Travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, Minimum Basic Operations, Outdoor Activities, Outdoor Businesses, Additional Activities, and Additional Businesses;
 - ii. Travel to care for any elderly, minors, dependents, or persons with disabilities;
 - 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 County;
 - 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 before commencing such travel;
 - vii. Travel to manage after-death arrangements and burial;
 - viii. Travel to arrange for shelter or avoid homelessness;
 - ix. Travel to avoid domestic violence or child abuse;
 - x. Travel for parental custody arrangements; and



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- xi. Travel to a place to temporarily reside in a Residence or facility to avoid potentially exposing others to COVID-19, such as a hotel or other facility provided by a governmental authority for such purposes.

Governmental Functions.

- l. *Essential Infrastructure.* “Essential Infrastructure,” including airports, utilities (including water, sewer, gas, and electrical), oil refining, roads and highways, public transportation, solid waste facilities (including collection, removal, disposal, recycling, and processing facilities), cemeteries, mortuaries, crematoriums, and telecommunications systems (including the provision of essential global, national, and local infrastructure for internet, computing services, Business infrastructure, communications, and web-based services).
- m. *Essential Governmental Functions.* “Essential Governmental Functions” are determined by the governmental entity performing those functions in the County. Each governmental entity shall identify and designate appropriate Personnel, volunteers, or contractors to continue providing and carrying out any Essential Governmental Functions, including the hiring or retention of new personnel or contractors to perform such functions. Each governmental entity and its contractors must employ all necessary emergency protective measures to prevent, mitigate, respond to, and recover from the COVID-19 pandemic, and all Essential Governmental Functions must be performed in compliance with Social Distancing Requirements to the greatest extent feasible. All first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others who need to perform essential services are categorically exempt from this Order to the extent they are performing those essential services.

The County may operate facilities as needed to address health emergencies related to weather conditions or acts of nature, such as excessive heat or smoke from wildfires, even if those facilities are not otherwise allowed to open for their intended purposes under this Order, provided that the operation of such facilities must be done in compliance with any COVID-19 related guidance that the Health Officer may issue. Those facilities include, but are not limited to, cooling centers and smoke respite centers, and may be operated directly by the County or by other entities at the direction of or in coordination with the County or as otherwise provided for in such guidance.

Residences and Households.

- n. “Residences” and “Households” are defined as set forth in Section 3.b, above.

Social Distancing.

- o. *Social Distancing Requirements.* “Social Distancing Requirements” mean:



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- i. Maintaining at least six-foot social distancing from individuals who are not part of the same Household;
 - ii. Frequently washing hands with soap and water for at least 20 seconds, or using hand sanitizer that is recognized by the Centers for Disease Control and Prevention as effective in combatting COVID-19;
 - iii. Covering coughs and sneezes with a tissue or fabric or, if not possible, into the sleeve or elbow (but not into hands);
 - iv. Wearing a Face Covering when out in public, consistent with the orders or guidance of the Health Officer; and
 - v. Avoiding all non-essential interaction outside the Household when sick with any COVID-19 symptom listed at www.sfcdep.org/covid19symptoms that is new or not explained by another condition.
9. Incorporation of State and Local Emergency Proclamations and State Health Orders.
- a. State and Local Emergency Proclamations. 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 March 12, 2020 Executive Order (Executive Order N-25-20) 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.
 - b. State Health Orders. This Order is also issued in light of the March 19, 2020 Order of the State Public Health Officer (the “State Shelter Order”), which set baseline statewide restrictions on non-residential Business activities, effective until further notice, the Governor’s March 19, 2020 Executive Order N-33-20 directing California residents to follow the State Shelter Order, and the July 13, 2020, August 28, 2020, November 19, 2020, and December 3, 2020 Orders of the State Public Health Officer. The May 4, 2020 Executive Order issued by Governor Newsom and May 7, 2020 Order of the State Public Health Officer permit certain Businesses to reopen if a local health officer believes the conditions in that jurisdictions warrant it, but expressly acknowledge the authority of local health officers to establish and implement public health measures within their respective jurisdictions that are more restrictive than those implemented by the State Public Health Officer. The December 3, 2020 Order of the State Public Health Officer acknowledges the current surge and imposes restrictions on many activities in an effort to help stop that surge, and this Order has been substantially revised in order to comport with that December 3, 2020 order. Also on November 16, 2020 the State Department of Public Health issued updated guidance for the use of Face Coverings, requiring all people in the State to wear Face Coverings when outside the home, subject to limited exceptions.



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10. Obligation to Follow Stricter Requirements of Orders.

This Order adopts certain health and safety restrictions that are more stringent than those contained in the State Shelter Order. Without this tailored set of restrictions that further reduces the number of interactions between persons, scientific evidence indicates that the public health crisis in the County will worsen to the point at which it may overtake available health care resources within the County and increase the death rate. Where a conflict exists between this Order and any state public health order related to the COVID-19 pandemic, the most restrictive provision (i.e., the more protective of public health) controls. Consistent with California Health and Safety Code section 131080 and the Health Officer Practice Guide for Communicable Disease Control in California, except where the State Health Officer may issue an order expressly directed at this Order and based on a finding that a provision of this Order constitutes a menace to public health, any more restrictive measures in this Order continue to apply and control in this County. Also, to the extent any federal guidelines allow activities that are not allowed by this Order, this Order controls and those activities are not allowed.

11. Obligation to Follow Health Officer Directives and Mandatory State Guidance.

In addition to complying with all provisions of this Order, all individuals and entities, including all Businesses and governmental entities, must also follow any applicable directives issued by the County Health Officer (www.sfdph.org/directives) and any applicable "COVID-19 Industry Guidance" issued by the California Department of Public Health, available at <https://covid19.ca.gov/industry-guidance/>. To the extent that provisions in the directives of the County Health Officer and the guidance of the State Health Officer conflict, the more restrictive provisions (i.e., the more protective of public health) apply. In the event of a conflict between provisions of any previously-issued Health Officer directive and this Order (including the revised provisions of the Appendixes), this Order controls over the conflicting provisions of the Health Officer directive.

12. Enforcement.

Under 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 (including, without limitation, any Health Directives) constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both. The San Francisco Department of Public Health is authorized to respond to such public nuisances by issuing Notice(s) of Violation and ordering premises vacated and closed until the owner, tenant, or manager submits a written plan to eliminate all violations and the Department of Public Health finds that plan satisfactory. Such Notice(s) of Violation and orders to vacate and close may be issued based on a written report made by any City employees writing the report within the scope of their duty. The Department of Public Health must give notice of such orders



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to vacate and close to the Chief of Police or the Chief's designee to be executed and enforced by officers in the same manner as provided by San Francisco Health Code section 597.

13. Effective Date.

This Order becomes effective immediately upon issuance, and will continue in effect (as it may be updated) until the Health Officer rescinds, supersedes, or amends it in writing. The Health Officer intends to amend this Order to begin resuming the gradual re-opening of businesses and activities in the County, with safety modifications, after the Bay Area Region is no longer subject to the State's Regional Stay at Home Order, and the Health Officer has had an adequate opportunity to evaluate whether reopening is supported by (a) ICU availability and other hospital capacity in the County and (b) COVID-19 hospitalization and case rates. To evaluate the impact of any traveling and gatherings that occurred during the December 2020 and 2021 New Year's holidays, the Health Officer will not have available the information necessary to make this determination for several weeks after the holiday season ends, so the resumption of re-opening will not occur until after that evaluation is complete. A revised version of the Order will be issued before or at that time based on then-present conditions.

14. Relation to Other Orders of the San Francisco Health Officer.

Effective as of the effective date and time in Section 13 above, this Order revises and replaces Order Number C19-07p, issued December 4, 2020. This Order also extends Order Nos. C19-04 (imposing cleaning standards for residential hotels) and C19-11 (placing Laguna Honda Hospital and Rehabilitation Center under protective quarantine) without any further need to amend those orders, with those listed orders otherwise remaining in effect until the specific listed order or this Order is extended, rescinded, superseded, or amended in writing by the Health Officer. This Order does not prohibit amendment of those orders separately. This Order also does not alter the end date of any other Health Officer order or directive having its own end date or which continues indefinitely.

15. Copies.

The County must promptly provide copies of this Order as follows: (1) by posting on the Department of Public Health website (www.sfdph.org/healthorders); (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. Also, 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.



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16. Severability.

If any provision of this Order or its application to any person or circumstance is held to be invalid, 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 black ink, appearing to read "Susan Philip", written over a horizontal line.

Susan Philip, MD, MPH,
Acting Health Officer of the
City and County of San Francisco

Dated: December 30, 2020

Attachments:

- Appendix A – Social Distancing Protocol for Businesses (revised November 16, 2020)
- Appendix B-1 – Small Construction Project Safety Protocol (revised November 3, 2020)
- Appendix B-2 – Large Construction Project Safety Protocol (revised November 3, 2020)
- Appendix C-1 – Additional Businesses (revised December 9, 2020)
- Appendix C-2 – Additional Activities (revised December 9, 2020)

Health Officer Order No. C19-07g**Appendix A: Social Distancing Protocol** (revised 11/3/2020, attachments rev. 11/2/20 and 11/13/20)

Each business allowed to operate in San Francisco must complete, post onsite, and follow this Social Distancing Protocol checklist. The attached **Instructions and Requirements** detail what is required and how to complete this checklist.

Check off all items below that apply and list other required information.

Business name:

Contact name:

Facility Address:

Email / telephone:

(You may contact the person listed above with any questions or comments about this protocol.)

SIGNAGE & EDUCATION

- Post signage at each public entrance of the facility requiring of everyone:
 - (1) do not enter if experiencing COVID-19 symptoms. List the symptoms in the San Francisco COVID-19 Health Screening Form for non-personnel (**Attachment A-2**). The list of symptoms can also be found online at www.sfgcdcp.org/covid19symptoms.
 - (2) maintain a minimum six-foot distance from others in line and in the facility;
 - (3) wear a face covering; and
 - (4) for self-brought bags, keep bags in a cart/basket or carry them and self-place items in bags after checkout
- Post a copy of this two-page Social Distancing Protocol checklist at each public entrance
- Post signage showing maximum number of patrons who can be in line and in the facility
- Educate Personnel about this Protocol and other COVID-19 related safety requirements

PROTECTIVE MEASURES

- Follow Sections 2.1 through 2.4 below, including:
 - Ensure Personnel stay home or leave work if they are sick or have any single symptom of COVID-19 that is new or not explained by another condition. See www.sfgcdcp.org/covid19symptoms or the Personnel Screening Attachment (A-1).
 - Provide Personnel a copy of the Personnel Screening Attachment (A-1) to ensure they understand when to stay home and for how long. Generally speaking, Personnel with any single COVID-19 symptom that is new or not explained by another condition **MUST** have a negative COVID-19 test OR stay out of work for at least 10 days since symptoms started in order to return to work. Those who are close contacts of someone with COVID-19 must remain out of work for 14 days since their last close contact. Translated versions of the Personnel Screening Attachment (A-1) are available online at www.sfgcdcp.org/screen.
 - Ensure Personnel review health criteria on the Personnel Screening Attachment (A-1) before each shift and advise Personnel what to do if they are required to stay home.
- Require Personnel and patrons to wear a face covering as required by Health Officer orders
- Implement a plan to keep site Personnel safe, including by limiting the number of Personnel and patrons onsite to a number that ensures physical distancing and favoring allowing Personnel to carry out their duties from home when possible
- Require that patrons cancel or reschedule appointments or reservations for non-essential services if they have COVID-19 symptoms or exposure, as described in San Francisco COVID-19 Screening Form (Attachment A-2). Ensure that patrons can cancel an appointment or reservation for COVID-19 symptoms or exposure without financial penalty. You may offer to reschedule for another time if the patron wants to reschedule instead of to cancel,

MEASURES TO PREVENT UNNECESSARY CONTACT

- Tell Personnel and patrons to maintain physical distancing of at least six feet, except Personnel may

momentarily come closer when necessary to accept payment, deliver goods or services, or as otherwise necessary

- Separate all used desks or individual work stations by at least six feet
- Place markings in patron line areas to ensure six feet physical distancing (inside and outside)
- Provide for contactless payment systems or, if not feasible, disinfect payment systems regularly. The Board of Supervisors has required businesses to accept cash—if cash is used encourage exact change.
- Maintain Plexiglas or other barriers between patrons and Personnel at point of payment (if not possible, then ensure at least six feet of distance)
- Limit the number of patrons in the business at any one time to: _____
- Separate ordering areas from delivery areas or similarly help distance patrons when possible
- Optional—Describe other measures:

SANITIZING MEASURES

- Regularly disinfect high touch areas, and do so continuously for surfaces patrons touch (countertops, payment systems, pens, and styluses)
- Provide disinfecting wipes that are effective against SARS-CoV-2 near shopping carts, shopping baskets, and high-touch surfaces and provide hand sanitizer
- Have Personnel disinfect carts and baskets after each use
- Provide hand sanitizer, sink with soap and water, and/or disinfecting wipes to patrons and Personnel at or near the entrance of the facility, at checkout counters, and anywhere else where people have direct interactions
- Disinfect break rooms, bathrooms, and other common areas frequently, on the following schedule:
 - Break rooms:
 - Bathrooms:
 - Other:
- Prevent people from self-serving any items that are food-related:
 - Provide lids and utensils for food items by Personnel, not for patrons to grab
 - Limit access to bulk-item food bins to Personnel—no self-service use
- Require patrons and Personnel to follow requirements of Section 3.25 below for self-brought bags, and prohibit patrons from bringing any other reusable items such as coffee mugs.
- Prohibit Personnel from using shared food prep equipment for their own use (e.g., microwaves, water coolers), but microwaves may be used if disinfected between each use and hand sanitizer is available nearby and water coolers may be used as outlined in Section 3.14 below.
- Optional—Describe other measures (e.g., providing senior-only hours):

INDUSTRY-SPECIFIC DIRECTIVES

- Ensure that you have read and implemented the attached list of requirements.
- In addition to complying with the Social Distancing Protocol, many businesses must comply with additional, industry-specific directives. Go to www.sfdph.org/directives and check to see if your business is subject to one or more additional directives. For each one, you must review the Health and Safety Plan (HSP) requirements and post an additional checklist for each one that applies. In the event that any directive changes the requirements of the Social Distancing Protocol, the more specific language of the directive controls, even if it is less restrictive. Check this box after you have checked the list of directives and posted any other required HSP.

* Any additional measures may be listed on separate pages and attached.

[You are not required to post these Instructions and Requirements]**Instructions:**

The two-page Social Distancing Protocol checklist above must reflect the business's completion of each requirement listed below unless an item is not applicable. Use the two-page checklist above to show compliance with these requirements. The business does not need to post these Instructions and Requirements, only the checklist above. The term "Personnel" is defined in Health Officer Order to which this Appendix is attached. The term "patron" includes customers, others seeking services, visitors, and guests.

Requirements:

In addition to the items below, this protocol requires the business to ensure that Personnel who perform work associated with the business are covered by the Social Distancing Protocol checklist and comply with those requirements. Each business is required to take certain steps in the protocol related to its Personnel, including the actions listed in Sections 2.1 through 2.4 below if Personnel are sick. Each business is prohibited from taking any adverse action against any Personnel for staying home in the circumstances listed in Sections 2.1 through 2.4 below. Personnel of each business are prohibited from coming to work if they are sick and must comply with the protocol, including the rules for returning to work listed in Sections 2.1 through 2.4 below.

1. Signage and Education

- 1.1. [Minor edits to this section 11/3/20] Post signage at each public entrance of the facility or location (if any) to inform all patrons that they must: not wait in line or enter the facility or location if they have a symptom of COVID-19 that is new or not explained by another condition, listing the symptoms from the Screening Form for non-personnel (Attachment A-2) or using the symptom list available online at www.sfcddcp.org/covid19symptoms; maintain a minimum six-foot distance from others while in line or in the facility or location; wear a face covering or barrier mask (a "Face Covering") at all times; not shake hands or engage in any unnecessary physical contact; and, if they bring their own reusable bags, leave the bags in a shopping cart/basket or carry them and bag their own items after checkout. Criteria for Face Coverings and the requirements related to their use are set forth in Health Officer Order No. C19-12, issued on April 17, 2020 (the "Face Covering Order"), including as that order is updated in the future. Sample signs are available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>. A list of common symptoms of COVID-19 can be found at <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>.
- 1.2. Post a copy of the Social Distancing Protocol checklist at each public entrance to the facility or location.
- 1.3. Distribute to all Personnel copies of the Social Distancing Protocol checklist in hardcopy or electronic format.
- 1.4. Educate all Personnel on the requirements of the Social Distancing Protocol and any other Health Officer directive that applies.

2. Screening Requirements and Related Restrictions

[Entire section revised 9/14/20; minor edits made 11/3/20] Businesses and other entities in the City that are allowed to operate must screen all Personnel each day using the screening process described in Sections 2.1 through 2.4 below. Attached to this Appendix is the Personnel

Screening Attachment (**Attachment A-1**) which provides the questions that must be used for that purpose. That form may be used, or the business may adapt the questions and the information contained in that form for use through another method such as by phone, text message, email, web interface, or app.

Separately, many businesses and other entities that are allowed to operate are required by separate directives to screen guests, visitors, customers, or others using similar questions. Attached to this Appendix is the San Francisco COVID-19 Health Screening Form for non-personnel (**Attachment A-2**) that may be used for this purpose. If a directive requires use of the San Francisco COVID-19 Health Screening Form, then that form must be used or the business or entity may adapt the questions and the information contained in that form for use through another method such as by phone, text message, email, web interface, or app.

A copy of the applicable screening form should be provided to anyone on request, although a poster or other large-format version of the form may be used to review the questions with people verbally at entrances. Businesses and organizations can use the guidance available online at <https://www.sfcddcp.org/wp-content/uploads/2020/05/COVID19-Screening-Questions-UPDATE-05.26.2020.pdf> for determining how best to conduct screening. The City has flyers, posters, fact sheets, and social media graphics available in multiple languages for use by the community. These resources include posters regarding use of Face Coverings and screening. These resources are available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>.

The screening requirements listed in this Appendix are subject to any more specific (or different) requirements that apply under any other Health Officer directive or order.

Personnel Screening and Restrictions:

- 2.1.** Instruct all Personnel orally and in writing not to come to work or the facility if they are sick or have any single symptom of COVID-19 that is new or not explained by another condition. See www.sfcddcp.org/covid19symptoms or Personnel Screening Attachment (A-1).
- 2.2.** Provide a copy of the Personnel Screening Attachment (**Attachment A-1**) to all Personnel who regularly work at the facility or location in hardcopy format or electronically. PDF and translated versions of the Personnel Screening Attachment can be found at www.sfcddcp.org/screen. If the Personnel Screening Attachment is updated, provide an updated copy to all Personnel. Instead of sending out the attachment, Businesses may adopt the questions and information contained on the Personnel Screening Attachment and ask Personnel those questions and deliver the information through another format.
- 2.3.** Review the criteria listed in Part 1 of the Personnel Screening Attachment on a daily basis with all Personnel in the City who work at the facility or location before each person enters work spaces or begins a shift. If such a review is not feasible because the business does not directly interact with some Personnel onsite daily, then that business must for those Personnel (1) instruct such Personnel to review the criteria before each shift in the City and (2) have such Personnel report to the business that they are okay to begin the shift such as through an app, website, or phone call.

Instruct any Personnel who answered yes to any question in Part 1 of the Personnel Screening Attachment to return home or not come to work and follow the directions on the Attachment. Generally speaking, Personnel with any single COVID-19 symptom that is new or not explained by another condition MUST have a negative COVID-19 test OR stay out of work for at least 10 days since symptoms started in order to return to work. Those who are

close contacts of someone with COVID-19 must remain out of work for 14 days since their last close contact.

- 2.4. Instruct Personnel who stayed home or who went home based on the criteria listed on the Personnel Screening Attachment that they must follow the criteria as well as any applicable requirements from the quarantine and isolation directives (available at www.sfdph.org/healthorders) before returning to work. If they are required to self-quarantine or self-isolate, they may only return to work after they have completed self-quarantine or self-isolation. If they test negative for the virus (no virus found), they may only return to work if they meet the criteria explained on the Personnel Screening Attachment: www.sfcddcp.org/screen. Personnel are not required to provide a medical clearance letter to return to work as long as they have met the requirements outlined on the Personnel Screening Attachment. Additional information about isolation and quarantine, including translations, is available online at www.sfcddcp.org/i&q.

Guest, Visitor, Customer, and Other People Screening and Restrictions:

- 2.5. Health Officer directives may require screening of guests, visitors, customers, and others using the San Francisco COVID-19 Health Screening Form for non-personnel (**Attachment A-2**). In general, anyone who answers “yes” to any screening question on the San Francisco COVID-19 Health Screening Form should not enter the business or facility because they are at risk of having the virus that causes COVID-19. The form lists steps that should be taken by anyone who answers “yes” to a screening question. In some instances, a Health Officer directive will require that anyone who answers “yes” to be prevented from entry. In other situations, the Department of Public Health discourages organizations from denying essential services to those who may answer “yes” to any of the questions and encourages organizations to find alternative means to meet clients’ needs that would not require them to enter the facility.

3. Other Personnel and Patron Protection and Sanitation Requirements:

- 3.1. Businesses must periodically check the following website for any testing requirements for employers and businesses: www.sfcddcp.org/covid19. If requirements are added, ensure that the business and all Personnel comply with testing requirements.
- 3.2. If an aspect of the business is allowed to operate and is covered by a Health Officer directive, then the business must comply with all applicable directives as well as this Social Distancing Protocol. Copies of other directives are available online at www.sfdph.org/directives. For each directive that applies, review the Health and Safety Plan (HSP) requirements and post an additional HSP checklist for each one that applies. In the event that any directive changes the requirements of the Social Distancing Protocol, the more specific language of the directive controls, even if it is less restrictive.
- 3.3. Instruct all Personnel and patrons to maintain at least a six-foot distance from others, including when in line and when shopping or collecting goods on behalf of patrons, except when momentarily necessary to facilitate or accept payment and hand off items or deliver goods. Note that if the business cannot ensure maintenance of a six-foot distance within the location or facility between Personnel or other people onsite, such as by moving work stations or spreading Personnel out, it must reduce the number of Personnel permitted in the location or facility accordingly.
- 3.4. Provide Face Coverings for all Personnel, with instructions that they must wear Face Coverings at all times when at work, as further set forth in the Face Covering Order. A

sample sign is available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>. Allow Personnel to bring their own Face Covering if they bring one that has been cleaned before the shift. In general, people should have multiple Face Coverings (whether reusable or disposable) to ensure they use a clean one each day. The Face Covering Order permits certain exceptions, and the business should be aware of exceptions that allow a person not to wear a Face Covering (for example, children 12 years old or younger or based on a written medical excuse). When Personnel do not wear a Face Covering because of an exception, take steps to otherwise increase safety for all.

- 3.5.** If patrons wait in line outside or inside any facility or location operated by the business, require patrons to wear a Face Covering while waiting in line outside or inside the facility or location. This includes taking steps to notify patrons they will not be served if they are in line without a Face Covering and refusing to serve a patron without a Face Covering, as further provided in the Face Covering Order. The business may provide a clean Face Covering to patrons while in line. For clarity, the transaction or service must be aborted if the patron is not wearing a Face Covering. But the business must permit a patron who is excused by the Face Covering Order from wearing a Face Covering to conduct their transaction or obtain service, including by taking steps that can otherwise increase safety for all.
- 3.6.** Provide a sink with soap, water, and paper towels for handwashing for all Personnel working onsite at the facility or location and for patrons if sinks and restrooms are open to patrons. Require that all Personnel wash hands at least at the start and end of each shift, after sneezing, coughing, eating, drinking, smoking (to the extent smoking is allowed by law and the business), or using the restroom, when changing tasks, and, when possible, frequently during each shift. Personnel who work off-site, such as driving or delivering goods, must be required to use hand sanitizer throughout their shift.
- 3.7.** Provide hand sanitizer effective against SARS-CoV-2, the virus that causes COVID-19, at appropriate locations for patrons and elsewhere at the facility or location for Personnel. Sanitizer must also be provided to Personnel who shop, deliver, or drive for use when they are shopping, delivering, or driving. If sanitizer cannot be obtained, a handwashing station with soap, water, and paper towels will suffice for Personnel who are on-site at the facility or location. But for Personnel who shop, deliver, or drive in relation to their work, the business must provide hand sanitizer effective against SARS-CoV-2 at all times; for any period during which the business does not provide sanitizer to such shopping, delivery, or driving Personnel, the business is not allowed for that aspect of its service to operate in the City. Information on hand sanitizer, including sanitizer effective against SARS-CoV-2 and how to obtain sanitizer, is available online from the Food and Drug Administration here: <https://www.fda.gov/drugs/information-drug-class/ga-consumers-hand-sanitizers-and-covid-19>.
- 3.8.** Provide disinfectant and related supplies to Personnel and require Personnel to sanitize all high-touch surfaces under their control, including but not limited to: shopping carts and baskets used by Personnel and patrons; countertops, food/item display cases, refrigerator and freezer case doors, drawers with tools or hardware, and check-out areas; cash registers, payment equipment, and self-check-out kiosks; door handles; tools and equipment used by Personnel during a shift; and any inventory-tracking or delivery-tracking equipment or devices which require handling throughout a work shift. These items should be routinely disinfected during the course of the day, including as required below. A list of products listed by the United States Environmental Protection Agency as meeting criteria for use against SARS-CoV-2 can be found online here: <https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2>.

- 3.9.** Ensure that all shared devices and equipment are cleaned and/or sanitized by Personnel on frequent schedules, not less than at the beginning and end of each Personnel member's work shift and during the shift.
- 3.10.** Direct all Personnel to avoid touching unsanitized surfaces that may be frequently touched, such as door handles, tools, or credit cards, unless protective equipment such as gloves (provided by the business) are used and discarded after each use or hand sanitizer is used after each interaction.
- 3.11.** Frequently disinfect any break rooms, bathrooms, and other common areas. Create and use a daily checklist to document each time disinfection of these rooms or areas occurs. Conspicuously post the checklist inside each respective break room, bathroom, or other common area clearly detailing the dates and times the room was last cleaned, disinfected, or restocked.
- 3.12.** For any facility or location that has carts, baskets, or other equipment for use by Personnel, assign Personnel to disinfect carts, baskets, or other equipment after each use and take steps to prevent anyone from grabbing used carts, baskets, or other equipment before disinfection.
- 3.13.** Establish adequate time in the work day to allow for proper cleaning and decontamination throughout the facility or location by Personnel including, but not limited to, before closing for the day and opening in the morning.
- 3.14.** [Revised 8/14/20] Except as listed in this Section 3.14, suspend use of any microwaves, water coolers, drinking fountains, and other similar group equipment for breaks until further notice. Microwaves may be used if disinfected by wiping the interior and exterior with an approved disinfectant after each use. Water coolers may be used if: i) touch surfaces are wiped down with an approved disinfectant after each use; and ii) any person changing a container-type water cooler must wash their hands or use hand sanitizer immediately prior to handling/replacing the water container.
- 3.15.** When possible, provide a barrier between the patron and the cashier such as a plexi-glass temporary barrier. When not possible, create sufficient space to enable the patron to stand more than six feet away from the cashier while items are being scanned/tallied and bagged.
- 3.16.** Provide for contactless payment systems or, if not feasible, sanitize payment systems, including touch screens, payment portals, pens, and styluses, after each patron use. Patrons may pay with cash but to further limit person-to-person contact, Personnel should encourage patrons to use credit, debit, or gift cards for payment.
- 3.17.** For any larger facility or location, appoint a designated sanitation worker at all times to continuously clean and sanitize commonly touched surfaces and meet the environmental cleaning guidelines set by the Center for Disease Control and Prevention.
- 3.18.** If an employee or other Personnel tests positive for COVID-19 or SARS-CoV-2, follow the guidance on "Business guidance if a staff member tests positive for COVID-19," available at <https://sf.gov/business-guidance-if-staff-member-tests-positive-covid-19>.
- 3.19.** Post signs to advise patrons of the maximum line capacity to ensure that the maximum number of patrons in line is not exceeded. Once the maximum number of patrons is reached, patrons should be advised to return later to prevent buildup of congestion in the line.

- 3.20.** Place tape or other markings on the sidewalk or floor at least six feet apart in patron line areas with signs directing patrons to use the markings to maintain distance.
- 3.21.** When stocking shelves, if any, ensure that Personnel wash or sanitize hands before placing items on shelves, making sure to again wash or sanitize hands if they become contaminated by touching face or hair or being exposed to other soiled surfaces.
- 3.22.** Ensure that all Personnel who select items on behalf of patrons wear a Face Covering when selecting, packing, and/or delivering items.
- 3.23.** Require Personnel to wash hands frequently, including:
- When entering any kitchen or food preparation area
 - Before starting food preparation or handling
 - After touching their face, hair, or other areas of the body
 - After using the restroom
 - After coughing, sneezing, using a tissue, smoking, eating, or drinking
 - Before putting on gloves
 - After engaging in other activities that may contaminate the hands
- 3.24.** Assign Personnel to keep soap and paper towels stocked at sinks and handwashing stations at least every hour and to replenish other sanitizing products.
- 3.25.** [Added 7/13/20] If patrons bring their own reusable shopping bags, ensure that such bags, even in contexts other than grocery stores, are handled in a manner consistent with Cal/OSHA requirements available at <https://www.dir.ca.gov/dosh/Coronavirus/COVID-19-Infection-Prevention-in-Grocery-Stores.pdf>, including all of the following:
- Post signs at all entrances with infection control information to patrons, including requiring patrons to leave their own bags in the shopping cart or basket or carry them and bag their own items after checkout;
 - Ensure that Personnel do not touch the bags or place items in them;
 - Bags must not be placed on a conveyor belt, checkout area countertop, or other surface where patrons are served;
 - Ensure that patrons bag their own items if they bring their own bags;
 - Bags may not be loaded on the checkout area surface. Items can be left in a cart/basket and bagged elsewhere by the patron after checkout;
 - Ensure that patrons maintain physical distancing while bagging their items; and
 - Increase the frequency of disinfection in bagging areas and patron service areas frequented by patrons.
- 3.26.** [Added 7/13/20; updated 11/3/20] If a patron has symptoms of COVID-19 (see Section 1.1 above) or is otherwise unable to participate in an appointment or reservation for a COVID-19 related reason, the business must cancel the appointment or reservation if it is not for essential services (such as food, medicine, shelter, or social services) and allow the patron to cancel without any financial penalty. The business may offer to reschedule the appointment or reservation but cannot require rescheduling instead of allowing the patron to cancel. In the

healthcare context, more specific Health Officer directives may allow appointments when a patient or client is ill, and the requirements of the directive must be followed in that situation.

Note – Sections 3.14 and 3.26 control over any contrary language in Health Officer Directive Nos. 2020-05, 2020-06, and 2020-07 until each of them is amended or updated.

ATTACHMENT A-1: Personnel Screening Form

(November 13, 2020)

Any business or entity that is allowed to operate in San Francisco during the COVID-19 pandemic MUST screen Personnel with the questions below on a daily basis as part of its Social Distancing Protocol compliance and provide this information to Personnel. Go to www.sfgcdcp.org/screen for more information or a copy of this form. Do not use this form to screen customers, visitors, or guests. The screening form for Non-Personnel is available at www.sfgcdcp.org/screen. Health Officer orders or directives may provide additional screening requirements.

Business must ensure Personnel stay home or leave work if they answer “Yes” to any of the three questions below.

Personnel who must stay home or leave work may be entitled to paid leave. Businesses must comply with their paid leave obligations under applicable law, including but not limited to the San Francisco Employee Protections Ordinance, San Francisco Public Health Emergency Leave, and the Federal Families First Coronavirus Response Act. For more information, go to www.sfgov.org/olse and www.sfgcdcp.org/workerfaq.

PART 1 – You must answer the following questions before starting your work every day that you work.

You may be required to provide the answers in person or via phone or other electronic means to the Business before the start of each shift. If any answers change while you are at work, notify the Business by phone and leave the workplace.

1. In the last 10 days, have you been diagnosed with COVID-19 or had a test confirming you have the virus?
2. In the past 14 days, have you had “Close Contact” with someone who was diagnosed with COVID-19 or had a test confirming they have the virus while they were contagious [†] ? † “Close Contact” means you had any of the following types of contact with the person with COVID-19 (regardless of whether you or the person with COVID-19 were masked) while they were contagious [‡] : <ul style="list-style-type: none">• Were within 6 feet of them for a total of 15 minutes or more in a 24 hour period• Lived or stayed overnight with them• Were their intimate sex partner, including only kissing• Took care of them or they took care of you• Had direct contact with their body fluids or secretions (e.g., they coughed or sneezed on you or you shared eating or drinking utensils with them) ‡ Contagious Period: People with COVID-19 are considered contagious starting 48 hours before their symptoms began until 1) at least 10 days have passed since their symptoms began, 2) they haven’t had a fever for at least 24 hours AND 3) their symptom have improved. If the person with COVID-19 never had symptoms, they are considered contagious starting 48 hours before their positive COVID-19 test was collected until 10 days after they were tested.
3. In the past 24 hours, including today, have you had one or more of these symptoms that is <u>new or not explained by another condition</u> ? <ul style="list-style-type: none">• Fever (100.4°F/38.0°C or greater), chills, repeated shaking/shivering• Cough• Sore throat• Shortness of breath, difficulty breathing• Feeling unusually weak or fatigued• Loss of taste or smell• Muscle or body aches• Headache• Runny or congested nose• Diarrhea• Nausea or vomiting

If you answer “YES” to ANY of these 3 questions, do not enter any business or facility and follow the steps listed in Part 2 below.

PART 2 –

- If you answered **YES to Question 1 or Question 2. DO NOT GO TO WORK.** And:
 - **Follow Isolation/Quarantine Steps** at: www.sfgcdcp.org/Home-Isolation-Quarantine-Guidelines
You **MUST** follow these isolation/quarantine rules, as **mandated** by the Health Directive No 2020-03c/02c.
 - Do not return to work until the Isolation or Quarantine Steps tell you it is safe to return!
- If you answered **YES to Question 3:** You may have COVID-19 and **must be tested for the virus** before returning to work. Without a test, the Business must treat you as being positive for COVID-19 and require you to stay out of work for at least **10** calendar days. To return to work sooner and protect others, **follow these steps:**
 1. **GET TESTED!** If you have insurance, contact your healthcare provider to get tested for COVID-19. If you do not have insurance, you can sign up for free testing at CityTestSF (<https://sf.gov/citytestsf>). If you live outside the City, check with the county where you live, get tested by your usual healthcare provider, or use CityTestSF.
 2. Wait for your results at home and follow the instructions at www.sfgcdcp.org/Home-Isolation-Quarantine-Guidelines to determine next steps. Only return to work when those guidelines say it is safe.

Your health on the job is important! To report a violation of San Francisco COVID-19 health orders and directives (www.sfdph.org/healthorders), including requirements to screen and exclude sick personnel from work as well as social distancing and facial covering requirements, call: 311 or 415-701-2311 (English) or 415-701-2322 (Español, 中文, TTY). You can request for your identity to remain confidential.

ATTACHMENT A-2: San Francisco COVID-19 Health Screening Form for Non-Personnel

(November 2, 2020)

This handout is for screening clients, visitors and other non-personnel before letting them enter a location or business. **SFDPH discourages anyone from denying core essential services (such as food, medicine, shelter, or social services) to those who answer “yes” to any of the questions below and encourages people to find alternative means to meet clients’ needs that would not require them to enter the location.** Health Officer Directives may provide additional requirements regarding screening in a specific context. *This form, a screening form for personnel, and additional guidance on screening are available at www.sfgcdcp.org/screen*

PART 1 – Please answer the following questions before entering this location.

1. In the last 10 days, have you been diagnosed with COVID-19 or had a test confirming you have the virus?

2. In the past 14 days, have you had “**Close Contact**” with someone who was diagnosed with COVID-19 or had a test confirming they have the virus while they were contagious[†]?

[†] “Close Contact” means you had any of the following types of contact with the person with COVID-19 (regardless of whether you or the person with COVID-19 were masked) while they were contagious[‡]:

- Were within 6 feet of them for a total of 15 minutes or more in a 24 hour period
- Lived or stayed overnight with them
- Were their intimate sex partner, including only kissing
- Took care of them or they took care of you
- Had direct contact with their body fluids or secretions (e.g., they coughed or sneezed on you or you shared eating or drinking utensils with them)

[‡] Contagious Period: People with COVID-19 are considered contagious starting 48 hours before their symptoms began until 1) at least 10 days have passed since their symptoms began, 2) they haven’t had a fever for at least 24 hours AND 3) their symptoms have improved. If the person with COVID-19 never had symptoms, they are considered contagious starting 48 hours before their positive COVID-19 test was collected until 10 days after they were tested.

3. In the past 24 hours, including today, have you had one or more of these symptoms that is new or not explained by another condition?

- Fever (100.4°F/38.0°C or greater), chills, repeated shaking/shivering
- Cough
- Sore throat
- Shortness of breath, difficulty breathing
- Feeling unusually weak or fatigued*
- Loss of taste or smell
- Muscle or body aches*
- Headache
- Runny or congested nose*
- Diarrhea
- Nausea or vomiting

* Children and youth under 18 years old do not need to be screened for these symptoms.

If you answer “YES” to ANY of these 3 questions, do not enter the location. Follow the steps listed in Part 2 below. If you are seeking core essential services (such as food, medicine, shelter, or social services), work with the organization to determine how you can receive services these services without entering the building.

PART 2

- If you answered **YES to Question 1 or Question 2:**
 - **Follow Isolation/Quarantine Steps** at: www.sfgcdcp.org/Home-Isolation-Quarantine-Guidelines
You **MUST** follow these isolation/quarantine rules, as **mandated** by Health Directive No 2020-03c/02c.
 - Do not leave your home to the extent possible until the Isolation/Quarantine Steps tell you it is safe to do so!
 - If you need help with essential services like food, housing, or other needs while you are isolating or quarantining, call 3-1-1.
- If you answered **YES to Question 3:** You may have COVID-19 and to keep others safe, you should isolate until you know whether you have COVID-19. **Follow these steps:**
 1. Follow the instructions at: www.sfgcdcp.org/Home-Isolation-Quarantine-Guidelines
 2. **GET TESTED!** If you have insurance, contact your healthcare provider to get tested for COVID-19. If you do not have insurance, you can sign up for free testing at CityTestSF (<https://sf.gov/citytestsf>).
 - Follow the instructions in www.sfgcdcp.org/Home-Isolation-Quarantine-Guidelines to determine next steps depending on your test result.

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Small Construction Project Safety Protocol (revised November 3, 2020)

1. Any construction project meeting any of the following specifications is subject to this Small Construction Project Safety Protocol (“SCP Protocol”), including public works projects unless otherwise specified by the Health Officer:
 - a. For residential projects, any single-family, multi-family, senior, student, or other residential construction, renovation, or remodel project consisting of 10 units or fewer. This SCP Protocol does not apply to construction projects where a person is performing construction on their current residence either alone or solely with members of their own household.
 - b. For commercial projects, any construction, renovation, or tenant improvement project consisting of 20,000 square feet of floor area or less.
 - c. For mixed-use projects, any project that meets both of the specifications in subsections 1.a and 1.b.
 - d. All other construction projects not subject to the Large Construction Project Safety Protocol set forth in Appendix B-2.

2. The following restrictions and requirements must be in place at all construction job sites subject to this SCP Protocol:
 - a. Comply with all applicable and current laws and regulations including but not limited to OSHA and Cal-OSHA. If there is any conflict, difference, or discrepancy between or among applicable laws and regulations and/or this SCP Protocol, the stricter standard shall apply.
 - b. Designate a site-specific COVID-19 supervisor or supervisors to enforce this guidance. A designated COVID-19 supervisor must be present on the construction site at all times during construction activities. A COVID-19 supervisor may be an on-site worker who is designated to serve in this role.
 - c. The COVID-19 supervisor must review this SCP Protocol with all workers and visitors to the construction site.
 - d. Establish a daily screening protocol for arriving staff to ensure that potentially infected staff do not enter the construction site. If workers leave the jobsite and return the same day, establish a cleaning and decontamination protocol prior to entry and exit of the jobsite. Post the daily screening protocol at all entrances and exits to the jobsite. More information on screening can be found online at: <https://www.cdc.gov/coronavirus/2019-ncov/community/index.html>.
 - e. Practice social distancing by maintaining a minimum six-foot distance between workers at all times, except as strictly necessary to carry out a task associated with the construction project.

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- f. In the event of a confirmed case of COVID-19 at any jobsite, the following must take place:
- i. Immediately remove the infected individual from the jobsite with directions to seek medical care.
 - ii. Decontaminate and sanitize all surfaces at each location at which the infected worker was present. Provide those performing the decontamination and sanitization work with medical-grade PPE, ensure the workers are trained in proper use of the PPE, require the workers to use the provided PPE, and prohibit any sharing of the PPE. Prohibit anyone from entering the possibly contaminated area, except those performing decontamination and sanitization work. Cease all work in these locations until decontamination and sanitization is complete.
 - iii. Each subcontractor, upon learning that one of its employees is infected, must notify the General Contractor immediately, if you have one, and provide all of the information specified below. The General Contractor or other appropriate supervisor must notify the County Public Health Department Communicable Disease Control (CD Control) at 628-217-6100 immediately of every project site worker found to have a confirmed case of COVID-19, and provide all the information specified below. Follow all directives and complete any additional requirements by County health officials, including full compliance with any tracing efforts by the County.
- Information to be reported to CD Control regarding the jobsite:
 - 1) Address of jobsite;
 - 2) Name of project, if any;
 - 3) Name of General Contractor; and
 - 4) General Contractor point of contact, role, phone number and email.
 - Information to be reported to CD Control regarding the COVID-19 case(s):
 - 5) First and last name;
 - 6) Date of birth;
 - 7) Phone;
 - 8) Date tested positive;
 - 9) Date last worked;
 - 10) City of residence; and
 - 11) If the case is an employee of a subcontractor, please provide the following information:
 - Subcontractor;
 - Subcontractor contact name;
 - Subcontractor contact phone; and
 - Subcontractor contact email.
 - Information to be reported to CD Control regarding Close Contacts. For each reported case(s) above, please provide the following information (if you are

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reporting more than one positive case, please include the name of the positive case for each close contact):

- 1) Close contact's first and last name;
- 2) Phone;
- 3) City of residence; and
- 4) Positive case name.

A "Close Contact" in the workplace is anyone who meets either of the following criteria:

- o Was within 6 feet of a person with COVID-19 for a period of time that adds up to at least 15 minutes in 24 hours, masked or unmasked, when that person was contagious. People with COVID-19 are considered contagious starting 48 hours before their symptoms began until 1) they haven't had a fever for at least 24 hours, 2) their symptoms have improved, AND 3) at least 10 days have passed since their symptoms began. If the person with COVID-19 never had symptoms, then they are considered contagious starting 48 hours before their test that confirmed they have COVID-19 until 10 days after the date of that test.

OR

- o Had direct contact for any amount of time with the body fluids and/or secretions of the Person With COVID-19 (for example, was coughed or sneezed on, shared utensils with, or was provided care or provided care for them without wearing a mask, gown, and gloves).

Close contacts are high risk exposures and need to quarantine for a full 14 days due to the 14 day incubation period of the virus. Even if a close contact tests negative within 14 days of their last exposure to the case, they must continue quarantining the full 14 day period to prevent transmission of the virus.

- g. Where construction work occurs within an occupied residential unit, separate work areas must be sealed off from the remainder of the unit with physical barriers such as plastic sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative entry/exit door to the entry/exit door used by residents. Available windows and exhaust fans must be used to ventilate the work area. If residents have access to the work area between workdays, the work area must be cleaned and sanitized at the beginning and at the end of workdays. Every effort must be taken to minimize contact between workers and residents, including maintaining a minimum of six feet of social distancing at all times.
- h. Where construction work occurs within common areas of an occupied residential or commercial building or a mixed-use building in use by on-site employees or residents,

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separate work areas must be sealed off from the rest of the common areas with physical barriers such as plastic sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative building entry/exit door to the building entry/exit door used by residents or other users of the building. Every effort must be taken to minimize contact between worker and building residents and users, including maintaining a minimum of six feet of social distancing at all times.

- i. Prohibit gatherings of any size on the jobsite, including gatherings for breaks or eating, except for meetings regarding compliance with this protocol or as strictly necessary to carry out a task associated with the construction project.
- j. Cal-OSHA requires employers to provide water, which should be provided in single-serve containers. Sharing of any of any food or beverage is strictly prohibited and if sharing is observed, the worker must be sent home for the day.
- k. Provide personal protective equipment (PPE) specifically for use in construction, including gloves, goggles, face shields, and face coverings as appropriate for the activity being performed. At no time may a contractor secure or use medical-grade PPE unless required due to the medical nature of a jobsite. Face coverings must be worn in compliance with Health Officer Order No. C19-12c, issued July 22, 2020, or any subsequently issued or amended order.
- l. Prohibit use of microwaves, water coolers, and other similar shared equipment except as allowed by the Social Distancing Protocol (Appendix A).
- m. Strictly control “choke points” and “high-risk areas” where workers are unable to maintain six-foot social distancing and prohibit or limit use to ensure that six-foot distance can easily be maintained between individuals.
- n. Minimize interactions and maintain social distancing with all site visitors, including delivery workers, design professional and other project consultants, government agency representatives, including building and fire inspectors, and residents at residential construction sites.
- o. Stagger trades as necessary to reduce density and allow for easy maintenance of minimum six-foot separation.
- p. Discourage workers from using others’ desks, work tools, and equipment. If more than one worker uses these items, the items must be cleaned and disinfected with disinfectants that are effective against COVID-19 in between use by each new worker. Prohibit sharing of PPE.
- q. If hand washing facilities are not available at the jobsite, place portable wash stations or hand sanitizers that are effective against COVID-19 at entrances to the jobsite and in multiple locations dispersed throughout the jobsite as warranted.

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- r. Clean and sanitize any hand washing facilities, portable wash stations, jobsite restroom areas, or other enclosed spaces daily with disinfectants that are effective against COVID-19. Frequently clean and disinfect all high touch areas, including entry and exit areas, high traffic areas, rest rooms, hand washing areas, high touch surfaces, tools, and equipment
- s. Maintain a daily attendance log of all workers and visitors that includes contact information, including name, phone number, address, and email.
- t. Post a notice in an area visible to all workers and visitors instructing workers and visitors to do the following:
 - i. Do not touch your face with unwashed hands or with gloves.
 - ii. Frequently wash your hands with soap and water for at least 20 seconds or use hand sanitizer with at least 60% alcohol.
 - iii. Clean and disinfect frequently touched objects and surfaces such as work stations, keyboards, telephones, handrails, machines, shared tools, elevator control buttons, and doorknobs.
 - iv. Cover your mouth and nose when coughing or sneezing, or cough or sneeze into the crook of your arm at your elbow/sleeve.
 - v. Do not enter the jobsite if you have a fever, cough, or other COVID-19 symptoms. If you feel sick, or have been exposed to anyone who is sick, stay at home.
 - vi. Constantly observe your work distances in relation to other staff. Maintain the recommended minimum six feet at all times when not wearing the necessary PPE for working in close proximity to another person.
 - vii. Do not carpool to and from the jobsite with anyone except members of your own household unit, or as necessary for workers who have no alternative means of transportation.
 - viii. Do not share phones or PPE.
- u. The notice in Section 2.t must be translated as necessary to ensure that all non-English speaking workers are able to understand the notice.

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Large Construction Project Safety Protocol (revised November 3, 2020)

1. Any construction project meeting any of the following specifications is subject to this Large Construction Project Safety Protocol (“LCP Protocol”), including public works projects unless otherwise specified by the Health Officer:
 - a. For residential construction projects, any single-family, multi-family, senior, student, or other residential construction, renovation, or remodel project consisting of more than 10 units.
 - b. For commercial construction projects, any construction, renovation, or tenant improvement project consisting of more than 20,000 square feet of floor area.
 - c. For construction of Essential Infrastructure, as defined in Section 8.1 of the Order, any project that requires twenty or more workers at the jobsite at any one time.
2. The following restrictions and requirements must be in place at all construction job sites subject to this LCP Protocol:
 - a. Comply with all applicable and current laws and regulations including but not limited to OSHA and Cal-OSHA. If there is any conflict, difference or discrepancy between or among applicable laws and regulations and/or this LCP Protocol, the stricter standard will apply.
 - b. Prepare a new or updated Site-Specific Health and Safety Plan to address COVID-19-related issues, post the Plan on-site at all entrances and exits, and produce a copy of the Plan to County governmental authorities upon request. The Plan must be translated as necessary to ensure that all non-English speaking workers are able to understand the Plan.
 - c. Provide personal protective equipment (PPE) specifically for use in construction, including gloves, goggles, face shields, and face coverings as appropriate for the activity being performed. At no time may a contractor secure or use medical-grade PPE, unless required due to the medical nature of a job site. Face Coverings must be worn in compliance with Health Officer Order No. C19-12c, issued July 22, 2020, or any subsequently issued or amended order.
 - d. Ensure that employees are trained in the use of PPE. Maintain and make available a log of all PPE training provided to employees and monitor all employees to ensure proper use of the PPE.
 - e. Prohibit sharing of PPE.
 - f. Implement social distancing requirements including, at minimum:

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- i. Stagger stop- and start-times for shift schedules to reduce the quantity of workers at the jobsite at any one time to the extent feasible.
- ii. Stagger trade-specific work to minimize the quantity of workers at the jobsite at any one time.
- iii. Require social distancing by maintaining a minimum six-foot distance between workers at all times, except as strictly necessary to carry out a task associated with the project.
- iv. Prohibit gatherings of any size on the jobsite, except for safety meetings or as strictly necessary to carry out a task associated with the project.
- v. Strictly control “choke points” and “high-risk areas” where workers are unable to maintain minimum six-foot social distancing and prohibit or limit use to ensure that minimum six-foot distancing can easily be maintained between workers.
- vi. Minimize interactions and maintain social distancing with all site visitors, including delivery workers, design professional and other project consultants, government agency representatives, including building and fire inspectors, and residents at residential construction sites.
- vii. Prohibit workers from using others’ phones or desks. Any work tools or equipment that must be used by more than one worker must be cleaned with disinfectants that are effective against COVID-19 before use by a new worker.
- viii. Place wash stations or hand sanitizers that are effective against COVID-19 at entrances to the jobsite and in multiple locations dispersed throughout the jobsite as warranted.
- ix. Maintain a daily attendance log of all workers and visitors that includes contact information, including name, address, phone number, and email.
- x. Post a notice in an area visible to all workers and visitors instructing workers and visitors to do the following:
 1. Do not touch your face with unwashed hands or with gloves.
 2. Frequently wash your hands with soap and water for at least 20 seconds or use hand sanitizer with at least 60% alcohol.
 3. Clean and disinfect frequently touched objects and surfaces such as workstations, keyboards, telephones, handrails, machines, shared tools, elevator control buttons, and doorknobs.
 4. Cover your mouth and nose when coughing or sneezing or cough or sneeze into the crook of your arm at your elbow/sleeve.
 5. Do not enter the jobsite if you have a fever, cough, or other COVID-19 symptoms. If you feel sick, or have been exposed to anyone who is sick, stay at home.
 6. Constantly observe your work distances in relation to other staff. Maintain the recommended minimum six-foot distancing at all times when not wearing the necessary PPE for working in close proximity to another person.
 7. Do not share phones or PPE.

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- xi. The notice in section 2.f.x must be translated as necessary to ensure that all non-English speaking workers are able to understand the notice.

- g. Implement cleaning and sanitization practices in accordance with the following:
 - i. Frequently clean and sanitize, in accordance with CDC guidelines, all high-traffic and high-touch areas including, at a minimum: meeting areas, jobsite lunch and break areas, entrances and exits to the jobsite, jobsite trailers, hand-washing areas, tools, equipment, jobsite restroom areas, stairs, elevators, and lifts.
 - ii. Establish a cleaning and decontamination protocol prior to entry and exit of the jobsite and post the protocol at entrances and exits of jobsite.
 - iii. Supply all personnel performing cleaning and sanitization with proper PPE to prevent them from contracting COVID-19. Employees must not share PPE.
 - iv. Establish adequate time in the workday to allow for proper cleaning and decontamination including prior to starting at or leaving the jobsite for the day.

- h. Implement a COVID-19 community spread reduction plan as part of the Site-Specific Health and Safety Plan that includes, at minimum, the following restrictions and requirements:
 - i. Prohibit all carpooling to and from the jobsite except by workers living within the same household unit, or as necessary for workers who have no alternative means of transportation.
 - ii. Cal-OSHA requires employers to provide water, which should be provided in single-serve containers. Prohibit any sharing of any food or beverage and if sharing is observed, the worker must be sent home for the day.
 - iii. Prohibit use of microwaves, water coolers, and other similar shared equipment except as allowed by the Social Distancing Protocol (Appendix A).

- i. Assign a COVID-19 Safety Compliance Officer (SCO) to the jobsite and ensure the SCO's name is posted on the Site-Specific Health and Safety Plan. The SCO must:
 - i. Ensure implementation of all recommended safety and sanitation requirements regarding the COVID-19 virus at the jobsite.
 - ii. Compile daily written verification that each jobsite is compliant with the components of this LCP Protocol. Each written verification form must be copied, stored, and made immediately available upon request by any County official.
 - iii. Establish a daily screening protocol for arriving staff, to ensure that potentially infected staff do not enter the construction site. If workers leave the jobsite and return the same day, establish a cleaning and decontamination protocol prior to entry and exit of the jobsite. Post the daily screening protocol at all entrances and exit to the jobsite. More information on screening can be found online at: <https://www.cdc.gov/coronavirus/2019-ncov/community/index.html>.
 - iv. Conduct daily briefings in person or by teleconference that must cover the following topics:
 - 1. New jobsite rules and pre-job site travel restrictions for the prevention of COVID-19 community spread.
 - 2. Review of sanitation and hygiene procedures.
 - 3. Solicitation of worker feedback on improving safety and sanitation.

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4. Coordination of construction site daily cleaning/sanitation requirements.
 5. Conveying updated information regarding COVID-19.
 6. Emergency protocols in the event of an exposure or suspected exposure to COVID-19.
- v. Develop and ensure implementation of a remediation plan to address any non-compliance with this LCP Protocol and post remediation plan at entrance and exit of jobsite during remediation period. The remediation plan must be translated as necessary to ensure that all non-English speaking workers are able to understand the document.
 - vi. The SCO must not permit any construction activity to continue without bringing such activity into compliance with these requirements.
 - vii. Report repeated non-compliance with this LCP Protocol to the appropriate jobsite supervisors and a designated County official.
- j. Assign a COVID-19 Third-Party Jobsite Safety Accountability Supervisor (JSAS) for the jobsite, who at a minimum holds an OSHA-30 certificate and first-aid training within the past two years, who must be trained in the protocols herein and verify compliance, including by visual inspection and random interviews with workers, with this LCP Protocol.
- i. Within seven calendar days of each jobsite visit, the JSAS must complete a written assessment identifying any failure to comply with this LCP Protocol. The written assessment must be copied, stored, and, upon request by the County, sent to a designated County official.
 - ii. If the JSAS discovers that a jobsite is not in compliance with this LCP Protocol, the JSAS must work with the SCO to develop and implement a remediation plan.
 - iii. The JSAS must coordinate with the SCO to prohibit continuation of any work activity not in compliance with rules stated herein until addressed and the continuing work is compliant.
 - iv. The remediation plan must be sent to a designated County official within five calendar days of the JSAS's discovery of the failure to comply.
- k. In the event of a confirmed case of COVID-19 at any jobsite, the following must take place:
- i. Immediately remove the infected individual from the jobsite with directions to seek medical care.
 - ii. Decontaminate and sanitize all surfaces at each location at which the infected worker was present. Provide those performing the decontamination and sanitization work with medical-grade PPE, ensure the workers are trained in proper use of the PPE, require the workers to use the provided PPE, and prohibit any sharing of the PPE. Prohibit anyone from entering the possibly contaminated area, except those performing decontamination and sanitization work. Cease all work in these locations until decontamination and sanitization is complete.
 - iii. Notify the County Public Health Department Communicable Disease Control (CD Control) immediately at 628-217-6100 and provide the information

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below. Follow all directives and complete any additional requirements by County health officials, including full compliance with any tracing efforts by the County.

- Information to be reported to CD Control regarding the jobsite:
 - 1) Address of jobsite;
 - 2) Name of project, if any;
 - 3) Name of General Contractor; and
 - 4) General Contractor point of contact, role, phone number and email.

- Information to be reported to CD Control regarding the COVID-19 case(s):
 - 5) First and last name;
 - 6) Date of birth;
 - 7) Phone;
 - 8) Date tested positive;
 - 9) Date last worked;
 - 10) City of residence; and
 - 11) If the case is an employee of a subcontractor, please provide the following information:
 - Subcontractor;
 - Subcontractor contact name;
 - Subcontractor contact phone; and
 - Subcontractor contact email.

- Information to be reported to CD Control regarding Close Contacts. For each reported case(s) above, please provide the following information (if you are reporting more than one positive case, please include the name of the positive case for each close contact):
 - 1) Close contact's first and last name;
 - 2) Phone;
 - 3) City of residence; and
 - 4) Positive case name.

A "Close Contact" in the workplace is anyone who meets either of the following criteria:

- Was within 6 feet of a person with COVID-19 for a period of time that adds up to at least 15 minutes in 24 hours, masked or unmasked, when that person was contagious. People with COVID-19 are considered contagious starting 48 hours before their symptoms began until 1) they

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haven't had a fever for at least 24 hours, 2) their symptoms have improved, AND 3) at least 10 days have passed since their symptoms began. If the person with COVID-19 never had symptoms, then they are considered contagious starting 48 hours before their test that confirmed they have COVID-19 until 10 days after the date of that test.

OR

- Had direct contact for any amount of time with the body fluids and/or secretions of the Person With COVID-19 (for example, was coughed or sneezed on, shared utensils with, or was provided care or provided care for them without wearing a mask, gown, and gloves).

Close contacts are high risk exposures and need to quarantine for a full 14 days due to the 14 day incubation period of the virus. Even if a close contact tests negative within 14 days of their last exposure to the case, they must continue quarantining the full 14 day period to prevent transmission of the virus.

If you are unable to obtain the above case or close contact information from your subcontractor, please ensure your subcontractor is aware that they will need to report directly to SFDPH CD Control.

- l.* Where construction work occurs within an occupied residential unit, any separate work area must be sealed off from the remainder of the unit with physical barriers such as plastic sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative entry/exit door to the entry/exit door used by residents. Available windows and exhaust fans must be used to ventilate the work area. If residents have access to the work area between workdays, the work area must be cleaned and sanitized at the beginning and at the end of workdays. Every effort must be taken to minimize contact between workers and residents, including maintaining a minimum of six feet of social distancing at all times.
- m.* Where construction work occurs within common areas of an occupied residential or commercial building or a mixed-use building in use by on-site employees or residents, any separate work area must be sealed off from the rest of the common areas with physical barriers such as plastic sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative building entry/exit door to the building entry/exit door used by residents or other users of the building. Every effort must be taken to minimize contact between worker and building residents and users, including maintaining a minimum of six feet of social distancing at all times.

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A. General Requirements

The “Additional Businesses” listed below may begin operating, subject to the requirements set forth in the Order and to any additional requirements set forth below or in separate industry-specific guidance by the Health Officer. These businesses were selected based on current health-related information, the risk criteria set forth in Section 3, the State’s December 3, 2020 Stay-At-Home Order, of the Order, and the overall impact that allowing these businesses to resume operation will have on mobility and volume of activity in the County.

To mitigate the risk of transmission to the greatest extent possible, before resuming operations, each Additional Business must:

- Comply with Social Distancing Requirements (Section 8.0 of the Order) and prepare, post, implement, and distribute to their Personnel a Social Distancing Protocol checklist as specified in Section 5.d and Appendix A of the Order for each of their facilities in the County where Personnel or members of the public will be onsite;
- Prepare, post, implement, and distribute to their Personnel a written health and safety plan checklist that addresses all applicable best practices set forth in relevant Health Officer directives; and
- Comply with any relevant state guidance and local directives. If a conflict exists between state guidance and local public health directives related to the COVID-19 pandemic, the most restrictive provision shall be followed, as further provided in Section 10 of the Order.

Businesses that operate outdoors may, subject to any applicable permit requirements, conduct their operations in a tent, canopy, or other shelter, as long as the shelter complies with: (1) the California Department of Public Health’s November 25, 2020 guidance regarding “Use of Temporary Structures for Outdoor Business Operations” (available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Use-of-Temporary-Structures-for-Outdoor-Business-Operations.aspx>); and (2) any additional requirements or guidance issued by SFDPH.

Finally, on November 19, 2020, the Acting California State Public Health Officer issued an order (the “Limited Stay At Home Order”) requiring that “all gatherings with members of other households and all activities conducted outside the residence, lodging, or temporary accommodation with members of other households cease between 10:00pm PST and 5:00am PST, except for those activities associated with the operation, maintenance, or usage of critical infrastructure or required by law.” The Limited Stay At Home Order is available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/limited-stay-at-home-order.aspx>. Until the earlier of the expiration of the Limited Stay Safe at Home Order or the State’s reassignment of San Francisco to a tier that is less restrictive than the State Blueprint’s purple tier, all businesses that are allowed to operate under this Order must operate in compliance with the Limited Stay At Home Order.

The health-related basis for selection of Additional Businesses and the specific requirements for risk mitigation are summarized below. The bases for the additions were amended on July 13, 2020, to reflect an updated and refined analysis under the risk criteria set forth in Section 3 of the amended Order.

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B. List of Additional Businesses

For purposes of the Order, Additional Businesses include the following, subject to the stated limitations and conditions:

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(1) Retail Stores for Goods—REDUCED CAPACITY

a. Basis for Addition. Personnel and customers can wear Face Coverings at all times and maintain at least six feet of physical distance except for brief interactions (e.g., while paying for goods). No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. While shopping, customers interact only with a small number of individuals from other Households. Although Personnel are interacting with a moderate number of people, the duration of those interactions are low and safety limitations can ensure adequate physical distancing and adherence with other Social Distancing Requirements (Section 8.o of the Order) and other worker protection measures and decrease the risk of virus transmission. Consistent with Section 5.c of the Order and to the extent possible, retail stores are urged to conduct curbside/outdoor pickup to further decrease the risk.

b. Description and Conditions to Operate.

1. Curbside/Outdoor Pickup: Retail stores may operate for curbside/outside pickup of goods, subject to the following limitations:

- i. The store must limit the number of Personnel in the facility so that Personnel can comply with Social Distancing Requirements;
- ii. The store must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and must comply with Health Officer Directive No. 2020-10b, as that directive may be amended from time to time, regarding required best practices for retail businesses with curbside pickup—including the requirement to create a Health and Safety Plan;
- iii. If a store chooses to display merchandise for sale on tables or otherwise outside the store, it must comply with the following specific requirements:
 - The store must obtain any necessary permits from the County;
 - Customers must either use hand sanitizer before touching items or ask the vendor to hand items to them;
 - Only the number of customers who can maintain at least six feet of physical distancing may approach the table at a time;
 - Chalk demarcations must be placed on the ground to indicate where shoppers should stand behind others, while waiting to purchase items; and
 - The store must take measures to help ensure against congestion and blocking passage by pedestrians, including people with disabilities.

Stores may apply for a free temporary permit to use the sidewalk or parking lane for retail operations at <https://sf.gov/use-sidewalk-or-parking-lane-your-business>.

- iv. The store must have direct access to an immediately adjacent sidewalk, street, alley, or parking area for pickup by customers using any mode of travel, without blocking pedestrian access or causing pedestrian or vehicle congestion; and

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- v. Retail stores that are in an enclosed Indoor Shopping Center (defined as a large building or group of buildings where customer access to stores is possible only through indoor passage ways or indoor common areas, such as Stonestown Galleria, and Westfield San Francisco Centre) and that do not have direct access to adjacent sidewalk, street, parking lot or alley area, may only reopen for curbside/outdoor pickup at this time if the Indoor Shopping Center operator submits to the Health Officer a proposed plan for reopening and that plan is approved as provided below. The proposed plan must include:
 - a. the number of stores and businesses that would be resuming operation;
 - b. the number of Personnel associated with each store or business;
 - c. the number of customers expected daily; and
 - d. the specific social distancing and sanitation measures the shopping center would employ to prevent congestion at the doorways and streets, and protect customers and Personnel.

Plans must be submitted to HealthPlan@sfcityatty.org. Subject to the advance written approval of the Health Officer or the Health Officer’s designee, retailers in the Indoor Shopping Center may then operate for curbside pickup consistent with the approved plan.

2. In-Store Retail: Retail stores may operate for indoor shopping, subject to the following limitations and conditions:
 - i. The store must reduce maximum occupancy to limit the number of people (including both customers and Personnel) to the lesser of: (1) 20% the store’s maximum occupancy or (2) the number of people who can maintain at least six feet of physical distance from each other in the store at all times;
 - ii. All retail establishments must develop and implement written procedures to “meter” or track the number of persons entering and exiting the facility to ensure that the maximum capacity for the establishment is not exceeded. For example, an employee of the establishment may be posted at each entrance to the facility to perform this function. The establishment must provide a copy of its written “metering” procedures to an enforcement officer upon request and disclose the number of members of the public currently present in the facility.
 - iii. Before opening for in-store shopping, the store must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and must comply with Health Officer Directive No. 2020-17, as that directive may be amended from time to time, regarding required best practices for retail businesses offering in-store shopping or services—including the requirement to create a Health and Safety Plan;
 - iv. If a store chooses to display merchandise for sale on tables or otherwise outside the store, it must comply with the following specific requirements:
 - The store must obtain any necessary permits from the County;

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- Customers must either use hand sanitizer before touching items or ask the vendor to hand items to them;
- Only the number of customers who can maintain at least six feet physical distancing may approach the table at a time;
- Chalk demarcations must be placed on the ground to indicate where shoppers should stand behind others, while waiting to purchase items; and
- The store must take measures to help ensure against congestion and blocking passage by pedestrians, including people with disabilities.

Stores may apply for a free temporary permit to use the sidewalk or parking lane for retail operations at <https://sf.gov/use-sidewalk-or-parking-lane-your-business>.

- v. Retail stores that are in an enclosed Indoor Shopping Center (as defined in subsection 1.b.1.v above) and that do not have direct access to adjacent sidewalk, street, parking lot or alley area, may only reopen for in-store retail, subject to the following conditions, if the Indoor Shopping Center has a plan for reopening that is approved by the Health Officer as provided below:
- The Indoor Shopping Center must limit capacity in the facility and in each individual storefront to the lesser of: (1) 20% the maximum occupancy or (2) the number of people who can maintain at least six feet of physical distance from each other at all times.
 - Common areas must be closed.
 - Food court must be closed for indoor dining. Food may be served for take-out, but seating areas must be closed.

The proposed plan must include:

- a. the number of stores and businesses that would be resuming operation;
- b. the number of Personnel associated with each store or business;
- c. the number of customers expected daily;
- d. confirmation that the Indoor Shopping Center will close all food courts for indoor dining and a description of how that closure will be effectuated;
- e. how the Indoor Shopping Center will regulate the number of people in the paths of travel of the shopping center and close any common gathering areas;
- f. how the Indoor Shopping Center will address HVAC/circulated air, use of elevators, use and cleaning of bathrooms;
- g. any special considerations for indoor parking garages and access points;

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- h. whether the Indoor Shopping Center will permit curbside pickup; and
- i. adoption of a Health and Safety Plan addressing the requirements of Appendix A to the Order.

Plans must be submitted to HealthPlan@sfcityatty.org. Subject to the written advance approval of the Health Officer or the Health Officer’s designee, the Indoor Shopping Center may then operate for in-store retail consistent with the approved plan.

For clarity, operation of retail stores under category (1) and (2), above, applies only to the sale of goods and not to the provision of services or the rental of equipment, which are covered separately in Sections (4) and (5), below.

(Added May 17, 2020; Revised June 1, 2020, June 11, 2020, and September 30, 2020; Non-substantive revisions July 13, 2020, October, 20, 2020, and November 3, 2020; Subsection suspended July 20, 2020, with minor update on August 14, 2020; Subsection reinstated with amendments on September 1, 2020; Subsection suspended November 10, 2020; Capacity reduced November 28, 2020, and December 4, 2020)

(2) Manufacturing, Warehousing and Logistical Support

- a. Basis for Addition. Personnel can wear Face Coverings and maintain at least six feet of physical distance at all times. No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. Personnel will interact only with a consistent and moderately sized group of people (i.e., the business’s other Personnel) as members of the public do not generally frequent these businesses. Finally, risks of virus transmission associated with this activity can be mitigated through Social Distancing Requirements (Order Section 8.o) and sanitation, and other worker safety protocols.
- b. Description and Conditions to Operate.
 - 1. Manufacturing: Manufacturing businesses—including non-essential manufacturing businesses—may operate, subject to the following limitations and conditions:
 - i. The business must limit the number of Personnel in the facility so that Personnel can comply with Social Distancing Requirements; and
 - ii. The business must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and must comply with Health Officer Directive No. 2020-11, as that directive may be amended from time to time, regarding required best practices for manufacturing businesses—including the requirement to create a Health and Safety Plan.
 - 2. Warehousing and Logistical Support: Businesses that provide warehousing and logistical support—including non-essential businesses —may operate, subject to the following limitations and conditions:

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- i. The business must limit the number of Personnel in the facility so that Personnel can comply with Social Distancing Requirements; and
- ii. The business must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and must comply with Health Officer Directive No. 2020-12, as that directive may be amended from time to time, regarding required best practices for warehouse and logistical support businesses—including the requirement to create a Health and Safety Plan.

(Added May 17, 2020; Revised June 1, 2020, and June 11, 2020; Non-substantive revisions July 13, 2020)

(3) Childcare and Youth Programs for All Children

- a. Basis for Addition. Childcare and educational or recreational programs for youth are critical to early education and developmental equity, family social and economic wellbeing, and economic recovery from the pandemic. More specifically, such programs are an important element for a child’s social and emotional development, as well as for a child’s physical health and wellness. Also, childcare and youth programs are often necessary to allow parents or guardians to work, making the availability of such programs important for individual families as well as the local economy. Although attendance at a childcare or youth program involves a high number of close contacts that may be of lengthy duration, the risks of virus transmission can be reduced by mitigation measures, as generally described below. But children’s inability to consistently follow social distancing and sanitation recommendations means that even with the mitigation measures the risk of transmission is higher than in interactions exclusively among adults. And while based on available evidence, children do not appear to be at higher risk for COVID-19 than adults, medical knowledge about the possible health effects of COVID-19 on children is evolving. Accordingly, the decision about whether to enroll a child in a childcare or youth program is an individualized inquiry that should be made by parents/guardians with an understanding of the risks that such enrollment entails. Parents/guardians may discuss these risks and their concerns with their pediatrician. The Health Officer will continue to monitor the changing situation and may amend this section as necessary to protect the public health.
- b. Description and Conditions to Operate.
 1. Childcare Programs: Group care facilities for very young children who are not yet in elementary school—including, for example, licensed childcare centers, daycares, family daycares, and preschools (including cooperative preschools)—(collectively, “Childcare Programs”) may open and operate, subject to the following limitations and conditions:
 - i. Childcare Programs may not enroll children for fewer than three weeks;
 - ii. Childcare Programs must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and comply with all of the

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requirements set forth in Health Officer Directive No. 2020-14c, including any limits on the number of children that can be in a group, and the requirements to have the parent(s) or guardian(s) of any child attending the program sign an acknowledgement of health risks, and to prepare and implement a written health and safety plan to mitigate the risk of virus transmission to the greatest extent feasible.

2. Summer Camps: Summer camps and summer learning programs that operate exclusively outside of the academic school year (“Summer Camps”) may operate for all children over the age of six and school-aged children currently in grades transitional kindergarten (TK) and above who are under age six, subject to the following limitations and conditions:
 - i. Summer Camps must limit group size to 12 children (a “pod”) per room or space;
 - ii. Summer Camp sessions must last at least three weeks;
 - iii. Children must remain in the same pod for at least three weeks, and preferably for the entire time throughout the summer.
 - iv. Summer Camps may not begin to operate until they have created, posted and implemented a Social Distancing Protocol checklist (Appendix A to this Order) and complied with all of the requirements set forth in relevant industry-specific Health Officer directives (*see* Health Officer Directive No. 2020-13b) including the requirements to complete an online form with general information about the program and required certifications, to have the parent(s) or guardian(s) of any child attending the program sign an acknowledgement of health risks, and to prepare and implement a written health and safety plan to mitigate the risk of virus transmission to the greatest extent feasible.
3. Out of School Time Programs: Educational or recreational institutions or programs that provide care or supervision for school-aged children and youth—including for example, learning hubs, other programs that support distance learning, school-aged childcare programs, youth sports programs, and afterschool programs (“Out of School Time Programs” or “OST Programs”) may open for all children, subject to the following limitations and conditions:
 - i. OST Program sessions must be at least three weeks long, and programs without set sessions may not enroll children for fewer than three weeks;
 - ii. OST Programs must create, post, and implement a Social Distancing Protocol checklist (Appendix A to this Order) and comply with all of the requirements set forth in Health Officer Directive No. 2020-21, including any limits on the number of children that can be in a group, and also the requirements to complete an online form with general information about the program and required certifications, to have the parent(s) or guardian(s) of any child attending the program sign an acknowledgement of health risks, and to prepare and implement a written Health and Safety Plan to mitigate the risk of virus transmission to the greatest extent feasible.

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For clarity, this Section does not apply to schools, which are addressed separately in Section 6.b of the Order; Childcare Programs, which are addressed separately in subsection b.1 of this Appendix above; or Summer Camps, which are addressed separately in subsection b.2 of this Appendix above. OST Programs are intended to supplement, rather than replace, school programming.

(Added May 22, 2020; Revised June 1, 2020, July 13, 2020, and August 14, 2020; Non-substantive revisions June 11, 2020)

(4) Low Contact Retail Services—CURBSIDE ONLY

- a. Basis for Addition. Personnel and customers can wear Face Coverings at all times and maintain at least six feet of physical distance except for brief interactions (e.g., in some instances where remote payment is not feasible, while paying for services). No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. Customers interact only with a small number of individuals from other Households, and although Personnel are interacting with a moderate number of people, the duration of those interactions are low and safety limitations can ensure adequate social distancing and decrease the risk of virus transmission. As modified, the customer interactions will occur outdoors, which further decreases risk—and consistent with Section 5.c of the Order.
- b. Description and Conditions to Operate. Services that do not generally require close customer contact (e.g., dog grooming and shoe or electronics repair) may operate, subject to the following limitations and conditions:
 - i. All interactions and transactions between Personnel and customers must occur outdoors;
 - ii. The store must limit the number of Personnel in the facility so that Personnel can comply with Social Distancing Requirements (Section 8.o of the Order);
 - iii. The businesses must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and comply with Health Officer Directive No. 2020-10b, as that directive may be amended from time to time, regarding required best practices for retail businesses with curbside pickup and drop-off;
 - iv. The stores must have direct access to an immediately adjacent sidewalk, street, alley, or parking area for pickup by customers using any mode of travel, without blocking pedestrian access or causing pedestrian or vehicle congestion; and
 - v. Stores in an enclosed indoor shopping center that do not have direct access to adjacent sidewalk, street, parking lot or alley area may not reopen at this time unless they are located in an approved Indoor Shopping Center as described in 1.b above.

For clarity, this provision does not apply to personal service businesses, such as hair salons, barbershops, nail salons, or piercing or tattoo parlors.

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As discussed in Section 1.b above regarding retail stores and Indoor Shopping Centers, stores within enclosed shopping centers may operate only upon advance written approval by the Health Officer or the Health Officer's designee of a plan submitted by the Indoor Shopping Center operator. Plans must be submitted to HealthPlan@sfcityatty.org.

(Added June 1, 2020; Revised June 11, 2020, and July 20, 2020; Non-substantive revisions July 13, 2020; Capacity reduced November 28, 2020, and December 4, 2020)

(5) Equipment Rental Businesses—REDUCED CAPACITY

- a. **Basis for Addition.** Personnel and customers can wear Face Coverings at all times and maintain at least six feet of physical distance except for brief interactions (e.g., while paying for services). No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. Customers interact only with a small number of individuals from other Households, and although Personnel are interacting with a moderate number of people, the duration of those interactions are low and safety limitations can ensure adequate social distancing and decrease the risk of virus transmission. The majority of interactions can occur outdoors, which further decreases risk—and businesses are strongly urged to conduct interactions outdoors to the largest extent possible. Also, the risk of multiple individuals using shared equipment can be mitigated through sanitation measures. Finally, resumption of these businesses is expected to result in only a small increase in the number of people reentering the workforce and the overall volume of commercial activity.
- b. **Description and Conditions to Operate.** Businesses that rent equipment for permissible recreational activities (e.g., bicycles, kayaks, paddleboards, boats, horseback riding, climbing equipment, or fishing equipment) may operate, subject to the following limitations and conditions:
 - i. To the extent feasible, all interactions and transactions between Personnel and customers should occur outdoors;
 - ii. The business must limit capacity in the facility to the lesser of: (1) 20% the facility's maximum occupancy or (2) the number of people who can maintain at least six feet of physical distance from each other in the facility at all times;
 - iii. The business must have created, posted and implemented a Social Distancing Protocol checklist (Appendix A to this Order) and must comply with Health Officer Directive No. 2020-10b, as that directive may be amended from time to time, regarding required best practices for retail businesses with curbside pickup and drop-off;
 - iv. All retail establishments—including equipment rental businesses—must develop and implement written procedures to “meter” or track the number of persons entering and exiting the facility to ensure that the maximum capacity for the establishment is not exceeded. For example, an employee of the establishment may be posted at each entrance to the facility to perform this function. The

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establishment must provide a copy of its written “metering” procedures to an enforcement officer upon request and disclose the number of members of the public currently present in the facility.

- v. The business must have direct access to an immediately adjacent sidewalk, street, alley, or parking area for pickup by customers using any mode of travel, without blocking pedestrian access or causing pedestrian or vehicle congestion;
- vi. Businesses in an enclosed indoor shopping center that do not have direct access to adjacent sidewalk, street, parking lot or alley area may not reopen at this time unless they are in an approved Shopping Center as described in 1.b above; and
- vii. All equipment must be thoroughly cleaned and disinfected between each use with procedures effective against the Novel Coronavirus SARS-CoV-2 in accordance with CDC guidelines (<https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>).

As discussed in Section 1.b above regarding retail stores and Indoor Shopping Centers, stores within Indoor Shopping Centers may operate only upon the advance written approval by the Health Officer or the Health Officer’s designee of a plan submitted by the Indoor Shopping Center operator. Proposed plans must be submitted to HealthPlan@sfcityatty.org.

(Added June 1, 2020; Revised June 11, 2020, and October 27, 2020; Non-substantive revisions July 13, 2020; Suspension note added July 20, 2020 and removed September 1, 2020; Capacity reduced November 28, 2020, and December 4, 2020)

(6) Professional Sports Teams: Practices, Games, and Tournaments without In-Person Spectators with an Approved Plan

- a. Basis for Addition. Although contact sports may present a significant risk of virus transmission, those risks can be mitigated by stringent social distancing, sanitation, and testing measures. Resuming such events—without a live audience and subject to strict health controls and mitigation measures—represents a first step toward the resumption of professional sports exhibitions that can be broadcast for the entertainment of the public and viewed by the public remotely in a safe manner.
- b. Description and Conditions to Operate. Professional sports teams that wish to resume practices, games, or tournaments and broadcasting of those events in San Francisco, without in-person spectators, may submit to the Health Officer a proposed plan detailing the sanitation, social distancing, health screening, and other procedures that will be implemented to minimize the risk of transmission among players, staff, media, broadcast crew, and any others who will be in the facility. The plan must include a proposal for interval testing (without using City resources) of all players and coaching staff who will be present in the facility. Plans must be submitted to HealthPlan@sfcityatty.org. Subject to the advance written approval of the Health Officer or the Health Officer’s designee, the team may then resume activities consistent with the approved plan, including any conditions to approval of the Health Officer or the Health Officer’s designee. Teams,

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games, exhibitions, and tournaments must also comply with any applicable Health Officer directives to the extent they are consistent with the approved plan; in the event of an inconsistency, the approved plan controls. Finally, crew, athletes, coaching staff and other workers should also abide by protocols agreed to by labor and management, to the extent they are at least as protective of health as the approved plan.

(Added June 1, 2020; Revised June 11, 2020; Non-substantive revisions June 26, 2020; Suspension note added July 20, 2020)

(7) Entertainment Venues: Live Streaming or Broadcasting Events without In-Person Audiences with an Approved Plan

- a. Basis for Addition. Although some types of live entertainment and cultural events, such as music, dance and comedy performances, may present a risk of virus transmission, those risks can be mitigated by stringent social distancing, sanitation, and testing measures. Resuming such events—without a live audience and subject to strict health controls and mitigation measures—represents a first step toward the resumption of these entertainment and cultural activities that can be broadcast and watched by the public remotely in a safe manner.
- b. Description and Conditions to Operate.
 1. Operators of entertainment venues may film, stream, or otherwise broadcast small scale events so long as:
 - i. the venue remains closed to the public;
 - ii. the live stream is limited to the fewest number of Personnel needed (up to a maximum of 12 people in the facility, including, without limitation, media Personnel needed for the broadcast);
 - iii. doors and windows are left open to the extent possible, or mechanical ventilation systems are run, to increase ventilation;
 - iv. the venue complies with the Social Distancing Requirements set forth in Section 8.o of this Order; and
 - v. Because singing and playing wind or brass instruments can transmit particles farther in the air than breathing or speaking quietly, people must be in an isolation booth or in a separate room from others in the facility while singing or playing wind or brass instruments.

To further reduce the risk of transmission, it is strongly recommended that all events allowed under this section be conducted and filmed, streamed, or otherwise broadcast from outdoors. The same outdoors recommendation applies to all other operations that are allowed under the Order to be filmed, live streamed or otherwise broadcast indoors with health restrictions.

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2. Operators of entertainment venues that wish to film, stream, or otherwise broadcast events that require more than 12 people to be on site at the facility at any one time may submit to the Health Officer a proposed plan detailing the sanitation, social distancing, health screening, and other procedures that will be implemented to minimize the risk of transmission among participants. If the event involves singing, playing wind or brass instruments, or physical contact, the plan must include a proposal for interval testing (without using City resources) of those individuals. Proposed plans must be submitted to HealthPlan@sfcityattorney.org. Subject to the advance written approval of the Health Officer or the Health Officer’s designee, the venue may then begin operating consistent with the approved plan, including any conditions to approval of the Health Officer or the Health Officer’s designee. Cast, crew, and other workers should also abide by protocols agreed to by labor and management, to the extent they are at least as protective of health as the approved plan.

(Added June 11, 2020; Non-substantive revisions June 26, 2020; Revised July 20, 2020)

(8) Dining—SUSPENDED

- Dining Establishments may continue to provide food for delivery and carry out under Section 8.a.xvi of the Order.

(9) Outdoor Fitness Classes—REDUCED CAPACITY

- a. Basis for Addition. Outdoor fitness classes involve mixing of Households and a moderate number of contacts. Also, the contacts are often of relatively long duration. Accordingly, and because exercise causes people to more forcefully expel airborne particles, the risk of virus transmission is higher than in other allowable interactions. But participants can—and must—wear Face Coverings and maintain at least six feet of physical distance at all times and not share equipment. Further, outdoor interactions carry a lower risk of transmission than most indoor interactions, and health protocols in outdoor fitness classes can significantly decrease the transmission risk.
- b. Description and Conditions to Operate. Outdoor fitness classes (e.g., outdoor boot camp, non-contact dance classes, tai chi, pilates, and yoga classes) may operate subject to the following limitations and conditions:
 - i. No more than **12** people, including the instructor(s), may participate in an outdoor fitness class at the same time;
 - ii. The business/instructor must ask each participant using the standard screening questions attached to the Order as Appendix A and Attachment A-2 (the “Screening Handout for Non-Personnel”). Screening must occur before people are allowed to join the class to prevent the inadvertent spread of the SARS-CoV-2 virus. A copy of the Screening Handout for Non-Personnel must be provided to anyone on request, although a poster or other large-format version of the

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Screening Handout for Non-Personnel may be used to review the questions with people verbally. Any person who answers “yes” to any screening question is at risk of having the SARS-CoV-2 virus, must not be allowed to participate, and must cancel or reschedule their class. The instructor can use the guidance available online at www.sfchcp.org/screen for determining how best to conduct screening;

- iii. All participants must maintain a physical distance of at least six feet from each other, from the instructor(s), and from members of the public at all times;
- iv. The business/instructor must have permission of the property owner to use the space;
- v. All participants and instructors must wear a Face Covering at all times, unless they are specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020, as that order may be amended from time to time; and
- vi. Equipment (e.g., medicine balls, resistance bands, mats, weights, or yoga blocks) may not be shared by members of the class and must be thoroughly cleaned and disinfected between each use with procedures effective against the Novel Coronavirus SARS-CoV-2 in accordance with CDC guidelines (<https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>).

For clarity, this section does not allow contact sports (e.g., football) or fitness classes that involve physical contact (e.g., jiu jitsu or boxing with sparring) to resume. Also, this section does not cover childcare or summer camp programs for children or youth, which are governed by section 3 above and Health Officer Directive Nos. 2020-13b and 2020-14b.

Additional guidance about outdoor fitness classes from the San Francisco Department of Public Health is available at <http://www.sfdph.org/directives>.

(Added June 11, 2020; Non-substantive revisions July 13, 2020, and August 14, 2020; Revised September 30, 2020, October 20, 2020, November 3, 2020, and December 4, 2020)

(10) Indoor Household Services

- a. Basis for Addition. Household service providers and residents can wear Face Coverings and maintain at least six feet of physical distance at all times. No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. Although indoor household services may involve mixing of Households (if the resident is at home) and occurs indoors, the number of contacts is low. Finally, risks of virus transmission can be mitigated through adherence to other Social Distancing Requirements and to sanitation, and other safety protocols.
- b. Description and Conditions to Operate. Providers of indoor household services that can

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be provided while maintaining social distancing (e.g., house cleaners and cooks) may operate, subject to the following limitations and conditions:

- i. Household service providers may not enter a residence to provide services if either the household service provider or anyone in the residence has recent COVID-19 infection, exposure or symptoms, as listed in the standard screening questions attached to the Order as Attachment A-2 (the “Screening Handout for Non-Personnel”). Screening must occur before the household service provider enters the home;
- ii. When feasible, residents should leave the premises when household services providers are in their home—if leaving the premises is not feasible, residents should try to be in a different room than the household service provider to the greatest extent possible;
- iii. When feasible, leave windows and doors open to increase ventilation or run mechanical ventilation systems;
- iv. High touch surfaces and any shared implements or tools should be cleaned at the beginning and end of any service visit;
- v. Both residents and household service providers must wear a Face Covering at all times, unless they are specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020.

For clarity, this section does not allow personal service providers, such as hair dressers or personal trainers, to provide in-home services. Also, this section does not apply to in-home childcare, which is independently permissible under Section 8.a.xxi of the Order.

Additional guidance about indoor household services from the San Francisco Department of Public Health is available at <http://www.sfdph.org/directives>.

(Added June 11, 2020; Non-substantive revisions July 13, 2020, and August 14, 2020; Revised November 3, 2020)

(11) Offices for Non-Essential Businesses—SUSPENDED

(Suspended December 4, 2020)

(12) Outdoor Zoos with an Approved Plan—SUSPENDED

(Suspended December 4, 2020)

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(13) Open Air Boat Operators—SUSPENDED

(Suspended December 4, 2020)

(14) Institutions of Higher Education and Adult Education—SUSPENDED IN PART

- a. Basis for Addition. Personnel and students can wear Face Coverings and maintain at least six feet of physical distance from people in different households at all times. Restrictions can be placed to ensure that few inherently risky activities (e.g., singing, shouting, etc.) are involved. And to the extent classes occur outdoors with distancing and Face Coverings, these interactions are safer than indoor interactions. If indoor in person instruction is authorized by the Health Officer for adult education programs under the limited conditions set forth below, then health mitigation measures adopted under detailed prevention plan can decrease the transmission risk.
- b. Description and Conditions to Operate. Institutions of Higher Education (“IHEs”) and other programs offering adult education—including, for example, programs offering job skills training and English as a second language classes (“Adult Education Programs”) (IHEs and Adult Education Programs are collectively referred to below as “Higher Education Programs”)—may operate, subject to the following limitations and conditions:
 - i. Higher Education Programs may operate for purposes of facilitating distance learning and themselves performing essential functions, as set forth in Section 8.a.xiv of the Order;
 - ii. Higher Education Programs may not offer in-person instruction indoors or outdoors unless the specific class:
 - (1) cannot be held remotely due to the need for access to specialized equipment or space,
 - (2) trains students to provide essential functions or services relating to the protection of public health or safety or Essential Government Functions, and
 - (3) is offered in settings with designs that impose substantial physical distancing on participants.Classes that are currently being offered in person and do not meet the above criteria must cease unless they can be held remotely.
 - iii. Higher Education Programs must create and post a Prevention Plan as required by Health Officer Directive 2020-22;
 - iv. Higher Education Programs must screen all Personnel and students for COVID-19 symptoms and exposure to COVID-19 every day before they enter the campus, whether for indoor or outdoor classes or other purposes. Higher Education Programs must use the standard screening questions attached to the Order as Appendix A and Attachment A-2 (the “Screening Handout for Non-Personnel”). A copy of the Screening Handout for Non-Personnel must be provided to anyone

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on request, although a poster or other large-format version of the Screening Handout for Non-Personnel may be used to review the questions with people verbally. Any person who answers “yes” to any screening question is at risk of having the SARS-CoV-2 virus, must be prohibited from entering the IHE, and should be referred for appropriate support as outlined on the Screening Handout for Non-Personnel. The Higher Education Program can use the guidance available online at www.sfcddcp.org/screen for determining how best to conduct screening;

- v. Face Coverings are required at all times;
- vi. No singing, chanting or shouting, or wind instruments are allowed during in-person instruction (indoors and outdoors) at this time;
- vii. Class capacity must be limited to ensure physical distancing at all times;
- viii. Individual student use of an indoor facility due to the need for access to specialized equipment or space that is not available outside (such as a music practice room or fine arts studio) is allowed subject to safety protocols;
- ix. Collegiate athletics teams that wish to resume practices, games, or tournaments in San Francisco, without in-person spectators, may submit to the Health Officer a proposed plan detailing the sanitation, social distancing, health screening, and other procedures that will be implemented to minimize the risk of transmission among players, staff, and any others who will be in the facility. The plan must include a proposal for interval testing (without using City resources) of all players and coaching staff who will be present in the facility. The plan must also include a commitment to comply with local directives governing isolation and quarantine of individuals who are diagnosed with, or have had close contact with a person who is diagnosed with, COVID-19. Plans must be submitted to healthplan@sfcityatty.org. Subject to the advance written approval of the Health Officer or the Health Officer’s designee, the team may then resume activities consistent with the approved plan, including any conditions to approval of the Health Officer or the Health Officer’s designee. But in connection with an approved plan no in-person spectators will be allowed under any circumstances;
- x. Subject to applicable land use laws and regulations, housing controlled or operated by Higher Education Programs or restricted for the use of students attending a Higher Education Program is permitted to open and operate for students in compliance with any relevant health and safety requirements contained in any relevant industry-specific Health Officer directives. Except for family housing, students must be housed in single rooms (i.e., without a roommate) unless the student specifically requests to be housed with a roommate; and
- xi. All Higher Education Programs must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and comply with relevant health and safety requirements contained in any relevant industry-

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specific Health Officer directives, including, but not limited to, Health Officer Directive No. 2020-22d.

(Added August 14, 2020; Revised September 1, 2020, September 30, 2020; and November 28, 2020; Non-substantive revisions November 3, 2020; Suspended in part December 4, 2020)

(15) Personal Service Providers—SUSPENDED

(Suspended December 4, 2020)

(16) Gyms and Fitness Centers—SUSPENDED IN PART

- a. Basis for Addition. Although gyms and fitness centers involve moderate contact intensity and a moderate number of contacts, the risk of transmission can be significantly lessened by requiring that everyone wear a Face Covering and maintain at least six feet of physical distance at all times. Also, the risk of virus transmission can be reduced through other health and sanitation protocols. Consistent with Section 5.c of the Order and to the extent possible, gyms and fitness centers are urged to provide services outdoors to further decrease the risk.
- b. Description and Conditions to Operate.
 1. Outdoors. Gyms and fitness centers offering space or equipment for customer-directed exercise may operate outdoors, subject to all of the following limitations and conditions:
 - i. Gyms and fitness centers may, subject to any applicable permit requirements, conduct their operations in a tent, canopy, or other shelter, as long as the shelter complies with: (1) the California Department of Public Health’s November 25, 2020 guidance regarding “Use of Temporary Structures for Outdoor Business Operations” (available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Use-of-Temporary-Structures-for-Outdoor-Business-Operations.aspx>); and (2) any additional requirements or guidance issued by SFDPH;
 - ii. Everyone in the outdoor gym or fitness center facilities must maintain at least six feet of physical distance from people outside of their Household at all times;
 - iii. Gyms and fitness centers must limit the number of people, including Personnel, who are present in the space to the lesser of (1) **12** people or (2) the number of people who can maintain at least six feet of physical distance from each other at all times;
 - iv. Everyone in the outdoor gym or fitness center facilities must wear a Face Covering at all times, unless they are specifically exempted from the Face

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Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020; and

- v. The gym or fitness center must have created, posted and implemented a Social Distancing Protocol and must comply with any and all requirements contained in Health Officer Directive No. 2020-27, regarding outdoor gyms and fitness centers including, without limitation, all enhanced cleaning requirements.

2. Indoors.

[SUSPENDED]

(Added September 1, 2020; Revised September 14, 2020, September 30, 2020, October 27, 2020, November 10, 2020, November 16, 2020, and December 4, 2020; Suspended in part November 28, 2020)

(17) Indoor Museums, Aquariums, and Zoos—SUSPENDED

(Suspended December 4, 2020)

(18) Outdoor Family Entertainment Centers—SUSPENDED

(Suspended December 4, 2020)

(19) Open-Air Tour Bus Operators—SUSPENDED

(Suspended December 4, 2020)

(20) Lodging Facilities for Tourism

- a. Basis for Addition. As long as guests refrain from congregating in common areas, and capacity and other health safety mitigation measures are used, lodging facilities involve low contact intensity and a low number of contacts. Personnel and guests can wear Face Coverings whenever they are in common areas and can maintain at least six feet of physical distance except for brief interactions (e.g., while checking in). In indoor common areas, no inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved.
- b. Description and Conditions to Operate. Lodging facilities, including hotels, motels, hostels, bed and breakfasts, inns and short-term rentals, may operate, subject to all of the following limitations and conditions:

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- i. Lodging facilities may offer lodging for essential functions and travel including COVID-19 mitigation and containment measures, treatment measures, accommodation for Essential Workers, or housing solutions, including measures to protect homeless populations. Sports teams operating under an approved plan and film/media crews allowed to operate under this Order are considered essential workers for purposes of this Section.
- ii. Except as provided above or otherwise provided by law, lodging facilities cannot accept or honor in-state reservations for non-essential travel.
- iii. Except as provided above or otherwise provided by law, no hotel or lodging entity may accept or honor out of state reservations for non-essential travel, unless the reservation is for at least the minimum time period required for quarantine and the persons identified in the reservation will quarantine in the hotel or lodging period until after that time period has expired.
- iv. Indoor pools, restaurants and cafes, indoor gyms and fitness centers, ballrooms, conference rooms, business centers, lounge areas, and other indoor gathering places must remain closed (outdoor pools and outdoor fitness centers must be operated in compliance with the relevant requirements of this Order and with Health Officer Directives 2020-24 and 2020-27, respectively).
- v. The Lodging Facility must have created, posted and implemented a Social Distancing Protocol and must comply with any and all requirements contained in Health Officer Directive No. 2020-29 regarding best practices for lodging facilities, as well as any other relevant Health Officer Directives, including, for example, Directive Nos. 2020-05 (if food is prepared and sold on-site for take-away) and Directive No. 2020-17 (if there is a gift-shop or other retail on-site).

(Added September 14, 2020; Revised September 30, 2020, October 27, 2020, November 16, 2020, December 4, 2020, and December 9, 2020; Non-substantive revisions October 20, 2020 and November 3, 2020; Revised and subsection suspended November 10, 2020)

(21) Indoor Movie Theaters—SUSPENDED

(Suspended December 4, 2020)

(22) Film and Media Productions

- a. Basis for Addition. When capacity is limited and health safety mitigation measures are used, film and media productions involve relatively low contact intensity and number of contacts. Restrictions can be placed to ensure that few inherently risky activities (e.g., singing, shouting, etc.) are involved. And when such activities are involved, additional preventive measures—such as physical distancing, improved ventilation, and surveillance

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testing—can be used to address the resulting risk. Accordingly, the risk of transmission is relatively low as long as adequate precautions are taken.

b. Description and Conditions to Operate.

1. Film and Media Productions covered by the September 21, 2020 “COVID-19 Return To Work Agreement With DGA, IATSE, SAG-AFTRA and Teamsters/Basic Crafts” (https://www.sagaftra.org/files/sa_documents/ReturnToWorkAgreement_wAMPTP.pdf) (“Return to Work Agreement”) may operate subject to compliance with all of the terms and conditions set forth in that agreement, except that:
 - i. The cast, crew, and other Personnel on location is limited to the fewest number of Personnel needed (up to a maximum of 25 people in one location); and
 - ii. if the production is complying with the pre-employment testing requirement by using two rapid tests conducted within 48 hours before the start of employment, as provided in Section 2.a.i.(3) of the Return to Work Agreement, the two samples must be collected at different times: one 24-48 hours before the start of employment and one within 24 hours before the start of employment.
2. **Outdoor Film and Media Productions:** Outdoor film and media production that are not covered by the Return to Work Agreement may operate, subject to the following conditions:
 - i. The cast, crew, and other Personnel on location is limited to the fewest number of Personnel needed (up to a maximum of 25 people in one location, subject to clause v below);
 - ii. The film or media production must ensure COVID-19 symptom and exposure screening is completed for all cast, crew, and other Personnel on each day of the production as outlined by the Social Distancing Protocol and its Attachment A-2. Any person who answers “yes” to a screening question must not be permitted to enter the location;
 - iii. Face Coverings must be worn at all times, except (a) as specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020, as that order may be amended from time to time, or (b) while filming outdoors as long as the person remains at least six feet from other talent, crew, and other Personnel, and the public at all times;
 - iv. Because singing and playing wind or brass instruments can transmit particles farther in the air than breathing or speaking quietly, singing and playing wind or brass instruments is not allowed outdoors unless (a) the individual is at least 12-feet away from crew, cast, and other Personnel, and public and uses a Face Covering for singing or a mask or other fabric over the wind instrument’s bells or openings where air/sound exit, or (b) the individuals is at least 30 feet from all crew, cast, and other Personnel, and the public; and

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- v. The production must comply with the Social Distancing Requirements set forth in Section 8.o of this Order.
3. Indoor Film and Media Productions: Indoor film and media production that are not covered by the Return to Work Agreement may operate, subject to the following conditions:
 - i. The cast, crew, and other Personnel on location is limited to the fewest number of Personnel needed (up to a maximum of 25 people in one location, subject to clause v below);
 - ii. The film or media production must ensure COVID-19 symptom and exposure screening is completed for all cast, crew, and other Personnel before they enter the location on each day of the production as outlined by the Social Distancing Protocol and its Attachment A-2. Any person who answers “yes” to a screening question must not be permitted to enter the location;
 - iii. Except as provided below, Face Coverings must be worn by all cast, crew, and other Personnel at all times:
 - a) Individuals who are specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020, as that order may be amended from time to time are excused from the Face Covering requirement;
 - b) Cast members may remove Face Coverings while personal services (e.g., makeup or hair) are being provided and filming if all of the following conditions are met:
 - (1) All other crew and Personnel in the room must wear a non-vented N-95 mask to provide maximum protection;
 - (2) The production must increase ventilation as much as possible, including by implementing at least one of the following ventilation measures:
 - All available windows and doors are kept open (Doors and Windows required to be kept closed for fire/life safety purposes are exempt. Make sure open windows do not create falling hazards especially for children.)
 - HVAC systems fully operational
 - Appropriately sized Portable Air Cleaners

If due to smoke or other conditions the production cannot implement any of those measures for a period of time, face coverings cannot be removed until ventilation measures can be reinstated; and

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(3) The production must adhere to the following testing requirements:

- If the shoot is scheduled to last one or two days, the cast member(s) who will be removing their Face Coverings must receive a negative nucleic acid diagnostic test for COVID-19 within 72 hours before the shoot starts.
 - If the shoot is scheduled to last between three and seven days, the cast member(s) who will be removing their Face Coverings must receive a (a) negative nucleic acid diagnostic test for COVID-19 within 72 hours before the shoot starts and (b) a negative nucleic acid diagnostic test or rapid test every other day starting on the third day of the production.
 - If the shoot is scheduled to last more than seven days, the Production must submit a plan to the Health Officer for pre-approval, as discussed below.
 - All testing must be done using tests that are approved by the United States Food and Drug Administration or by the California Department of Public Health.
 - All processing of tests must be conducted by a lab that complies with Health Officer Order No. C19-10 (available online at www.sfdph.org/healthorders), including that the lab must meet the requirements to perform testing classified as high complexity under the Clinical Laboratory Improvement Amendments (“CLIA”) of Section 353 of the Public Health Service Act (including but not limited to having a CLIA waiver to perform such tests). Any lab that processes tests must also submit all results (not just positive results) via the State of California’s California Reportable Disease Information Exchange (“CalREDIE”) system or any replacement to that system adopted by the State of California.
 - The production must maintain a log of testing for all cast members who will be removing their Face Coverings, including name, date tested, type of test, and test result. The log must be retained for 12 months and be made available to SFDPH upon request.
- iv. High touch surfaces must be cleaned and disinfected frequently using procedures effective against the Novel Coronavirus SARS-CoV-2 in accordance with CDC guidelines (<https://www.cdc.gov/coronavirus/2019-ncov/community/cleaning-disinfecting-decision-tool.html>).

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- v. The production must comply with the Social Distancing Requirements set forth in Section 8.o of this Order.
- vi. Because singing and playing wind or brass instruments can transmit particles farther in the air than breathing or speaking quietly, filming of cast singing or playing a wind or brass instrument is prohibited unless the individual is in an isolation booth or in a separate room and the camera is operated remotely. Sufficient ventilation of the space being used must occur for at least 15 minutes before other Personnel enter the space.
- vii. Productions may not have craft service and catering at indoor locations. Productions may provide cast, crew, and other Personnel may with pre-packaged food, which individuals must eat outdoors at least 6 feet from other people.

Companies that wish to proceed with productions that deviate from these conditions may submit to the Health Officer a proposed plan detailing the sanitation, social distancing, ventilation, testing, health screening, and other procedures (for example, creating quarantine bubbles) that will be implemented to minimize the risk of transmission among participants. Plans must be submitted to HealthPlan@sfcityatty.org. Subject to the advance written approval of the Health Officer or the Health Officer's designee, the production may then proceed consistent with the approved plan.

(Added November 3, 2020; Revised December 4, 2020 and December 9, 2020)

(23) Real Estate Showings—SUSPENDED

- Real estate agents may continue to offer virtual and limited viewings in compliance with the requirements set forth in Section 8.a.x of the Order.

(Suspended December 4, 2020)

(24) Commercial Parking Garages

- a. Basis for Addition. Personnel and customers can wear Face Coverings at all times and can maintain at least six feet of physical distance except for brief interactions (e.g., while transferring keys). No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. This section reflects an existing FAQ—added on June 30, 2020—stating that garages were permitted to be open under specific health and safety conditions.
- b. Description and Conditions to Operate. Parking garages are permitted to operate for parking under the following conditions:
 - i. Garages must provide Face Coverings (as provided in Health Order No. C19-12c issued on July 22, 2020, and any future amendment to that order), hand sanitizer or handwashing stations, or both, and disinfectant and related supplies to all Personnel;

Order No. C19-07q – Appendix C-1: Additional Businesses Permitted to Operate

[Revised December 9, 2020]

- ii. Face coverings must be worn by Personnel and customers at all times, except as specifically exempted from the face covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020, as that order may be amended from time to time;
- iii. Garages must comply with the Social Distancing Requirements set forth in Section 15.o of the Stay-Safe-at-Home Order and prepare a Social Distancing Protocol as required in Section 5.d of the Order;
- iv. Garages should encourage customers to use touchless payment options. When touchless payment is not used, sanitize any pens, counters, trays, or point of sale systems between each use by a customer. Create sufficient space to enable the customer to stand at least six feet away from the cashier while paying, or provide a physical barrier (e.g., Plexiglas of sufficient height and width to prevent transmission of respiratory droplets) between the customer and the cashier;
- v. Vehicle windows must be left open to the greatest extent possible—particularly in the moments before and during a transfer; and
- vi. Whenever possible, steering wheels should be wiped down before transferring the vehicle from one person to another.

(Added November 16, 2020)

**(25) Limited One-on-One Personal Training Inside Gyms and Fitness Centers—
SUSPENDED**

- One-on-one personal training is not permitted indoors at this time; however, limited one-on-one personal training may occur outdoors in compliance with the requirements for outdoor fitness classes set forth in Section 9 above.

(Suspended December 4, 2020)

Order No. C19-07q – Appendix C-2: Allowed Additional Activities

[Revised December 9, 2020]

A. General Requirements

The “Additional Activities” listed below may resume, subject to the requirements set forth in the Order and to any additional requirements set forth below or in separate guidance by the Health Officer. These activities were selected based on current health-related information, the risk criteria set forth in Section 3 of the Order, and the overall impact that allowing these activities to resume will have on mobility and volume of activity in the County.

On November 19, 2020, the Acting California State Public Health Officer issued an order (the “Limited Stay At Home Order”) requiring that “all gatherings with members of other households and all activities conducted outside the residence, lodging, or temporary accommodation with members of other households cease between 10:00 p.m. and 5:00 a.m., except for those activities associated with the operation, maintenance, or usage of critical infrastructure or required by law.” The Limited Stay At Home Order is available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/limited-stay-at-home-order.aspx>. Beginning at 10:00 p.m. on November 30, 2020, and continuing until the earlier of the expiration of the Limited Stay Safe at Home Order or the State’s reassignment of San Francisco to a tier that is less restrictive than the State Blueprint’s purple tier, all activities that are allowed to resume under this Order must comply with the Limited Stay At Home Order.

The health-related basis for selection of Additional Activities and the specific requirements for risk mitigation are summarized below. The bases for the additions were amended on July 13, 2020, to reflect an updated and refined analysis under the risk criteria set forth in Section 3 of the amended Order.

Activities that are permitted to operate outdoors may, subject to any applicable permit requirements, conduct their operations under a tent, canopy, or other sun or weather shelter, but only as long as no more than one side is closed, allowing sufficient outdoor air movement. Also, the number and composition of barriers used for all outdoor shelters must allow the free flow of air in the breathing zone consistent with guidance from the Department of Public Health.

B. List of Additional Activities

For purposes of the Order, Additional Activities include the following based on the summarized health risk related rationale:

- (1) Outdoor Museums, Outdoor Historical Sites, and Outdoor Public Gardens—
SUSPENDED IN PART 2
- (2) Outdoor Recreation: Golf and Tennis 3
- (3) Outdoor Recreation: Dog Parks 4
- (4) Small Outdoor Gatherings—RESTRICTED 5
- (5) Libraries for Curbside Pickup and Return 5

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[Revised December 9, 2020]

(6)	Outdoor Recreation: Other Outdoor Recreation and Athletic Activities— RESTRICTED	6
(7)	Outdoor Recreation: Outdoor Swimming Pools	6
(8)	Drive-In Gatherings—SUSPENDED	7
(9)	Religious Activities.....	7
(10)	Political Activity	9
(11)	Outdoor Playgrounds	10

**(1) Outdoor Museums, Outdoor Historical Sites, and Outdoor Public Gardens—
SUSPENDED IN PART**

- This section is temporarily suspended with respect to outdoor museums, which are not permitted to operate at this time.
- Outdoor historical sites and public gardens may operate—and individuals may leave their residence and travel to visit these locations—subject to the following conditions:
 1. Only outdoor spaces may be open to the public, except for restrooms as provided below.
 2. Face Coverings must be worn by all staff and visitors, subject to the limited exceptions in Health Officer Order No. C19-12c (e.g., for young children), including as that order is amended in the future;
 3. Physical distancing of at least six-feet must be maintained at all times other than between members of the same Household;
 4. Other than picnic tables, which may be available for use with signs instructing patrons to clean them before and after use, common high-touch equipment and fixtures must be off-limits, with signage and with physical barriers as appropriate;
 5. Public restrooms, if any, must
 - a. be routinely disinfected frequently throughout the day,
 - b. have open doors to prevent touching of door handles or knobs,
 - c. have soap and paper towels, and
 - d. have signs promoting handwashing;
 6. The facility must provide for contactless payment systems or, if not feasible, sanitize any payment systems, including touch screens, payment portals, pens, and styluses, after each customer use. Under San Francisco’s Legal Tender Law, customers must be allowed to pay with cash but to further limit person-to-person contact, Personnel should encourage customers to use credit, debit, or gift cards for payment;

Order No. C19-07q – Appendix C-2: Allowed Additional Activities

[Revised December 9, 2020]

7. Signage must be posted at each public entrance to inform all personnel and customers that they must not enter if they are experiencing COVID-19 symptoms (list the symptoms in the San Francisco COVID-19 Health Screening Form for non-personnel (Attachment A-2), maintain a minimum six-foot distance from one another while in the facility or location, wear a Face Covering at all times, and not shake hands or engage in any unnecessary physical contact (sample signs are available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>);

For clarity, this section does not apply to outdoor zoos, which are covered under Section 12 of Appendix C-1.

(Added May 17, 2020; revised June 1, 2020 and November 3, 2020; Non-substantive revisions on July 13, 2020; Revised and suspended in part on December 4, 2020)

(2) Outdoor Recreation: Golf and Tennis

- a. Basis for Addition. Non-contact outdoor sports like tennis and golf involve a low number of contacts and a high proximity of contact, as long as the groups engaged in play together are small, maintain required physical distance, and do not share equipment among different Households. Also, interactions and activities that occur outdoors carry a lower risk of transmission than most indoor interactions and activities. And the risk of transmission can be further mitigated by sanitation and hygiene practices. Finally, because outdoor recreation is already allowed under the Order, resumption of this activity is expected to result in only a relatively modest increase in mobility and may decrease congestion in other outdoor locations like public parks and beaches.
- b. Description and Conditions. Individuals may play tennis and golf outdoors, and outdoor tennis and golf facilities/clubs may open, subject to the following conditions:
 1. Face Coverings must be worn by all golf and tennis facility/club Personnel, subject to the limited exceptions in Health Officer Order No. C19-12c (e.g., for young children), including as that order is amended in the future;
 2. All golf and tennis players must wear a Face Covering while in facility/club parking lots, when entering and exiting facilities/clubs, and while waiting to play—Face Coverings may be removed during play if nobody from a different Household is within 30 feet of the player;
 3. For golf, a maximum of two people from the same or different Households may share a tee time but members of different Households may not share a golf cart or any equipment and must maintain at least six feet of physical distance from each other at all times;
 4. No more than two people from the same or different Household may play tennis together at any one time (singles only). Tennis players from different Households may not share equipment and must maintain at least six feet of physical distance from each other at all times; and

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[Revised December 9, 2020]

5. Before resuming or continuing operations, each golf or tennis facility/club must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and comply with Health Officer Directive No. 2020-15 as that directive has been amended or updated regarding required best practices for tennis and golf.

(Added June 1, 2020; Non-substantive revisions July 13, 2020; Revised September 1, 2020, December 4, 2020, and December 9, 2020)

(3) Outdoor Recreation: Dog Parks

- a. Basis for Addition. Although taking a dog to a dog park may involve mixing of Households, individuals can wear Face Coverings at all times and maintain at least six feet of physical distance from members of other Households except for short interactions. No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. Also, outdoor activities carry a lower risk of transmission than indoor interactions and activities, and risk of transmission can be reduced through health protocols.
- b. Description and Conditions. Individuals may take their dogs to dog parks (both enclosed and unenclosed), and all dog parks may open, subject to the following conditions:
 1. Face Coverings must be worn by all people in the dog park, subject to the limited exceptions in Health Officer Order No. C19-12c (e.g., for young children), including as that order is amended in the future;
 2. The Centers for Disease Control and Prevention (CDC) has advised that “[u]ntil we learn more about how this virus affects animals,” owners should “treat pets as you would other human family members to protect them from a possible infection.” Specifically, the CDC recommends that pet owners: “Do not let pets interact with people or other animals outside the household,” “Walk dogs on a leash, maintaining at least 6 feet (2 meters) from other people and animals,” and “Avoid dog parks or public places where a large number of people and dogs gather.” Accordingly, pet owners are urged to use on-leash dog parks or keep their dogs on a leash, particularly if the dog is not under voice control—pet owners who choose to let their dogs be off leash in an off-leash dog park should prevent their dog from interacting with other people or animals to the greatest extent feasible;
 3. People in the dog park should maintain at least six feet of physical distance from people or animals other than those in their same Household;
 4. People must bring their own water for themselves and their pets, and must not use common touch water facilities in the park;
 5. People must use their sleeve or a disposable cloth to touch high-touch surfaces like gates;
 6. People should bring their own bags for picking up and disposing of pet waste;

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[Revised December 9, 2020]

7. Signage must be posted at each dog park to inform people that they must: avoid entering the location if they have a cough or fever, maintain a minimum six-foot distance from one another, wear a Face Covering at all times, and not shake hands or engage in any unnecessary physical contact (sample signs are available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>); and
8. People must follow any other rules and regulations adopted by the operator of the dog park.

(Added June 1, 2020; Non-substantive revisions July 13, 2020)

(4) Small Outdoor Gatherings—RESTRICTED

- Except as expressly provided below or elsewhere in this Order, gathering with people from other Households is prohibited at all times. Outdoor gatherings away from home with people from the **same** Household are limited to **12** people total or **6** people if eating or drinking.
 - **Two** people from different Households may meet outdoors as long as they maintain at least six feet of physical distance and wear face coverings at all times except when eating or drinking (subject to the limited exceptions in Health Officer Order No. C19-12c).

(Suspended December 4, 2020; Revised December 9, 2020)

(5) Libraries for Curbside Pickup and Return

- a. Basis for Addition. Personnel and patrons can wear Face Coverings at all times and maintain at least six feet of physical distance except for brief interactions (e.g., while picking up items). Patrons interact only with a small number of individuals from other Households, and although Personnel are interacting with a moderate number of people, the duration of those interactions are low and safety limitations can ensure adequate social distancing and decrease the risk of virus transmission. In addition, interactions can occur outdoors, which further decreases risk.
- b. Description and Conditions to Operate. Libraries may open for curbside/outside pickup and drop off of items, and approved by the City Administrator. All Personnel and patrons must comply with Social Distancing Requirements—including the requirement to maintain at least six feet of physical distance—and wear a Face Covering at all times, subject to the limited exceptions in Health Officer Order No. C19-12c (e.g., for young children), as that order may be amended from time to time.

(Added July 20, 2020)

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[Revised December 9, 2020]

**(6) Outdoor Recreation: Other Outdoor Recreation and Athletic Activities—
RESTRICTED**

- a. Basis for Addition. Non-contact recreational and athletic activities such as pickleball, lawn bowling, bocce ball and frisbee have low-to-moderate levels of transmission risk. Participants can wear Face Coverings and maintain at least six feet of physical distance at all times, and outdoor activities are safer than indoor interactions.
- b. Description and Conditions. Non-contact recreational and athletic activities with members of other Households may occur, subject to the following conditions:
 1. Except as expressly provided elsewhere in this Order, no more than two individuals from different Households may engage in these recreational and athletic activities together at any one time;
 2. No equipment may be shared between Households;
 3. All recreational and athletic activities with members of another Household must occur entirely outdoors;
 4. Members of separate Households cannot have contact with each other and must remain at least six feet apart at all times;
 5. Pickleball is allowed under this section, provided that operators of facilities and players must follow the same guidelines that apply to Tennis Facilities under Health Officer Directive No. 2020-15b; and
 6. Face Coverings must be worn at all times, subject to the limited exceptions in Health Officer Order No. C19-12c, issued on July 22, 2020 (e.g., for young children).

(Added September 1, 2020; Suspended December 4, 2020; Reinstated and revised December 9, 2020)

(7) Outdoor Recreation: Outdoor Swimming Pools

- a. Basis for Addition. Outdoor swimming pools have few high-touch surfaces and do not require shared equipment. Risks associated with outdoor swimming pools can be substantially mitigated with limitations to ensure adequate social distancing and limit intermixing between Households.
- b. Description and Conditions. Beginning at 9:00 a.m. on September 1, 2020, individuals may use outdoor swimming pools, and outdoor swimming pools may open and operate, subject to the following conditions:
 1. Lap swimming must be limited to one swimmer per lane, except that members of the same Household may occupy a single lane;
 2. Use of shared swimming areas must be limited to no more than two swimmers from different Households per 300 square feet of shared pool space;

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[Revised December 9, 2020]

3. Except for members of the same Household, swimmers must remain at least six feet apart at all times;
4. Locker rooms must be closed to the public, except for use as a restroom;
5. All gatherings are prohibited outside the pool, such as on pool decks, except (1) as expressly provided in Section 4, above, or Section 9 of Appendix C-1; and (2) members of a Household may observe a child or other person swimming to ensure safety and supervision; and
6. Before resuming operations, each outdoor swimming pool must create, post and implement a Social Distancing Protocol and comply with the relevant provisions of Health Officer Directive No. 2020-24.

(Added September 1, 2020; Non-substantive revisions December 4, 2020)

(8) Drive-In Gatherings—SUSPENDED

(Suspended December 4, 2020)

(9) Religious Activities

- a. Basis for Addition. In an effort to balance core First Amendment interests with public health, the Health Officer is creating special provisions for faith-based services and ceremonies. Even with adherence to physical distancing and face covering requirements, bringing members of different households together to engage in in-person religious gatherings carries a higher risk of widespread transmission of COVID-19. Such gatherings may result in increased rates of infection, hospitalization, and death, especially among more vulnerable populations. Therefore, even though in-person religious gatherings are allowed by this provision, with safety limitations, it is strongly recommended that individuals use alternative means to practice their faith for the time being, such as the many online and broadcasting platforms available in the digital age, in place of in-person gatherings.
- b. Description and Conditions to Operate.
 1. Individual indoor prayer and counseling in houses of worship: Members of the public may enter a house of worship, subject to the following conditions:
 - i. Only one individual member of the public may enter the house of worship at a time. If the person is a parent or guardian of minor children, the person may bring their children with them but not other adults from the same household. If the person is an adult who needs assistance, the person may bring a caregiver.

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[Revised December 9, 2020]

- ii. The member of the public must maintain at least six feet of physical distance from any Personnel present in the facility;
 - iii. All individuals in the facility must wear a Face Covering, subject to the limited exceptions in Health Officer Order No. C19-12c (e.g., for young children);
 - iv. Doors and windows must be left open to the extent possible, or mechanical ventilation systems must be run, to increase ventilation;
 - v. The house of worship must establish protocols for frequent cleaning and disinfection of commonly used surfaces and high traffic areas such as lobbies, hallways, and chapels;
 - vi. Signage must be posted at each public entrance to inform all individuals that they must: avoid entering the house of worship if they have a cough or fever, maintain a minimum six-foot distance from one another while in the facility or location, wear a Face Covering at all times, and not shake hands or engage in any unnecessary physical contact (sample signs are available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>); and
 - vii. The house of worship must comply with the Social Distancing Requirements set forth in Section 15.k of this Order—and create, post and implement a Social Distancing Protocol (Appendix A of this Order).
2. **Outdoor Religious Gatherings and Funerals:** Houses of worship and operators of other facilities or groups may hold outdoor gatherings for the practice of religion, including religious services and funerals, subject to the following conditions:
- i. No more than 200 individuals may participate in the gathering (subject to Social Distancing Requirements) and simultaneous gatherings in the same location or vicinity are prohibited;
 - ii. Participants must maintain at least six feet of distance from members of different households;
 - iii. All participants must wear a face covering, subject to the limited exceptions in Health Officer Order No. C19-12c (e.g., for young children); and
 - iv. No food or beverages may be served or sold;
 - v. One individual at a time may sing, chant, or shout, provided: (1) the person singing, chanting, or shouting is at least 12-feet from any other person; and (2) the person singing, chanting, or shouting is wearing a Face Covering at all times;
 - vi. No sharing or common use of objects or equipment is permitted unless those objects or equipment are sanitized with cleaning products effective against COVID-19 in between uses by members of different households;
 - vii. The gathering must comply with all of the relevant requirements set forth in Health Officer Directive No. 2020-19c regarding outdoor gatherings; and

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[Revised December 9, 2020]

- viii. All participants must comply with any requirements—including permitting requirements and conditions—imposed by applicable public authorities.

3. **Gatherings for Indoor Religious Services and Cultural Ceremonies**

[Temporarily Suspended on November 28, 2020]

(Added September 14, 2020; Revised September 30, 2020, and December 4, 2020; Non-substantive revisions October 20, 2020; Revised and subsection suspended November 28, 2020)

(10) Political Activity

- a. **Basis for Addition.** In an effort to balance core First Amendment interests with public health, the Health Officer is creating special provisions for political activities. Even with adherence to physical distancing and face covering requirements, bringing members of different households together to engage in in-person protests carries a higher risk of widespread transmission of COVID-19. Such gatherings may result in increased rates of infection, hospitalization, and death, especially among more vulnerable populations. In particular, activities like chanting, shouting, singing, and group recitation negate the risk-reduction achieved through six feet of physical distancing and face covering. Therefore, even though in-person political protests are allowed by this provision, with safety limitations, it is strongly recommended that individuals use alternative means of expression for the time being, such as the many online and broadcasting platforms available in the digital age, in place of in-person gatherings.
- b. **Description and Conditions to Operate.**
1. **Individual indoor political offices:** A single individual may be inside a campaign office or other political office, subject to the following conditions:
 - i. Only one person may be in the office or facility at a time except as outlined in this section b.1.
 - ii. One other individual at a time may temporarily come into the office or facility, such as for a brief meeting or to pick up or drop off materials.
 - iii. All individuals in the facility must wear a Face Covering as required by Health Officer Order No. C19-12c, subject to the limited exceptions in that order;
 - iv. Doors and windows must be left open to the extent possible, or mechanical ventilation systems must be run, to increase ventilation;
 - v. The facility must establish protocols for frequent cleaning and disinfection of commonly used surfaces and high traffic areas such as lobbies, hallways, and offices;
 - vi. Signage must be posted at each public entrance to inform all individuals that they must: avoid entering the location if they have a cough or fever, maintain

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[Revised December 9, 2020]

a minimum six-foot distance from one another while in the facility or location, wear a Face Covering at all times, and not shake hands or engage in any unnecessary physical contact (sample signs are available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>); and

- vii. The facility or office must comply with the Social Distancing Requirements set forth in Section 15.k of this Order—and create, post and implement a Social Distancing Protocol (Appendix A of this Order).
2. **Political Protest Gatherings:** Facilities and groups may hold outdoor gatherings for in-person political protests, subject to the following conditions, subject to the following conditions:
- i. No more than 200 individuals may participate in the gathering (subject to Social Distancing Requirements) and simultaneous gatherings in the same location or vicinity are prohibited;
 - ii. Participants must maintain at least six feet of distance from members of different households;
 - iii. All participants must wear a Face Covering, subject to the limited exceptions in Health Officer Order No. C19-12c (e.g., for young children); and
 - iv. No food or beverages may be served or sold;
 - v. One individual at a time may sing, chant, or shout, provided: (1) the person singing, chanting, or shouting is at least 12-feet from any other person; and (2) the person singing, chanting, or shouting is wearing a Face Covering at all times;
 - vi. No sharing or common use of objects or equipment is permitted unless those objects or equipment are sanitized with cleaning products effective against COVID-19 in between uses by members of different households;
 - vii. The gathering must comply with all of the relevant requirements set forth in Health Officer Directive No. 2020-19c regarding outdoor gatherings; and
 - viii. All participants must comply with any requirements—including permitting requirements and conditions—imposed by applicable public authorities.

(Added September 14, 2020; Revised September 30, 2020, and December 4, 2020; Non-substantive revisions October 20, 2020)

(11) Outdoor Playgrounds

- a. **Basis for Addition.** Although taking children to a playground may involve mixing of Households, individuals can wear Face Coverings at all times and maintain at least six feet of physical distance from members of other Households except for short interactions. No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved.

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[Revised December 9, 2020]

Also, outdoor activities carry a lower risk of transmission than indoor interactions and activities, and risk of transmission can be reduced through health protocols.

- b. Description and Conditions. Outdoor public playgrounds may open subject to the following conditions:
1. Face Coverings must be worn by all people in the playground at all times, subject to the limited exceptions in Health Officer Order No. C19-12c (e.g., for young children), including as that order is amended in the future;
 2. All people (including children and adults) in the playground must maintain at least six feet of physical distance from people other than those in their same Household;
 3. Outdoor public playground operators and all people (including children and adults) in playgrounds must comply with all of the relevant requirements set forth in Health Officer Directive No. 2020-36 regarding outdoor public playgrounds.

(Added September 30, 2020; Revised November 3, 2020; Suspended December 4, 2020; Reinstated and revised December 9, 2020)



ORDER OF THE HEALTH OFFICER No. C19-17

**ORDER OF THE HEALTH OFFICER
OF THE CITY AND COUNTY OF SAN FRANCISCO REQUIRING PEOPLE WHO
HAVE ARRIVED IN THE CITY AND COUNTY OF SAN FRANCISCO AFTER
TRAVEL, MOVING, OR RETURNING TO THE COUNTY TO QUARANTINE, TO
HELP REDUCE THE IMPACT ON TRANSMISSIONS AND HOSPITALIZATIONS OF
THE CURRENT COVID-19 SURGE (“TRAVEL ORDER”)**

(PUBLIC HEALTH EMERGENCY ORDER)

DATE OF ORDER: December 16, 2020 (updated December 30, 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); and San Francisco Administrative Code § 7.17(b))

Summary: The City and County of San Francisco (the “County”) has been experiencing a rapid increase in the number of COVID-19 cases and hospitalizations, as has the rest of California and the United States. The rise in cases has been overwhelming hospitals in the state and, unless abated further, could result in an unmanageable number of cases within the County due to the recent holidays and related gatherings and travel. Such a rise makes care less accessible to save the lives of people suffering from COVID-19 as well as other afflictions such as heart attacks, strokes, or serious injuries.

The County continues to maintain a low rate of COVID-19 deaths compared to most major cities in the country. This is so because together we have kept case counts low, allowing our hospitals to maintain the capacity to adequately care for COVID-19 patients. But if our hospitals become overwhelmed, we can expect an increase in avoidable and unnecessary COVID-19 deaths. We can prevent this by taking steps to keep COVID-19 from spreading further in San Francisco.

One important way to control local case counts is by limiting the movement of people who arrive in the County and may be carrying the virus. Today, while case rates in the County are high, we have the sixth lowest adjusted case rate in the state. Nationally, 43 of 50 states currently have higher COVID-19 case rates than San Francisco, ranging from almost twice as high in Nevada, to almost three times as high in other parts of the country. This means people who travel outside the County and visitors who come from other areas are at a much higher risk of being infected. These risks are only heightened by the nature of travel, which usually includes interactions with many people. And most COVID-19 infections are caused by people who have no symptoms of illness at all, thus there is no way to tell whether you are interacting with someone who has COVID-19 and could infect you. If even a small number of these travelers bring COVID-19 into the County, that additional introduction of virus into the community can magnify the spread of the disease at a time when hospitals’ ability to care for the seriously ill is already threatened.



Order of The Health Officer No. C19-17

The purpose of this Order is to help prevent avoidable and unnecessary transmission of the virus that causes COVID-19 in two ways. First, this Order strongly discourages anyone in the County from travelling for leisure, recreation, business or other purposes that can be postponed until after the current surge. Travel not only puts the traveler at risk but also all members of the community, if the traveler spreads COVID-19 to others after returning to San Francisco. Second, with limited exceptions defined below, this Order imposes a **mandatory** quarantine on anyone traveling, moving, or returning to the County from anywhere outside the Bay Area (as defined in Section 8 of this Order). The travel-related quarantine also will help protect the County against the spread of new variants of the virus, such as those detected recently in the United Kingdom, Colorado, and Southern California among other varied geographic locations worldwide.

This Order will be revised or rescinded when the infection rates become significantly lower and travel is safer.

Note: initially capitalized terms not otherwise defined in this Order are defined in Health Officer Order C19-07q (the “Stay-Safer-at-Home Order”), including as it may later be amended.

**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 ORDERS:**

1. Purpose and Findings.

- a. Purpose and Intent. This Order imposes a mandatory Quarantine on anyone traveling, moving, or returning to the County from anywhere outside the Bay Area, except as described in this Order. This Order strongly urges a Quarantine for all non-essential travel to the County from anywhere else within the Bay Area. The purpose and intent of this Order is to protect the well-being of all people in the County – and especially the ability of hospitals and other healthcare services in the County – from the worsening impact of the current surge of SARS-CoV-2 infections and COVID-19 cases in the County, the Bay Area, the State of California, and the United States of America. There is currently a substantial surge of cases across the United States and other parts of the world. Anyone who travels at this time is exposed to a relatively high rate of SARS-CoV-2 infections due to the fact that infection rates across most of California and the United States are much higher than in the County. As a result, and even after taking protective measures, travelers are at high risk of becoming infected during travel and bringing infections to the County. These risks are heightened by the increased person-to-person interactions inherent in many forms of travel. And if travelers come to the County with an active infection (whether symptomatic or asymptomatic), there is a serious risk that even a small number of cases can lead to widespread infections that will hurt the health of people in the County and push our healthcare system beyond its limits to treat anyone with serious illness, whether COVID-19 related or otherwise. By generally requiring travelers from anywhere



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outside the Bay Area to Quarantine, this Order greatly reduces the risk of infections spreading to other people in the County. The Health Officer will continue to monitor data regarding COVID-19 and may amend or rescind this Order based on analysis of that data and knowledge.

- b. Interpretation. All provisions of this Order must be interpreted to effectuate the purpose and intent of this Order, as described in subsection (a) above. The summary at the beginning of this Order as well as the headings and subheadings of sections contained in this Order are for convenience only and may not be used to interpret this Order; in the event of any inconsistency between the summary, headings, or subheadings and the text of this Order, the text will control. Certain initially capitalized terms used in this Order have the meanings given them in Section 8 below. The interpretation of this Order in relation to the health orders of the State is described in Section 10 below.
- c. Continuing Severe Health and Safety Risk Posed by COVID-19. This Order is issued based on evidence of continued widespread community transmission of COVID-19 within the County, throughout the Bay Area, across California, and across the United States; evidence that most COVID-19 infections are caused by people who have no symptoms at all of illness; scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, including limiting movement of people and through quarantine of those who may be exposed to the virus; evidence that the 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; further evidence that others, including younger and otherwise healthy people, are also at risk for serious outcomes including death; the reality that a serious surge in SARS-CoV-2 infections and COVID-19 diagnoses is occurring throughout the United States, with most areas having a higher rate of infection, diagnosed disease, and death than in the County; and the fact that County hospitals have a substantial corresponding increase in COVID-19 admissions so as to put hospitals in the County and the Bay Area at imminent risk of reaching or exceeding capacity for intensive care unit beds and other acute care beds. Due to the outbreak of COVID-19 in the general public, which is a pandemic according to the World Health Organization, there is a public health emergency throughout the County, region, State, and nation. That immediate threat to public health and safety is also reflected in the continuing declarations of emergency referenced in Section 9 below, including by the December 3, 2020, Regional Stay At Home Order (as subsequently modified) (the "Regional Stay at Home Order") announced by California Governor Gavin Newsom and issued by California's Acting State Public Health Officer. This situation has become a larger emergency due to the current surge in positive cases and in hospitalizations in the County, the Bay Area, the State, and the nation as shown by the Regional Stay At Home Order. There is also concern that new variants of the virus detected recently, such as those found in the United Kingdom, Colorado, and Southern California among other varied geographic locations worldwide,---- are spreading, and this Order



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will help protect against that spread.

- d. Local Health Conditions Relating to COVID-19. The efforts taken by residents and Businesses beginning in March 2020 under the shelter-in-place orders of the Health Officer, along with those of health officers of five neighboring counties, slowed the virus's trajectory. But the public health emergency and threat to the County's population remain severe. Across the region, the State, and the nation, there has been a significant reopening of Businesses and activities, accompanied by an increase in cases and hospitalizations, and these increases create risks to County residents and resources. Complicating the situation is the fact that the County and much of the rest of the Bay Area have been more careful and deliberate regarding health-protective measures than most of the rest of the United States, meaning that infection rates are substantially higher in many areas outside of the County. The County, Bay Area, State, and nation are now in a third surge in infections and hospitalizations, that is having significant local impacts and that has already resulted in unprecedented surges in cases and hospitalizations across the nation. We are also experiencing a "surge on top of a surge" due to the recent Thanksgiving holiday and associated gatherings and travel, which may worsen due to the impacts of the December and 2021 New Year's holidays. As we continue to evolve our strategies for protecting residents of the County from COVID-19, we must consider the trajectory of the virus in the County and across the region, as well as information regarding new infections and hospitalizations and the course of medical care provided to people with the virus to determine the best options for treatment and prevention.
- e. Cases, Hospitalizations, and Deaths. As of December 27, 2020, there were 22,776 confirmed cases of COVID-19 in the County (up from 37 on March 16, 2020, the day before the first shelter-in-place order in the County went into effect) as well as at least 186 deaths (up from a single death on March 17, 2020). Local COVID-19 cases have more than quadrupled since early November 2020. San Francisco is currently averaging 247 new COVID-19 positive cases per day compared to the 34 per day that it averaged in late October. Moreover, the City currently has approximately 1,700 COVID-19 cases diagnosed per week and hospitalizations have nearly tripled over the last month. As a result, the City's hospital capacity is under considerable stress. Unlike in previous surges, the rest of the State's hospital capacity is strained and reaching patient limits and it is unlikely there will be additional hospital capacity in other counties if San Francisco's is compromised. In fact, the City has been receiving requests from other California jurisdictions and health systems outside the County to take hospitalized patients because those jurisdictions are reaching or have reached capacity, further straining the City's hospital resources. This information, as well as information regarding hospitalizations and hospital capacity, is regularly updated on the San Francisco Department of Public Health's website at <https://data.sfgov.org/stories/s/fjki-2fab> and incorporated into this Order by this reference.



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2. Risks to Travelers and Risk Minimization.

People are more likely to be infected when travelling to or through places with higher rates of COVID-19. The risk will be even greater during the December and New Year's holidays due to the large number of people travelling, engaging in indoor activities, and interacting while shopping or engaging in social gatherings. The virus that causes COVID-19 can travel in the air more than six feet and collects indoors and in enclosed spaces like vehicles, buses, trains, and planes. Most COVID-19 infections are caused by people who have no symptoms at all of illness. Just being indoors or in enclosed space, even when wearing a Face Covering and distanced, with people who are not part of your household is risky even if you are not interacting with them, and especially if those around you are not wearing a Face Covering. (See www.sfdcp.org/indoorrisk.) San Francisco and the Bay Area have high rates of Face Covering use compared to much of the nation. Travelers should be aware that spending time in areas where Face Covering use is less widespread will likely increase their risk of infection. Indoor businesses and other indoor activities that are not currently allowed in San Francisco will also likely increase the risk of infection when traveling outside the County.

Travelers should also be aware that hospitals in many parts of the nation are already overwhelmed. If they become ill or injured for any reason while travelling, they may not be able to receive the same level of care they would normally expect. Also, people who travel by air may not be able to return by plane if they become infected with COVID-19 during their trip.

Based on all of these risks, people in the County are strongly urged to avoid travel whenever possible. When travel is unavoidable, people are strongly urged to follow these best practices, without limiting the requirements of this Order below:

1. When travelling and after returning, always wear a Face Covering when around anyone who is not part of your Household, including while indoors, in vehicles or other enclosed spaces, and when outdoors within six feet of others.
2. When travelling and after returning, minimize time spent around people who are not part of your Household when any of those people (or yourself) are not wearing a Face Covering, including during meals.
3. When traveling and after returning, minimize interactions with others, such as by avoiding unnecessary shopping, indoor social events, and other interactions in large groups.

Additional best practices for unavoidable travel can be found at: www.sfdph.org/travel.

3. Business Requirements.

Unless otherwise expressly provided below, this Order requires each Business to allow its Personnel to Quarantine as required by this Order and otherwise prohibits Businesses



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from directing or allowing Personnel to violate this Order's Quarantine requirements. But no Business is required by this Order to approve personal time off, leave, or vacation outside the Business's normal policies. This Order does not prohibit a Business from taking disciplinary action against Personnel who violate such policies. Each Business is also reminded of its obligations towards Personnel as to daily screening as required by Appendix A to the Stay-Safer-At-Home Order which is posted at <http://www.sfcddp.org/screening-handout>.

4. Quarantine Upon Traveling, Moving, or Returning to San Francisco.

Except as expressly listed in Section 5 below, every person who travels to, moves to, or returns to the County after having been in any location outside of the Bay Area in the prior 10 days – including, but not limited to, travel for work for any allowed business or governmental activities in the County – must Quarantine as provided in this Order. For clarity, people who began their travel before the issuance date of this Order are not required to quarantine upon returning to the County, but are strongly urged to do so. Also, it is strongly recommended that anyone who travels, moves, or returns to the County from anywhere in the Bay Area outside the County, Quarantine as provided in this Order.

5. Exceptions to the Quarantine Requirement

- a. Subject to the requirements and limitations on their travel set forth in this section, the following people are exempted from the Quarantine requirements of this Order:
 - i. Any person who is an active licensed healthcare professional (as listed by the California Department of Consumer Affairs online at https://www.dca.ca.gov/publications/healthcare_providers.shtml#professionals)—or who is licensed as an equivalent professional outside the State of California and is authorized to perform such professional duties in California—and whose travel was solely for the purpose of performing work as a licensed healthcare professional;
 - ii. Any person who is travelling, moving, or returning to the County to perform work at a General Acute Care Hospital in the Bay Area.
 - iii. Any person commuting to or travelling solely in the course of performing an Essential Governmental Function, as defined in Section 8.m of the Stay-Safer-At-Home Order;
 - iv. Any person commuting to or travelling solely in the course of performing work for Essential Infrastructure, as defined in Section 8.l of the Stay-Safer-At-Home Order, where that work cannot be done via remote methods;



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- v. Any person (1) providing care to any minors, dependents, elderly persons or persons with disabilities and whose travel was solely for the purpose of providing that care, or (2) obtaining healthcare services from a Healthcare Operation, as defined in Section 8.g of the Stay-Safer-At-Home Order, and whose travel was for the sole purpose of obtaining that healthcare;
- vi. Any person who travelled outside of the Bay Area but whose employer provides them a written notice that the employee is required to return to work in the County due to a lack of staffing for an Essential Business, Essential Government Function, Healthcare Operation, Essential Infrastructure purpose, Additional Business, or Outdoor Business, but only if their travel into the County is primarily for such work and only to the extent those activities are permitted under the Stay-Safer-At-Home Order at the time such work is to be performed;
- vii. Any person who is travelling solely as required by law enforcement, by a court order, under the terms of binding custody arrangements, or to attend a court or administrative hearing in person or as otherwise required by law;
- viii. Any person who is solely transiting through the County and not staying overnight; and
- ix. Any person who is (1) a member of a professional or collegiate sports team, including team staff, who travels solely for away games where there is an existing, non-suspended Health and Safety Plan that was approved by the Health Officer allowing such travel and the protocols of such plan, including requirements to keep such individuals quarantined away from others in the County, are followed or (2) Personnel of a film or media production operating in the County under section 22 of Appendix C-1 of Health Officer Order C19-07q, including as that order may be amended, when traveling to the County solely for the purpose of employment with the film or media production.

b. Limitations on Exemptions:

- i. Even if a person is exempted from Quarantine under this Section 5, other members of the person's Household who are travelling, moving, or returning to the County – and who do not themselves qualify for an exemption – must still comply with all applicable Quarantine requirements of this Order. Non-exempt Household members may Quarantine in the same Residence (including, but not limited to, a temporary shelter) as their exempt Household member. For clarity, the exempt Household member may still go to work under those circumstances, consistent with this Section 5, and does not need to Quarantine.



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- ii. Even if a person is exempted from mandatory Quarantine under this Section 5, each person who is exempted is strongly urged to follow the protective steps listed in Section 2 above and to limit interactions with others to the extent possible after returning to the County.

6. **Applicability of Existing Isolation and Quarantine Directives.**

All people in the County, including those who travel, move, or return to the County from any distance and for any purpose (whether or not exempt from Quarantine under this Order), must comply with the existing Health Officer directives regarding isolation and quarantine. Those directives mandate that anyone who is diagnosed with COVID-19 must self-isolate and those who are a close contact to someone with COVID-19 must self-quarantine to prevent the spread of COVID-19. Health Officer Directive Nos. 2020-02c (regarding quarantine) and 2020-03c (regarding isolation) are available online at www.sfdph.org/directives. Information on how to isolate or quarantine is found at www.sf.gov/file/after-your-covid-19-test-booklet. Translations of these instructions and additional information about isolation and quarantine is available online at www.sfcdec.org/i&q.

7. **Notification Requirement.**

All transit facilities, including but not limited to airports (which includes San Francisco International Airport (“SFO”), which is County-owned and operated), bus stations, ports, and other facilities where persons may be regularly traveling into the County must ensure a copy of **Attachment A** to this Order is provided to each passenger upon arrival from a point of origin outside of the Bay Area. In lieu of providing a written copy of Attachment A, the facility may use announcements and signs in multiple languages placed in prominent locations to notify travelers of the requirements of this Order and make a copy of Attachment A available on request.

8. **Definitions.**

For purposes of this Order, the following initially capitalized terms have the meanings given below.

- a. ***Quarantine.*** “Quarantine” means to stay at home or another place of temporary shelter at all times without contact with any person other than members of one’s Household for 10 days (240 hours) from a person’s time of arrival in the County and otherwise in accordance with applicable guidance found at www.sf.gov/file/after-your-covid-19-test-booklet. Translations of quarantine guidance and additional information about quarantine is available online at www.sfcdec.org/i&q.
- b. ***Bay Area.*** “Bay Area” means the area that includes all of the following California Counties: Alameda, Contra Costa, Marin, Napa, Santa Clara, Santa Cruz, San Francisco, San Mateo, Solano, and Sonoma.



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9. Incorporation of State and Local Emergency Proclamations and State Health Orders.

- a. State and Local Emergency Proclamations. 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 March 12, 2020 Executive Order (Executive Order N-25-20) 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.
- b. State Health Orders. This Order is also issued in light of the State Regional Stay at Home Order, the earlier March 19, 2020 Order of the State Public Health Officer (the “State Shelter Order”), which set baseline statewide restrictions on non-residential Business activities, effective until further notice, the Governor’s March 19, 2020 Executive Order N-33-20 directing California residents to follow the State Shelter Order, and the other orders of the State Public Health Officer related to the pandemic and the State’s response to the pandemic.
- c. Health Officer Orders and Directives. This Order is also issued in light of other orders and directives issued by the Health Officer as they relate to the pandemic and the County’s response to the pandemic. Those orders and directives show the seriousness of the issue and the many efforts that the County, including but not limited to the Department of Public Health, have taken to address the spread of COVID-19 within the County. This Order incorporates by reference and is based in part on each of the other orders and directives issued by the Health Officer to this point, including as each of them may be updated in the future. That includes, without limitation, each of the following, including as they may be updated or amended in the future, in relation to this Order:
 - i. Order No. C19-07q (imposing restrictions on activities outside the home for all people in the County to protect all during the pandemic); and
 - ii. Order No. C19-12d (with limited exceptions, requiring all people in the County to wear Face Coverings when near people from different Households).

10. Obligation to Follow Stricter Requirements of Orders.

This Order adopts travel quarantine requirements that go beyond those required by the California Department of Public Health and State rules regarding travel and quarantine. Without taking these measures to minimize the transmission of the virus that causes COVID-19 across County borders from outside the Bay Area, the County will be less able to protect its population and prevent additional cases of COVID-19, thus risking



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worsening of the public health crisis in the County, overtaking available health care resources (including the capacity of hospitals to treat both COVID-19 and other patients), and increasing the death rate from COVID-19. Where a conflict exists between this Order and any state law or public health order related to the COVID-19 pandemic or infectious diseases, the most restrictive provision (i.e., the more protective of public health) controls. Consistent with the August 28, 2020 Statewide Public Health Officer Order, California Health and Safety Code section 131080, and the Health Officer Practice Guide for Communicable Disease Control in California, except where the State Health Officer may issue an order expressly directed at this Order and based on a finding that a provision of this Order constitutes a menace to public health, any more restrictive measures in this Order continue to apply and control in the County.

11. Enforcement.

Under 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. As stated at the beginning of this Order, the violation of any provision of this Order constitutes an imminent threat and immediate menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.

12. Effective Date.

This Order becomes effective immediately upon issuance, and will continue in effect (as it may be updated) until the Health Officer rescinds, supersedes, or amends it in writing. The Health Officer intends to rescind or revise this Order when the Bay Area Region is no longer subject to the State's Regional Stay at Home Order and the Health Officer has had an adequate opportunity to evaluate whether a change is supported by (a) ICU availability and other hospital capacity in the County, (b) COVID-19 hospitalization and case rates, and (c) epidemiological considerations outside the Bay Area, including case rates and other risk factors. To evaluate the impact of any traveling and gatherings that occurred during the December 2020 and 2021 New Year's holidays, the Health Officer will not have available the information necessary to make this determination for several weeks after the holiday season ends, so revisions to this Order are not expected to occur until after that evaluation is complete.

13. Copies.

The County must promptly provide copies of this Order as follows: (1) by posting on the Department of Public Health website (www.sfdph.org/healthorders); (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.



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14. Severability.

If any provision of this Order or its application to any person or circumstance is held to be invalid, 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 black ink, appearing to read "Susan Philip", written over a horizontal line.

Susan Philip, MD, MPH,
Acting Health Officer of the
City and County of San Francisco

Date: December 30, 2020



**City and County of
San Francisco**

**Department of Public Health
Order of the Health Officer**

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ATTACHMENT A: Travel Quarantine Notice

December 16, 2020

To all travelers:

Due to the COVID-19 pandemic and an alarming rise in cases that is threatening hospital capacity, the Health Officer of the City and County of San Francisco has ordered that any person travelling, moving, or returning to the City and County of San Francisco from outside the Bay Area Counties listed below must quarantine.

If you have travelled from anywhere outside of the following counties and come to San Francisco, you are required to quarantine for 10 days (240 hours) from the time of your arrival in San Francisco:

Alameda, Contra Costa, Marin, Napa, Santa Clara, Santa Cruz, San Francisco, San Mateo, Solano, and Sonoma.

In order to quarantine, follow instructions at www.sf.gov/file/after-your-covid-19-test-booklet. Note that limited exceptions apply to people who are travelling for certain critical activities. For a list of those activities and more information on the rationale and importance of quarantining after travel, go to www.sfdph.org/travel.

Anyone who has COVID-19 or is a recent close contact of someone with COVID-19 must isolate or quarantine regardless of where they traveled from. Additional information about isolation and quarantine is available online at www.sfdcp.org/i&q.

[translations available online at www.sfdph.org/travel]



DIRECTIVE OF THE HEALTH OFFICER No. 2020-02d

**DIRECTIVE OF THE HEALTH OFFICER
OF THE CITY AND COUNTY OF SAN FRANCISCO DIRECTING ALL
INDIVIDUALS EXPOSED TO A PERSON DIAGNOSED WITH OR
LIKELY TO HAVE COVID-19 TO SELF-QUARANTINE**

(PUBLIC HEALTH EMERGENCY QUARANTINE DIRECTIVE)

DATE OF DIRECTIVE: December 24, 2020 (updated December 30, 2020)

Summary: The virus that causes Coronavirus 2019 Disease (“COVID-19”) is easily transmitted, especially in group settings, and that the disease can be extremely serious. It can require long hospital stays, and in some instances cause long-term health consequences or death. It can impact not only those known to be at high risk but also other people, regardless of age or risk factors. The spread of COVID-19 (which includes people without symptoms) is a substantial danger to the health of the public within the City and County of San Francisco (the “City”). Individuals in close contact with a person infected with the virus that causes COVID-19 may themselves easily become infected and may then inadvertently spread it even if they have no symptoms or only have mild symptoms or before they become symptomatic. To help slow COVID-19’s spread, protect vulnerable individuals, and prevent the healthcare system in the City from becoming overwhelmed, it is necessary that anyone exposed to a person diagnosed with or likely to have COVID-19 self-quarantine. Quarantine separates a person who knows that they have been exposed to COVID-19 from others until it is determined that they are not at risk for spreading the virus. This self-quarantine requirement protects everyone in the City, including people who are high risk for serious illness. This Directive was updated on December 24, 2020, to incorporate new guidance from the United States Centers for Disease Control and Prevention (“CDC”) and the State of California.

**UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE
SECTIONS 101040, 101085, 120175, 120215, 120220, AND 120225 THE HEALTH OFFICER
OF THE CITY AND COUNTY OF SAN FRANCISCO DIRECTS AS FOLLOWS:**

Note: See Section 7 below for definitions for terms that are capitalized.

1. All persons who know that they are a Close Contact of a Person With COVID-19 are required by this Directive to take the actions listed in this Section, unless exempt under Section 7. Generally, any person who knows that they have been in Close Contact with another person who has been diagnosed with must separate from others for at least ten (10) days from their last Close Contact with the Person With COVID-19 to avoid inadvertently exposing the public to the virus. Such people are encouraged to quarantine for fourteen (14) days when possible in an abundance of caution. Any person who lives in a congregate living setting (such as a skilled nursing facility, Residential Care Facility for the Elderly or Adult Residential Facility, correctional facility, shelter, or dormitory) must quarantine for fourteen (14) days since their last Close Contact with the Person With COVID-19 due to higher transmission risk and worse COVID-19 outcomes. Any person who works in a congregate living setting must quarantine for ten (10) days and must wait an additional four (4) days before returning to work except as allowed below. The Department of Public Health (“DPH”) has issued guidance—referred to here as the “**Isolation and Quarantine Guidance**” and titled *Home Isolation and Quarantine Instructions; Caring for yourself and others during COVID-19 (dated December 28, 2020)*—a



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copy of which is attached to this Directive and is available online at: www.sfdcph.org/i&q.
The required actions are:

- a. The person must self-quarantine in that person's residence or another residence, such as a hotel or motel. The self-quarantine must last until ten (10) days have passed from the last date that the person in self-quarantine was in Close Contact with the Person With COVID-19. The person in self-quarantine is required to quarantine for the full 10-day period—even if they test negative and even if they do not have symptoms or have only mild symptoms—because that person is at high risk for developing the disease and spreading COVID-19. The person is encouraged, but not required, to get tested for COVID-19 on or after day six (6) of quarantine, meaning six days after the last contact with the Person With COVID-19. A longer quarantine is required as listed above in relation to congregate living.
- b. The person must carefully review and closely follow all home quarantine guidelines listed in the **Isolation and Quarantine Guidance**.

If the person in quarantine receives a positive test result or has COVID-19 symptoms (go to www.sfdcph.org/covid19symptoms for a list of symptoms, which generally include among others fever, respiratory symptoms such as coughing, difficulty breathing, or shortness of breath, chills, muscle pain, sore throat, or new loss of the sense of smell or taste) even if the symptoms are very mild, that person must isolate at home or another residence, such as a hotel or motel, stay away from others in the household as much as possible, and follow the guidelines listed in the **Isolation and Quarantine Guidance**. Isolation is necessary to protect others from possible infection because once a person in quarantine has a positive test or begins experiencing these symptoms, they have or likely have COVID-19, and if they do, they can spread the virus to others. The person who experiences COVID-19 symptoms should also consult their healthcare provider via telephone or other remote methods and, in the case of a medical emergency, seek emergency care.

2. This Directive's intent is to ensure that any Close Contact of a Person With COVID-19 avoids contact with others to slow the spread of COVID-19 and mitigate the impact of the virus on members of the public and on the delivery of critical healthcare services to those in need. All provisions of this Directive must be interpreted to effectuate this intent.
3. This Directive is issued based on evidence of increasing occurrence of COVID-19 within the City, the Bay Area, and the United States of America, 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 age, condition, and health of a significant portion of the population of the City places it at risk for serious health complications, including death, from COVID-19. The virus can also have a serious impact on other people, regardless of age or other risk factors. Due to the outbreak of COVID-19 in the general public, there is a public health emergency throughout the City. Making the problem worse, some individuals who contract the virus causing COVID-19 have no symptoms or have mild symptoms, which means they may not be aware they carry the virus and can inadvertently transmit it to others. Because even people without symptoms can transmit the infection, and because evidence shows the infection is easily spread, gatherings and other interpersonal interactions can result in preventable transmission of the virus.
4. This Directive is also issued in light of the existence, as of December 20, 2020, of 21,168 confirmed cases of COVID-19 in the City (up from 37 on March 16, 2020) as well as at least 178 deaths (up from a single death on March 17, 2020).



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5. This Directive is also issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the March 12, 2020 Executive Order (Executive Order N-25-20) issued by Governor Gavin Newsom, the February 25, 2020 Proclamation by Mayor London Breed Declaring the Existence of a Local Emergency (as supplemented several times after its issuance), the March 6, 2020 Declaration of Local Health Emergency Regarding Novel Coronavirus 2019 (COVID-19) issued by the Health Officer, the Regional Stay at Home Order issued by the State Public Health Officer of December 3, 2020, the Health Officer's Order No. C19-07q, and guidance issued by the California Department of Public Health and Centers for Disease Control and Prevention, including as each has been and may be supplemented.
6. If an individual who is subject to this Directive fails to comply with it in willful disregard of public safety, the Health Officer may take additional action(s), which may include issuing an individualized quarantine or isolation order and seeking civil detention at a health facility or other location, as necessary to protect the public's health.
7. Exceptions, Exemptions, and Definitions.
 - a. Minors and adults with special needs who are unable to care for themselves do not have to isolate from caregivers in their home. However, they should stay at home and stay away from people outside their household except to receive medical care.
 - b. Essential COVID-19 Response Workers who are a Close Contact of a Person with COVID-19 must comply with this Directive but are allowed to continue to work if they first promptly notify their employer of the Close Contact and then either (1) follow their employer's protocols regarding personnel who have potential exposure to COVID-19 or (2) their employer has determined they are needed due to necessary staffing and follow the employer's COVID-19 risk minimization protocols.
 - c. A person who had a laboratory-confirmed COVID-19 diagnosis or SARS-CoV-2 infection within the prior three (3) months does not have to quarantine if, after their infection, they become a Close Contact of another Person with COVID-19, but they must self-monitor for COVID-19 symptoms. If they develop symptoms, they must isolate by following the guidelines listed in the **Isolation and Quarantine Guidance** until they can consult with their health care provider about whether they need to be tested or continue to isolate.
 - d. If the Health Officer has approved a health and safety plan for a professional sports team or collegiate team, any provisions of the plan regarding quarantine or isolation control to the extent of any conflict or inconsistency with this Directive's requirements.
 - e. For purposes of this Directive, "Essential COVID-19 Response Workers" means:
 - i. Healthcare workers, including but not limited to physicians, registered nurses, respiratory therapists, and all other ancillary hospital and medical clinic support staff;
 - ii. Laboratory personnel collecting or handling specimens from known or suspected COVID-19 patients;
 - iii. Morgue workers;
 - iv. First responders, including police and sheriff personnel, firefighters, medical examiners, paramedics and Emergency Medical Technicians;
 - v. Law enforcement, including custodial officers in jails and prisons;
 - vi. Emergency management personnel, including emergency dispatchers;



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- vii. Social service workers who work face to face with clients in the child welfare system or in assisted living facilities;
 - viii. Public sanitation workers;
 - ix. 911 and 311 Operations personnel;
 - x. Individuals who work in long-term care facilities;
 - xi. Individuals who work in homeless shelters; and
 - xii. People assigned to work as Disaster Service Workers under Cal. Government Code section 3100 *et seq.*, including volunteers certified by the Emergency Volunteer Center.
- f. For the purposes of this Directive, a “Close Contact” of a Person With COVID-19 means either a person who was identified as a close contact by a health care provider or public health official or a person who knowingly had any of the following types of contact with a Person With COVID-19 within 48 hours before the Person With COVID-19’s symptoms began (or the date of the Person With COVID-19’s positive test if they had no symptoms):
- i. Lived in or stayed at the same residence as the Person With COVID-19; OR
 - ii. Was an intimate sexual partner of the Person With COVID-19; OR
 - iii. Stayed within 6 feet of the Person With COVID-19 for fifteen (15) minutes or more during a 24-hour period, even if that fifteen minutes occurred from the combination of several shorter interactions throughout the day; OR
 - iv. Had direct contact for any amount of time with the body fluids and/or secretions of the Person With COVID-19 (*e.g.*, was coughed or sneezed on, shared utensils with, or was provided care by or provided care for them without wearing a mask, gown, and gloves).
- g. For the purposes of this quarantine Directive only, “Person With COVID-19” means a person who meets any of the following criteria:
- i. The person has a positive lab test for the virus that causes COVID-19 (SARS-CoV-2); OR
 - ii. The person has been clinically diagnosed with COVID-19 by a healthcare provider, and if not already done, the provider should confirm the diagnosis via testing as soon as possible given the availability of testing.

A person is no longer considered a Person With COVID-19 once (a) at least one (1) day (24 hours) has passed since last fever (without use of fever-reducing medications), AND (b) improvement of other symptoms, AND (c) at least ten (10) days have passed since symptoms first appeared. A person who tested positive for COVID-19 but never had symptoms is no longer considered a Person With COVID-19 ten (10) days after the date of their first positive test.

8. This Directive becomes effective at 6:00 p.m. on December 24, 2020 and will be in effect until it is extended, rescinded, superseded, or amended in writing by the Health Officer. Also, effective as of 6:00 p.m. on December 24, 2020, this Directive revises and replaces Directive Number 2020-02c, issued August 5, 2020. For purposes of this Directive, any future changes provided online to the **Isolation and Quarantine Guidance** or any other guidance listed in this Directive are automatically incorporated into this Directive by this reference.

Susan Philip, MD, MPH,
Acting Health Officer of the
City and County of San Francisco

December 30, 2020



Home Isolation and Quarantine Instructions Caring for yourself and others during COVID-19

This document includes isolation and quarantine instructions, information on self-care and how to protect your family, household, friends and community during COVID-19. You may want to read it in full, and share with others, to stay prepared.

This document can be printed in 5 different 1-3 page sections, if needed, and covers the following topics:

What to do if you have symptoms but haven't been diagnosed with COVID-19	2
What to do if you had a positive COVID-19 test or were diagnosed with COVID-19.....	4
What to do if you had close contact with someone with COVID-19.....	6
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What to do if you have symptoms but haven't been diagnosed with COVID-19

Home Isolation Instructions for Symptoms

These instructions are for people who have NOT had close contact with someone with COVID-19, and have not been tested or are waiting for their test result.

1. Stay home except to get tested or get medical care.

- You should stay at home even if you haven't been tested yet. You must stay at home while you're waiting for your test result.
- Do not let visitors inside your home, unless you need their help to take care of you. Friends and family can leave food, medicine, and other things you need outside your door.
- If you leave home to get tested or get medical care, avoid using public transportation, taxis, or ride-shares (Lyft, Uber) if possible. For more information, see www.sfgdcp.org/safertransit.

2. Get tested.

- Contact your doctor or the clinic listed on your health insurance card. Tell them that you have symptoms of COVID-19. Health care providers in San Francisco are required to offer you a test for COVID-19 if you have COVID-19 symptoms, under [Health Order C19-15c](#).
- If you do not have health insurance or a regular doctor, see <https://sf.gov/gettested> for places where you can get tested for free.

3. Care for yourself and watch for worsening COVID-19 symptoms.

Most people with COVID-19 symptoms have mild illness and can recover at home without medical care. Take care of yourself. Rest and drink plenty of fluids. Over-the-counter medicine like acetaminophen (Tylenol®) or ibuprofen (Motrin® or Advil®) can help relieve fever or pain.

Symptoms appear 2-14 days after someone is infected, usually 5-6 days later. Symptoms include:

- Fever, chills, or repeated shaking/ shivering
- Cough
- Shortness of breath or trouble breathing
- Sore throat
- Loss of taste or smell. Food and drink may taste or smell different.
- Feeling unusually weak or tired
- Muscle aches
- Headache
- Runny or congested nose
- Nausea, vomiting, or diarrhea

Call your doctor if your symptoms get worse, especially if you have trouble breathing. See the section below, "[When to get medical care.](#)"

4. Try to stay away from other people in your home, in case you are infected.

Read the section below, titled "[Protecting Your Loved Ones and Others in Your Home.](#)"

Ending isolation after COVID-19 symptoms: When can I be around other people?

If your test is negative.

In most cases, you can be around people if:

- You had no fevers in the last 24 hours, without using fever-reducing medication **and**
- Your symptoms are improving.

There is still a chance that you could have COVID-19 and spread it to other people. People can test negative early in their infection. To be safe, you may want to stay at home for 10 days after your symptoms started. Talk with your doctor if you are not sure what to do.

If you had close contact with someone who has COVID-19 in the last 10 days, you still must stay at home until your quarantine ends. See the section below, titled "[What to do if you had close contact with someone with COVID 19: Home Quarantine Instructions](#)"

If your test is positive,

See the section on "[What to do if you had a positive COVID-19 test: Home Isolation Instructions for COVID-19.](#)" In most cases, you can be around people when all of the following are true:

- It's been 10 days after your symptoms started **and**
- You had no fever in the last 24 hours, without taking medicine for fever **and**
- Your symptoms are improving.

If you didn't get tested or you're still waiting for your test result.

You can be around other people when all of the following are true

- It's been 10 days since your symptoms started **and**
- You had no fever in the last 24 hours, without taking medicine for fever **and**
- Your symptoms are improving.

What if I have symptoms, but I already had COVID-19 in the last 3 months?

Consult your health care provider. Your health care provider will decide if you need to be tested or stay in isolation.

Does everyone in my home have to stay at home until I get my test result?

No. Other people in your household can still work, attend school, and continue their usual activities, as long as they don't have COVID-19 symptoms.



San Francisco Department of Public Health

What to do if you had a positive COVID-19 test or were diagnosed with COVID-19

Home Isolation Instructions for COVID-19

1. Stay home except to get medical care.

- You must stay at home and away from other people, except to get medical care.
- Do not let visitors inside your home, unless you need their help to take care of you. Friends and family can leave food, medicine, and other things you need outside your door.
- If people enter your home to take care of you, they must quarantine. See the section on [close contact and quarantine](#) for more information.
- Call 3-1-1 if you cannot isolate from other people where you live, or if you need food or other resources to stay at home.

2. Answer the phone if you get a call from (916) 262-7553.

This is a trained health worker from the San Francisco Department of Public Health calling because you have COVID-19. The health worker will ask how you are doing and connect you to food, housing, and other support so you can stay at home safely. Health department staff will also help notify people you were in close contact with (within 6 feet for a total of 15 minutes or more) and might have been exposed to COVID-19.

Your name will **not** be shared with people you had close contact with.

Health workers **will not** ask you for:

- Your immigration status or Social Security number
- Money
- Bank account or credit card numbers

3. Tell your close contacts that they have been exposed to COVID-19.

A close contact is anyone who was within 6 feet of you for a total of 15 minutes or more over the course of a day, starting 48 hours before your symptoms began (if you had no symptoms, 48 hours before your positive test was collected from you).¹

An infected person can spread COVID-19 to others before they have symptoms or test positive. By letting your close contacts know that they may be infected and need to quarantine, you're helping to keep COVID-19 from spreading.

- Give or send your close contacts a copy of the section titled "[What to do if you had close contact with someone with COVID 19: Home Quarantine Instructions](#)," online at www.sfgdcp.org/i&q

¹ A close contact also includes anyone who lived or stayed overnight with you; took care of you or you took care of them; were physically intimate with you, including only kissing or having sex; or had contact with your bodily fluids (you coughed or sneezed on them, shared eating utensils, or drank out of the same cup or bottle), while you're contagious.

- If you **already** had the California Notify app (canotify.ca.gov) on your smartphone **before** your positive COVID-19 test, enter the California DPH code texted to you into the app. People who had the app on their phone when they had close contact with you will be told that they were exposed to COVID-19. They will be told the date of the exposure but not the time, location, or who you are.

4. Care for yourself and watch for worsening COVID-19 symptoms.

Most people with COVID-19 symptoms have mild illness and can recover at home without medical care. Take care of yourself. Rest and drink plenty of fluids. Over-the-counter medicine like acetaminophen (Tylenol®) or ibuprofen (Motrin® or Advil®) can help relieve fever or pain.

Symptoms appear 2-14 days after someone is infected, usually 5-6 days later. Symptoms include:

- Fever, chills, or repeated shaking/ shivering
- Cough
- Shortness of breath or trouble breathing
- Sore throat
- Loss of taste or smell. Food and drink may taste or smell different.
- Feeling unusually weak or tired
- Muscle aches
- Headache
- Runny or congested nose
- Nausea, vomiting, or diarrhea

Call your doctor if your symptoms get worse, especially you have trouble breathing. See the section titled "[When to get medical care.](#)"

5. Try to stay away from other people in your home.

- Read the section titled "[Protecting Your Loved Ones and Others in Your Home.](#)"

Ending isolation: When can I safely be around others after COVID-19?

If you had symptoms,

You can be around others when all of the following are true:

- It's been 10 days since symptoms first appeared **and**
- You had no fever in the last 24 hours, without taking medicine for fever **and**
- Your symptoms are improving.
You can be around others even if changes in taste or smell are not improving. Loss of taste or smell can last for weeks to months.

If you never had any symptoms, you can be with others after:

- It's been 10 days since the day of your positive test was collected.

If your symptoms started after your positive test, see the instructions for if you had symptoms above.

If you had severe illness from COVID-19 (you were hospitalized and needed oxygen), you may need to stay in isolation for up to 20 days after your symptoms first appeared. Ask your hospital team or health care provider.

If you have a weakened immune system or are immunocompromised, which can include, for example, people who are undergoing cancer treatment, or people who have had an organ transplant, or people who are being treated for some autoimmune diseases) you may need to stay home and isolate for up to 20 days. Talk to your healthcare provider.



What to do if you had close contact with someone with COVID-19

Home Quarantine Instructions

If you had close contact with someone who has COVID-19, you may be infected. You could spread the infection to others, even before you develop symptoms or test positive. If you are quarantining for travel reasons, you will need to follow these same instructions. Here's what you need to do:

1. Stay home except to get tested or get medical care.

- You must stay at home and away from other people, except to get tested or get medical care.
- Do not let visitors inside your home, unless you need help to take care of you. Friends and family can leave food, medicine, and other things you need outside your door.
- If you leave home to get tested or get medical care, avoid using public transportation, taxis, or ride-shares (Lyft, Uber) if possible. For more information, see www.sfcddcp.org/safertransit.
- Call 3-1-1 if you cannot quarantine where you live, or if you need food or other resources.

2. Get tested.

A COVID-19 test is strongly recommended for close contacts, especially if you live with someone who is more likely to get very sick if they get COVID-19. For a list of groups who are at higher risk of severe COVID-19, see sfcddcp.org/vulnerable.

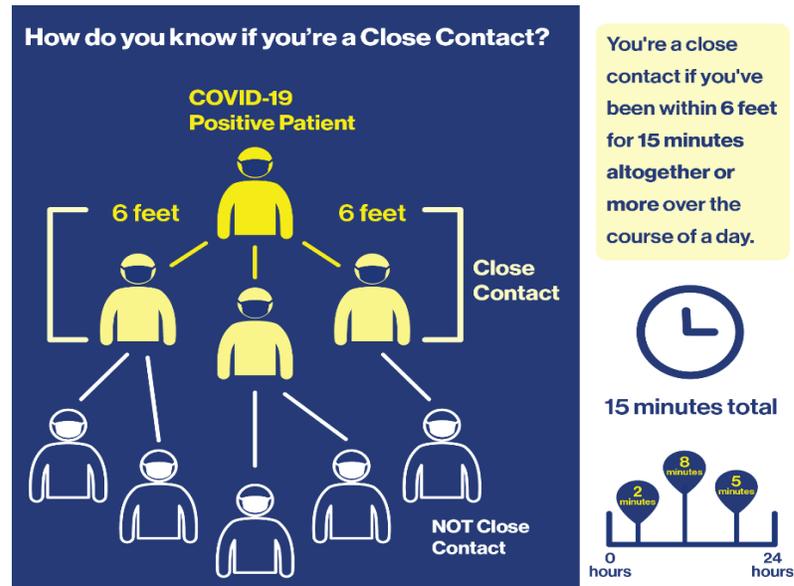
- Get tested **6 days after your last close contact**, if you don't develop any symptoms before then.
- Get tested **right away if you develop symptoms** at any point during your quarantine, even if you had a negative test earlier during quarantine.

Stay home until the end of your quarantine, even if your test is negative.

You could still be infected. People can test negative early in their infection.

To get a COVID-19 test,

- Contact your doctor or the clinic listed on your health insurance card. Tell them that you had close contact with someone with COVID-19. Health care providers in San Francisco are required to offer you a test for COVID-19 if you have COVID-19 symptoms, under Health Order C19-15c.



- If you do not have health insurance or a regular doctor, see <https://sf.gov/gettested> for places where you can get tested for free.

3. Answer the phone if you get a call from (916) 262-7553.

This is a health worker from the San Francisco Department of Public Health calling because you have been exposed to COVID-19. They can answer your questions about COVID-19 and quarantine, help you get tested, and help connect you to food, housing, or other support so you can stay at home.

Health department staff **will not** ask you for:

- Your Social Security number or immigration status
- Money
- Bank account or credit card numbers

4. Watch for symptoms of COVID-19.

Get tested if you develop symptoms, even if you already had a negative COVID-19 test earlier during quarantine. Symptoms appear 2-14 days after someone is infected, usually in 5-6 days.

Symptoms include:

- Fever, chills, or shaking/ shivering
- Cough
- Shortness of breath or trouble breathing
- Loss of taste or smell. Food and drink may smell or taste different
- Sore throat
- Feeling unusually weak or tired
- Muscle aches
- Headache
- Runny or congested nose
- Nausea, vomiting, or diarrhea

Most people with COVID-19 symptoms have mild illness and can recover at home without medical care. Take care of yourself. Rest and drink plenty of fluids. Over-the-counter medicine like acetaminophen (Tylenol®) or ibuprofen (Motrin® or Advil®) can help relieve fever or pain.

Call your doctor if your symptoms get worse, especially you have trouble breathing. See [“When to get medical care”](#) below

5. Try to stay away from other people in your home, in case you are infected.

Read the section below, titled [“Protecting Your Loved Ones and Others in Your Home.”](#)

What if I already had COVID-19 in the last 3 months?

If you had COVID-19 in the last 3 months, confirmed by a lab test, you do not have to quarantine, as long as you have no symptoms. You must watch for symptoms for 14 days after your last close contact with the person who has COVID-19.

If you develop symptoms, quarantine at home until you can consult with your health care provider. Your health care provider will decide if you need to be tested or stay in quarantine.

Does everyone in my home have to quarantine with me?

No. Only people who had close contact with someone with COVID-19 must quarantine. Other people you live with can leave home, as long as they don't have COVID-19 symptoms.

Ending quarantine: When can I safely be around others?

If you don't develop any symptoms and don't have a positive test, you can be around other people 10 days after your last close contact with someone who has COVID-19.

- If you can't stay apart from the person who has COVID-19 (for example, a child or someone you take care of), you must quarantine for 10 days after they are no longer infectious. In most cases, this is 20 days after the person started having COVID-19 symptoms, or if they never have symptoms, 20 days after their positive test.
- *Keep watching for symptoms from days 10-14.*
There is a very small chance that you could still be infected and could spread it to others. If you develop symptoms during this time, get tested, stay at home except to get medical care, and take steps to protect others in your household until you get your test result.
- During this time, avoid higher-risk activities like eating with others or being around others without a mask, especially around people who are more likely to get very sick if they get COVID-19. For a list of groups who are at higher risk of severe COVID-19, see sfcdcp.org/vulnerable. If you do not develop symptoms during the 14 days after your exposure, you can resume your usual activities.

If you live in a jail, nursing home, shelter, or dormitory, you must wait 14 days after your last close contact. If you work in one of these places, you must wait 14 days to return to work, unless you are an essential worker (see [returning to work](#) below). This is because COVID-19 can spread quickly in jails, nursing homes, and other places where many people live together.

What if I have symptoms during quarantine?

You should get tested right away, even if you had a negative test earlier during your quarantine.

If you have symptoms and test negative, you can end quarantine when

- It's been 10 days since your last close contact with the person with COVID-19 **and**
- You had no fever in the last 24 hours, without using medicine for fever **and**
- Your symptoms are improving.

If you have symptoms but don't get tested, or you're waiting for your test result, you must wait until

- It's been at least 10 days since your last close contact with the person with COVID-19 **and**
- It's been at least 10 days since your symptoms started **and**
- You had no fever in the last 24 hours, without using medicine for fever **and**
- Your symptoms are improving.

What if I have a positive test during quarantine?

Usually, you must stay home until 10 days after your symptoms started, you have not had fever for 24 hours, and your symptoms are improving. If you didn't have symptoms, you must stay home for 10 days after your positive test. For more information, read "[Ending isolation after a positive COVID-19 test or COVID-19 diagnosis.](#)"

Caring for Yourself and Others

Protecting your loved ones and others in your home from COVID-19

It can be scary to think that you might give COVID-19 to your family and other people you live with. You can take some simple and important steps to help keep COVID-19 from spreading in your home, even before you get your test result.

Not everyone can take these steps all the time, especially with young children. However, by taking as many steps as you can, as much as you can, you can protect those you love and those living with you.

- **Try to stay away from other people and pets at home**, especially older people and others who are more likely to become very ill from COVID-19. For a list of groups who are at higher risk of severe COVID-19, see sfcdcp.org/vulnerable.
- **Stay in a separate room** if you can, especially when you are sleeping, eating, and other times when your mask is off. Use a separate bathroom if you can.
- **Wear a face mask at home. Have other people wear face masks at home too.** For safety, children 0-23 months and anyone else who cannot take off a mask without help should not wear a mask. You do not need to wear a mask when you are in a separate room that no one else enters.
- **Open windows** if it's safe to do so. The virus that causes COVID-19 can build up in the air indoors, so you'll want to bring in as much fresh air as possible. If you live with children, open windows no wider than 4 inches to prevent falls. You can also put a fan in front of an open window to blow indoor air out of the house. For more information, see sfcdcp.org/covid-ventilation.
- Wash or sanitize your hands often.
- Don't share personal household items, like cups, towels, and utensils.
- Avoid preparing food for other people. If you must prepare food for others, wear a mask while preparing food, and wash your hands with soap beforehand.

When to get medical care

- **Get medical care if your symptoms get worse**, especially you have trouble breathing. For example, worrisome signs can include
 - Feeling out of breath, dizzy or light-headed when you're moving around the house, preparing meals, showering or bathing, or doing light housekeeping
 - Dehydration because you are too ill or too tired to eat or drink.
- **Seek emergency medical care** immediately for any of these warning signs.
 - Trouble breathing
 - Chest pain or pressure that is not going away
 - Being more confused than usual
 - Trouble waking up or staying awake

- Blue-ish lips or face

If you need to get medical care

- Call ahead to the clinic or emergency room, if you can. Tell them that you have COVID-19. If you call 911, tell the operator that you have COVID-19. This helps health care staff prepare for your arrival.
- Avoid using public transportation, taxis, or rideshares (Lyft, Uber) if you can, so you don't expose other people. If you must use public transit, see <https://www.sfcddcp.org/safertransit>
- Do not wait in the waiting room. Wear a face covering or mask at all times if possible.

Essential Workers: Returning to work before your isolation or quarantine ends

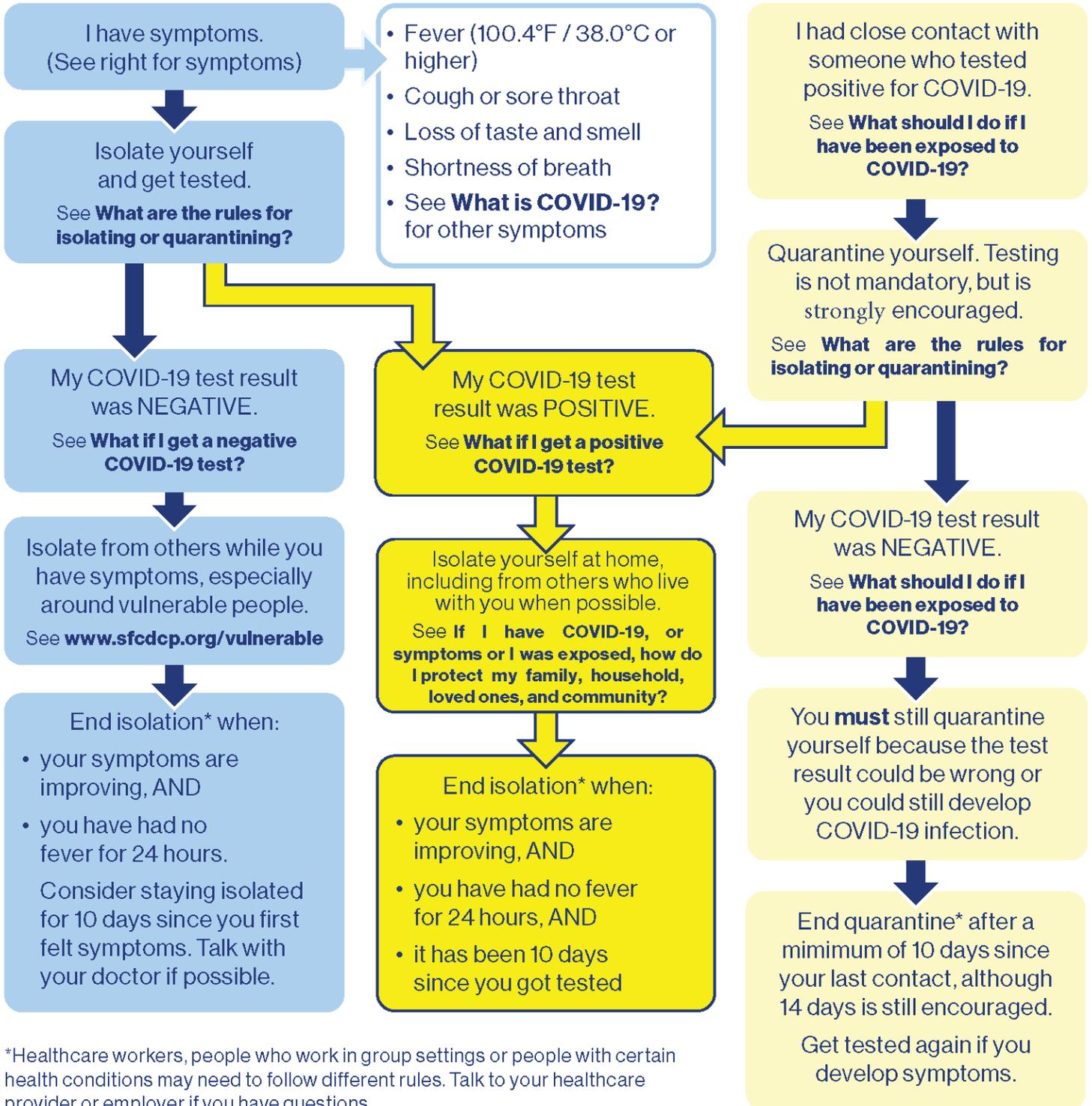
Some workers in the following groups are allowed to return to work early during staff shortages. Your employer may require you to wear a surgical mask or take other precautions until your isolation or quarantine ends. Consult your employer.

- **Essential COVID-19 response workers.** You're part of this group if you're a health care worker, lab worker handling COVID-19 specimens, morgue worker, sanitation worker, first responder, law enforcement, 911 or 311 operator, or emergency management personnel; if you're assigned to work as a Disaster Service Worker, and if you work in a long-term care facility (nursing home) or homeless shelter.
- **Social service workers in child welfare (e.g. Child Protective Services, Foster Care) and assisted living facilities** who have face-to-face contact with clients.

How long should I stay home?



Read "Testing, Isolation and Quarantine" at <http://www.sf.gov/file/after-your-covid-19-test-booklet> (you can use the QR code to open it on your phone or tablet). The bolded titles on this page refer to sections in that booklet.



*Healthcare workers, people who work in group settings or people with certain health conditions may need to follow different rules. Talk to your healthcare provider or employer if you have questions.





DIRECTIVE OF THE HEALTH OFFICER No. 2020-03d

**DIRECTIVE OF THE HEALTH OFFICER
OF THE CITY AND COUNTY OF SAN FRANCISCO DIRECTING ALL
INDIVIDUALS DIAGNOSED WITH OR LIKELY TO HAVE COVID-19
TO SELF-ISOLATE**

(PUBLIC HEALTH EMERGENCY ISOLATION DIRECTIVE)

DATE OF DIRECTIVE: December 24, 2020 (updated December 30, 2020)

Summary: The virus that causes Coronavirus 2019 Disease (“COVID-19”) is easily transmitted, especially in group settings, and that the disease can be extremely serious. It can require long hospital stays, and in some instances cause long-term health consequences or death. It can impact not only those known to be at high risk but also other people, regardless of age or risk factors. This is a global pandemic causing untold societal, social, and economic harm. The spread of COVID-19 is a substantial danger to the health of the public within the City and County of San Francisco (the “City”). Individuals in close contact with a person infected with the virus that causes COVID-19 may themselves easily become infected and may then inadvertently spread it even if they have no symptoms or only have mild symptoms or before they become symptomatic. To help slow COVID-19’s spread, protect vulnerable individuals, and prevent the healthcare system in the City from becoming overwhelmed, it is necessary that anyone diagnosed with, or likely to have, COVID-19 self-isolate. Isolation separates an individual who is known or likely to be infected from others until the individual is no longer contagious. This self-isolation requirement protects everyone in the City, including people who are high risk for serious illness. This Directive was updated on December 24, 2020, to ensure consistency with the related self-quarantine directive and to attach updated guidance, with minor clarifications made on December 30, 2020.

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, 120175, 120215, 120220, AND 120225 THE HEALTH OFFICER OF THE CITY AND COUNTY OF SAN FRANCISCO (“HEALTH OFFICER”) DIRECTS AS FOLLOWS:

1. Any person who meets any of the following criteria is required by this Directive to self-isolate and take the other actions listed in Section 2:
 - a. The person has a positive lab test for the virus that causes COVID-19 (SARS-CoV-2); OR
 - b. The person has signs and symptoms that are consistent with COVID-19 that are not explained by another condition or diagnosis within 14 days of knowingly being in Close Contact with another person who had COVID-19; OR
 - c. The person has been clinically diagnosed with COVID-19 by a healthcare provider, and if not already done, the provider should confirm the diagnosis via testing as soon as possible given the availability of testing; OR
 - d. The person has signs and symptoms that are consistent with COVID-19 and is awaiting results of testing for COVID-19.

For purposes of this Directive, COVID-19 symptoms generally include among others fever, respiratory symptoms such as coughing, difficulty breathing, or shortness of



HEALTH OFFICER DIRECTIVE No. 2020-03d

breath, chills, muscle pain, sore throat, or new loss of the sense of smell or taste, and a list of symptoms is available online at www.sfcddcp.org/covid19symptoms.

2. Any person who meets any of the criteria set forth in Section 1 must do all of the following:
 - a. The person must immediately self-isolate in that person's residence or another residence, such as a hotel or motel, away from other people. The person must carefully review and closely follow all home isolation guidelines listed in the guidance issued by the Department of Public Health ("DPH") has issued guidance—referred to here as the "**Isolation and Quarantine Guidance**" and titled *Home Isolation and Quarantine Instructions; Caring for yourself and others during COVID-19 (dated December 28, 2020)*—a copy of which is attached to this Directive and is available online at www.sfcddcp.org/i&q. The **Isolation and Quarantine Guidance** includes all rules listed in this Directive.

Minors and adults with special needs who are unable to care for themselves do not have to isolate from caregivers in their home. However, they should stay at home and stay away from people outside their household except to receive medical care.

- b. If the person is not a Close Contact of a confirmed COVID-19 case, has symptoms, and got tested, AND if the test results came back negative, then the person must remain in isolation until both i) the person's symptoms are improving and ii) the person has had no fever for 24 hours without using fever-reducing medications. The person is encouraged to consult with their healthcare provider to see if they should continue isolation until ten (10) days after the start of symptoms, as some individuals may test negative early in infection.
- c. In all other situations—including if the person has COVID-19 (had a positive test or received a diagnosis by a healthcare professional) OR the person is a Close Contact of a confirmed COVID-19 case (regardless of whether they had symptoms or got tested) OR the person had symptoms and did not get tested—then the person must continue isolation until both of the following criteria are met:
 - i. At least one (1) day (24 hours) has passed since recovery, defined as the resolution of fever without use of fever-reducing medications and improvement of other symptoms, AND
 - ii. At least ten (10) days have passed since symptoms first appeared, or if the person never had symptoms, then at least ten (10) days have passed since the date they had their first positive COVID-19 test, or if the person was a Close Contact, had symptoms, and tested negative, then when their quarantine period is finished.

A Close Contact who develops symptoms or tests positive during quarantine may need to isolate for a full ten (10) days after onset of symptoms, which may extend beyond the end of their quarantine period.



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- d. If the person has COVID-19 (a positive test or diagnosis from a healthcare provider), then the person must notify any Close Contact that they need to self-quarantine for ten (10) or more days as required by Health Officer Directive No. 2020-02d. The person should refer their Close Contacts to Health Officer Directive No. 2020-02d (available online at www.sfdph.org/directives) and to the **Isolation and Quarantine Guidance** (attached and available online at www.sfdcp.org/i&q). This is necessary because Close Contacts of a person who has been diagnosed with the virus that causes COVID-19 have likely themselves been exposed to COVID-19 and, if infected, can easily spread it to others, even if they have only mild symptoms or no symptoms at all.
3. This Directive's intent is to ensure that any person who has been diagnosed with or is likely to have COVID-19 (including those without symptoms or with mild symptoms) avoids contact with others to slow the spread of COVID-19 and mitigate the impact of the virus on members of the public and on the delivery of critical healthcare services to those in need. All provisions of this Directive must be interpreted to effectuate this intent.
4. This Directive is issued based on evidence of increasing occurrence of COVID-19 within the City, the Bay Area, and the United States of America, 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 age, condition, and health of a significant portion of the population of the City places it at risk for serious health complications, including death, from COVID-19. The virus can also have a serious impact on other people, regardless of age or other risk factors. Due to the outbreak of the virus that causes COVID-19 in the general public, there is a public health emergency throughout the City. Making the problem worse, some individuals who contract the virus causing COVID-19 have no symptoms or have mild symptoms, which means they may not be aware they carry the virus and can inadvertently transmit it to others. Because even people without symptoms can transmit the infection, and because evidence shows the infection is easily spread, gatherings and other interpersonal interactions can result in preventable transmission of the virus.
5. This Directive is also issued in light of the existence, as of December 20, 2020, of 21,168 cases of COVID-19 in the City (up from 37 on March 16, 2020) as well as at least 178 deaths (up from a single death on March 17, 2020).
6. This Directive is also issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the March 12, 2020 Executive Order (Executive Order N-25-20) issued by Governor Gavin Newsom, the February 25, 2020 Proclamation by Mayor London Breed Declaring the Existence of a Local Emergency (as supplemented several times after its issuance), the March 6, 2020 Declaration of Local Health Emergency Regarding Novel Coronavirus 2019 (COVID-19) issued by the Health Officer, the Regional Stay at Home Order issued by the State Public Health Officer of December 3, 2020, the Health



HEALTH OFFICER DIRECTIVE No. 2020-03d

Officer's Order No. C19-07q, and guidance issued by the California Department of Public Health and Centers for Disease Control and Prevention, including as each has been and may be supplemented.

7. If an individual who is subject to this Directive fails to comply with it in willful disregard of public safety, the Health Officer may take additional action(s), which may include issuing an individualized isolation order and seeking civil detention at a health facility or other location, as necessary to protect the public's health.
8. Definitions.
 - a. For the purposes of this Directive, a "Close Contact" means a person who:
 - i. Lived in or stayed at the same residence as the person with COVID-19; OR
 - ii. Was an intimate sexual partner of the person with COVID-19; OR
 - iii. Stayed within 6 feet of the person with COVID-19 for fifteen (15) minutes or more during a 24-hour period, even if that fifteen minutes occurred from the combination of several shorter interactions throughout the day; OR
 - iv. Had direct contact for any amount of time with the body fluids and/or secretions of the person with COVID-19 (*e.g.*, was coughed or sneezed on, shared utensils with, or was provided care by or provided care for them without wearing a mask, gown, and gloves)at any time during the period starting 48 hours before the person with COVID-19's symptoms began (or starting 48 hours before the date of their positive test if the person with COVID-19 had no symptoms).
9. This Directive becomes effective at 6:00 p.m. on December 24, 2020 and will be in effect until it is extended, rescinded, superseded, or amended in writing by the Health Officer. Also, effective as of 6:00 p.m. on December 24, 2020, this Directive revises and replaces Directive Number 2020-03c, issued August 5, 2020. For purposes of this Directive, any future changes provided online to the **Isolation and Quarantine Guidance** or any other guidance listed in this Directive are automatically incorporated by this reference.
10. If the Health Officer has approved a health and safety plan for a professional sports team or collegiate team, any provisions of the plan regarding quarantine or isolation control to the extent of any conflict or inconsistency with this Directive's requirements.

Susan Philip, MD, MPH,
Health Officer of the
City and County of San Francisco

December 30, 2020



Home Isolation and Quarantine Instructions Caring for yourself and others during COVID-19

This document includes isolation and quarantine instructions, information on self-care and how to protect your family, household, friends and community during COVID-19. You may want to read it in full, and share with others, to stay prepared.

This document can be printed in 5 different 1-3 page sections, if needed, and covers the following topics:

What to do if you have symptoms but haven't been diagnosed with COVID-19	2
What to do if you had a positive COVID-19 test or were diagnosed with COVID-19.....	4
What to do if you had close contact with someone with COVID-19.....	6
Caring for Yourself and Others.....	9
Protecting your loved ones and others in your home from COVID-19.....	9
When to get medical care.....	9
Essential Workers: Returning to work before your isolation or quarantine ends.....	10
How long should I stay home? A flowchart.....	11



What to do if you have symptoms but haven't been diagnosed with COVID-19

Home Isolation Instructions for Symptoms

These instructions are for people who have NOT had close contact with someone with COVID-19, and have not been tested or are waiting for their test result.

1. Stay home except to get tested or get medical care.

- You should stay at home even if you haven't been tested yet. You must stay at home while you're waiting for your test result.
- Do not let visitors inside your home, unless you need their help to take care of you. Friends and family can leave food, medicine, and other things you need outside your door.
- If you leave home to get tested or get medical care, avoid using public transportation, taxis, or ride-shares (Lyft, Uber) if possible. For more information, see www.sfgdcp.org/safertransit.

2. Get tested.

- Contact your doctor or the clinic listed on your health insurance card. Tell them that you have symptoms of COVID-19. Health care providers in San Francisco are required to offer you a test for COVID-19 if you have COVID-19 symptoms, under [Health Order C19-15c](#).
- If you do not have health insurance or a regular doctor, see <https://sf.gov/gettested> for places where you can get tested for free.

3. Care for yourself and watch for worsening COVID-19 symptoms.

Most people with COVID-19 symptoms have mild illness and can recover at home without medical care. Take care of yourself. Rest and drink plenty of fluids. Over-the-counter medicine like acetaminophen (Tylenol®) or ibuprofen (Motrin® or Advil®) can help relieve fever or pain.

Symptoms appear 2-14 days after someone is infected, usually 5-6 days later. Symptoms include:

- Fever, chills, or repeated shaking/ shivering
- Cough
- Shortness of breath or trouble breathing
- Sore throat
- Loss of taste or smell. Food and drink may taste or smell different.
- Feeling unusually weak or tired
- Muscle aches
- Headache
- Runny or congested nose
- Nausea, vomiting, or diarrhea

Call your doctor if your symptoms get worse, especially if you have trouble breathing. See the section below, "[When to get medical care.](#)"

4. Try to stay away from other people in your home, in case you are infected.

Read the section below, titled "[Protecting Your Loved Ones and Others in Your Home.](#)"

Ending isolation after COVID-19 symptoms: When can I be around other people?

If your test is negative.

In most cases, you can be around people if:

- You had no fevers in the last 24 hours, without using fever-reducing medication **and**
- Your symptoms are improving.

There is still a chance that you could have COVID-19 and spread it to other people. People can test negative early in their infection. To be safe, you may want to stay at home for 10 days after your symptoms started. Talk with your doctor if you are not sure what to do.

If you had close contact with someone who has COVID-19 in the last 10 days, you still must stay at home until your quarantine ends. See the section below, titled "[What to do if you had close contact with someone with COVID 19: Home Quarantine Instructions](#)"

If your test is positive,

See the section on "[What to do if you had a positive COVID-19 test: Home Isolation Instructions for COVID-19.](#)" In most cases, you can be around people when all of the following are true:

- It's been 10 days after your symptoms started **and**
- You had no fever in the last 24 hours, without taking medicine for fever **and**
- Your symptoms are improving.

If you didn't get tested or you're still waiting for your test result.

You can be around other people when all of the following are true

- It's been 10 days since your symptoms started **and**
- You had no fever in the last 24 hours, without taking medicine for fever **and**
- Your symptoms are improving.

What if I have symptoms, but I already had COVID-19 in the last 3 months?

Consult your health care provider. Your health care provider will decide if you need to be tested or stay in isolation.

Does everyone in my home have to stay at home until I get my test result?

No. Other people in your household can still work, attend school, and continue their usual activities, as long as they don't have COVID-19 symptoms.



San Francisco Department of Public Health

What to do if you had a positive COVID-19 test or were diagnosed with COVID-19

Home Isolation Instructions for COVID-19

1. Stay home except to get medical care.

- You must stay at home and away from other people, except to get medical care.
- Do not let visitors inside your home, unless you need their help to take care of you. Friends and family can leave food, medicine, and other things you need outside your door.
- If people enter your home to take care of you, they must quarantine. See the section on [close contact and quarantine](#) for more information.
- Call 3-1-1 if you cannot isolate from other people where you live, or if you need food or other resources to stay at home.

2. Answer the phone if you get a call from (916) 262-7553.

This is a trained health worker from the San Francisco Department of Public Health calling because you have COVID-19. The health worker will ask how you are doing and connect you to food, housing, and other support so you can stay at home safely. Health department staff will also help notify people you were in close contact with (within 6 feet for a total of 15 minutes or more) and might have been exposed to COVID-19.

Your name will **not** be shared with people you had close contact with.

Health workers **will not** ask you for:

- Your immigration status or Social Security number
- Money
- Bank account or credit card numbers

3. Tell your close contacts that they have been exposed to COVID-19.

A close contact is anyone who was within 6 feet of you for a total of 15 minutes or more over the course of a day, starting 48 hours before your symptoms began (if you had no symptoms, 48 hours before your positive test was collected from you).¹

An infected person can spread COVID-19 to others before they have symptoms or test positive. By letting your close contacts know that they may be infected and need to quarantine, you're helping to keep COVID-19 from spreading.

- Give or send your close contacts a copy of the section titled "[What to do if you had close contact with someone with COVID 19: Home Quarantine Instructions](#)," online at www.sfgdcp.org/i&q

¹ A close contact also includes anyone who lived or stayed overnight with you; took care of you or you took care of them; were physically intimate with you, including only kissing or having sex; or had contact with your bodily fluids (you coughed or sneezed on them, shared eating utensils, or drank out of the same cup or bottle), while you're contagious.

- If you **already** had the California Notify app (canotify.ca.gov) on your smartphone **before** your positive COVID-19 test, enter the California DPH code texted to you into the app. People who had the app on their phone when they had close contact with you will be told that they were exposed to COVID-19. They will be told the date of the exposure but not the time, location, or who you are.

4. Care for yourself and watch for worsening COVID-19 symptoms.

Most people with COVID-19 symptoms have mild illness and can recover at home without medical care. Take care of yourself. Rest and drink plenty of fluids. Over-the-counter medicine like acetaminophen (Tylenol®) or ibuprofen (Motrin® or Advil®) can help relieve fever or pain.

Symptoms appear 2-14 days after someone is infected, usually 5-6 days later. Symptoms include:

- Fever, chills, or repeated shaking/ shivering
- Cough
- Shortness of breath or trouble breathing
- Sore throat
- Loss of taste or smell. Food and drink may taste or smell different.
- Feeling unusually weak or tired
- Muscle aches
- Headache
- Runny or congested nose
- Nausea, vomiting, or diarrhea

Call your doctor if your symptoms get worse, especially you have trouble breathing. See the section titled "[When to get medical care.](#)"

5. Try to stay away from other people in your home.

- Read the section titled "[Protecting Your Loved Ones and Others in Your Home.](#)"

Ending isolation: When can I safely be around others after COVID-19?

If you had symptoms,

You can be around others when all of the following are true:

- It's been 10 days since symptoms first appeared **and**
- You had no fever in the last 24 hours, without taking medicine for fever **and**
- Your symptoms are improving.
You can be around others even if changes in taste or smell are not improving. Loss of taste or smell can last for weeks to months.

If you never had any symptoms, you can be with others after:

- It's been 10 days since the day of your positive test was collected.

If your symptoms started after your positive test, see the instructions for if you had symptoms above.

If you had severe illness from COVID-19 (you were hospitalized and needed oxygen), you may need to stay in isolation for up to 20 days after your symptoms first appeared. Ask your hospital team or health care provider.

If you have a weakened immune system or are immunocompromised, which can include, for example, people who are undergoing cancer treatment, or people who have had an organ transplant, or people who are being treated for some autoimmune diseases) you may need to stay home and isolate for up to 20 days. Talk to your healthcare provider.



What to do if you had close contact with someone with COVID-19

Home Quarantine Instructions

If you had close contact with someone who has COVID-19, you may be infected. You could spread the infection to others, even before you develop symptoms or test positive. If you are quarantining for travel reasons, you will need to follow these same instructions. Here's what you need to do:

1. Stay home except to get tested or get medical care.

- You must stay at home and away from other people, except to get tested or get medical care.
- Do not let visitors inside your home, unless you need help to take care of you. Friends and family can leave food, medicine, and other things you need outside your door.
- If you leave home to get tested or get medical care, avoid using public transportation, taxis, or ride-shares (Lyft, Uber) if possible. For more information, see www.sfgdcp.org/safertransit.
- Call 3-1-1 if you cannot quarantine where you live, or if you need food or other resources.

2. Get tested.

A COVID-19 test is strongly recommended for close contacts, especially if you live with someone who is more likely to get very sick if they get COVID-19. For a list of groups who are at higher risk of severe COVID-19, see sfgdcp.org/vulnerable.

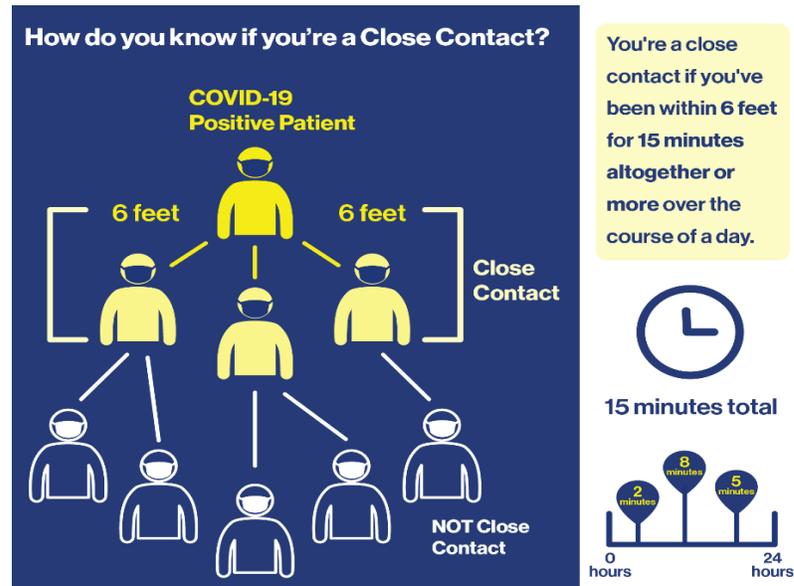
- Get tested **6 days after your last close contact**, if you don't develop any symptoms before then.
- Get tested **right away if you develop symptoms** at any point during your quarantine, even if you had a negative test earlier during quarantine.

Stay home until the end of your quarantine, even if your test is negative.

You could still be infected. People can test negative early in their infection.

To get a COVID-19 test,

- Contact your doctor or the clinic listed on your health insurance card. Tell them that you had close contact with someone with COVID-19. Health care providers in San Francisco are required to offer you a test for COVID-19 if you have COVID-19 symptoms, under Health Order C19-15c.



- If you do not have health insurance or a regular doctor, see <https://sf.gov/gettested> for places where you can get tested for free.

3. Answer the phone if you get a call from (916) 262-7553.

This is a health worker from the San Francisco Department of Public Health calling because you have been exposed to COVID-19. They can answer your questions about COVID-19 and quarantine, help you get tested, and help connect you to food, housing, or other support so you can stay at home.

Health department staff **will not** ask you for:

- Your Social Security number or immigration status
- Money
- Bank account or credit card numbers

4. Watch for symptoms of COVID-19.

Get tested if you develop symptoms, even if you already had a negative COVID-19 test earlier during quarantine. Symptoms appear 2-14 days after someone is infected, usually in 5-6 days.

Symptoms include:

- Fever, chills, or shaking/ shivering
- Cough
- Shortness of breath or trouble breathing
- Loss of taste or smell. Food and drink may smell or taste different
- Sore throat
- Feeling unusually weak or tired
- Muscle aches
- Headache
- Runny or congested nose
- Nausea, vomiting, or diarrhea

Most people with COVID-19 symptoms have mild illness and can recover at home without medical care. Take care of yourself. Rest and drink plenty of fluids. Over-the-counter medicine like acetaminophen (Tylenol®) or ibuprofen (Motrin® or Advil®) can help relieve fever or pain.

Call your doctor if your symptoms get worse, especially you have trouble breathing. See “[When to get medical care](#)” below

5. Try to stay away from other people in your home, in case you are infected.

Read the section below, titled “[Protecting Your Loved Ones and Others in Your Home.](#)”

What if I already had COVID-19 in the last 3 months?

If you had COVID-19 in the last 3 months, confirmed by a lab test, you do not have to quarantine, as long as you have no symptoms. You must watch for symptoms for 14 days after your last close contact with the person who has COVID-19.

If you develop symptoms, quarantine at home until you can consult with your health care provider. Your health care provider will decide if you need to be tested or stay in quarantine.

Does everyone in my home have to quarantine with me?

No. Only people who had close contact with someone with COVID-19 must quarantine. Other people you live with can leave home, as long as they don't have COVID-19 symptoms.

Ending quarantine: When can I safely be around others?

If you don't develop any symptoms and don't have a positive test, you can be around other people 10 days after your last close contact with someone who has COVID-19.

- If you can't stay apart from the person who has COVID-19 (for example, a child or someone you take care of), you must quarantine for 10 days after they are no longer infectious. In most cases, this is 20 days after the person started having COVID-19 symptoms, or if they never have symptoms, 20 days after their positive test.
- *Keep watching for symptoms from days 10-14.*
There is a very small chance that you could still be infected and could spread it to others. If you develop symptoms during this time, get tested, stay at home except to get medical care, and take steps to protect others in your household until you get your test result.
- During this time, avoid higher-risk activities like eating with others or being around others without a mask, especially around people who are more likely to get very sick if they get COVID-19. For a list of groups who are at higher risk of severe COVID-19, see sfcdcp.org/vulnerable. If you do not develop symptoms during the 14 days after your exposure, you can resume your usual activities.

If you live in a jail, nursing home, shelter, or dormitory, you must wait 14 days after your last close contact. If you work in one of these places, you must wait 14 days to return to work, unless you are an essential worker (see [returning to work](#) below). This is because COVID-19 can spread quickly in jails, nursing homes, and other places where many people live together.

What if I have symptoms during quarantine?

You should get tested right away, even if you had a negative test earlier during your quarantine.

If you have symptoms and test negative, you can end quarantine when

- It's been 10 days since your last close contact with the person with COVID-19 **and**
- You had no fever in the last 24 hours, without using medicine for fever **and**
- Your symptoms are improving.

If you have symptoms but don't get tested, or you're waiting for your test result, you must wait until

- It's been at least 10 days since your last close contact with the person with COVID-19 **and**
- It's been at least 10 days since your symptoms started **and**
- You had no fever in the last 24 hours, without using medicine for fever **and**
- Your symptoms are improving.

What if I have a positive test during quarantine?

Usually, you must stay home until 10 days after your symptoms started, you have not had fever for 24 hours, and your symptoms are improving. If you didn't have symptoms, you must stay home for 10 days after your positive test. For more information, read "[Ending isolation after a positive COVID-19 test or COVID-19 diagnosis.](#)"

Caring for Yourself and Others

Protecting your loved ones and others in your home from COVID-19

It can be scary to think that you might give COVID-19 to your family and other people you live with. You can take some simple and important steps to help keep COVID-19 from spreading in your home, even before you get your test result.

Not everyone can take these steps all the time, especially with young children. However, by taking as many steps as you can, as much as you can, you can protect those you love and those living with you.

- **Try to stay away from other people and pets at home**, especially older people and others who are more likely to become very ill from COVID-19. For a list of groups who are at higher risk of severe COVID-19, see sfcdcp.org/vulnerable.
- **Stay in a separate room** if you can, especially when you are sleeping, eating, and other times when your mask is off. Use a separate bathroom if you can.
- **Wear a face mask at home. Have other people wear face masks at home too.** For safety, children 0-23 months and anyone else who cannot take off a mask without help should not wear a mask. You do not need to wear a mask when you are in a separate room that no one else enters.
- **Open windows** if it's safe to do so. The virus that causes COVID-19 can build up in the air indoors, so you'll want to bring in as much fresh air as possible. If you live with children, open windows no wider than 4 inches to prevent falls. You can also put a fan in front of an open window to blow indoor air out of the house. For more information, see sfcdcp.org/covid-ventilation.
- Wash or sanitize your hands often.
- Don't share personal household items, like cups, towels, and utensils.
- Avoid preparing food for other people. If you must prepare food for others, wear a mask while preparing food, and wash your hands with soap beforehand.

When to get medical care

- **Get medical care if your symptoms get worse**, especially you have trouble breathing. For example, worrisome signs can include
 - Feeling out of breath, dizzy or light-headed when you're moving around the house, preparing meals, showering or bathing, or doing light housekeeping
 - Dehydration because you are too ill or too tired to eat or drink.
- **Seek emergency medical care** immediately for any of these warning signs.
 - Trouble breathing
 - Chest pain or pressure that is not going away
 - Being more confused than usual
 - Trouble waking up or staying awake

- Blue-ish lips or face

If you need to get medical care

- Call ahead to the clinic or emergency room, if you can. Tell them that you have COVID-19. If you call 911, tell the operator that you have COVID-19. This helps health care staff prepare for your arrival.
- Avoid using public transportation, taxis, or rideshares (Lyft, Uber) if you can, so you don't expose other people. If you must use public transit, see <https://www.sfcddcp.org/safertransit>
- Do not wait in the waiting room. Wear a face covering or mask at all times if possible.

Essential Workers: Returning to work before your isolation or quarantine ends

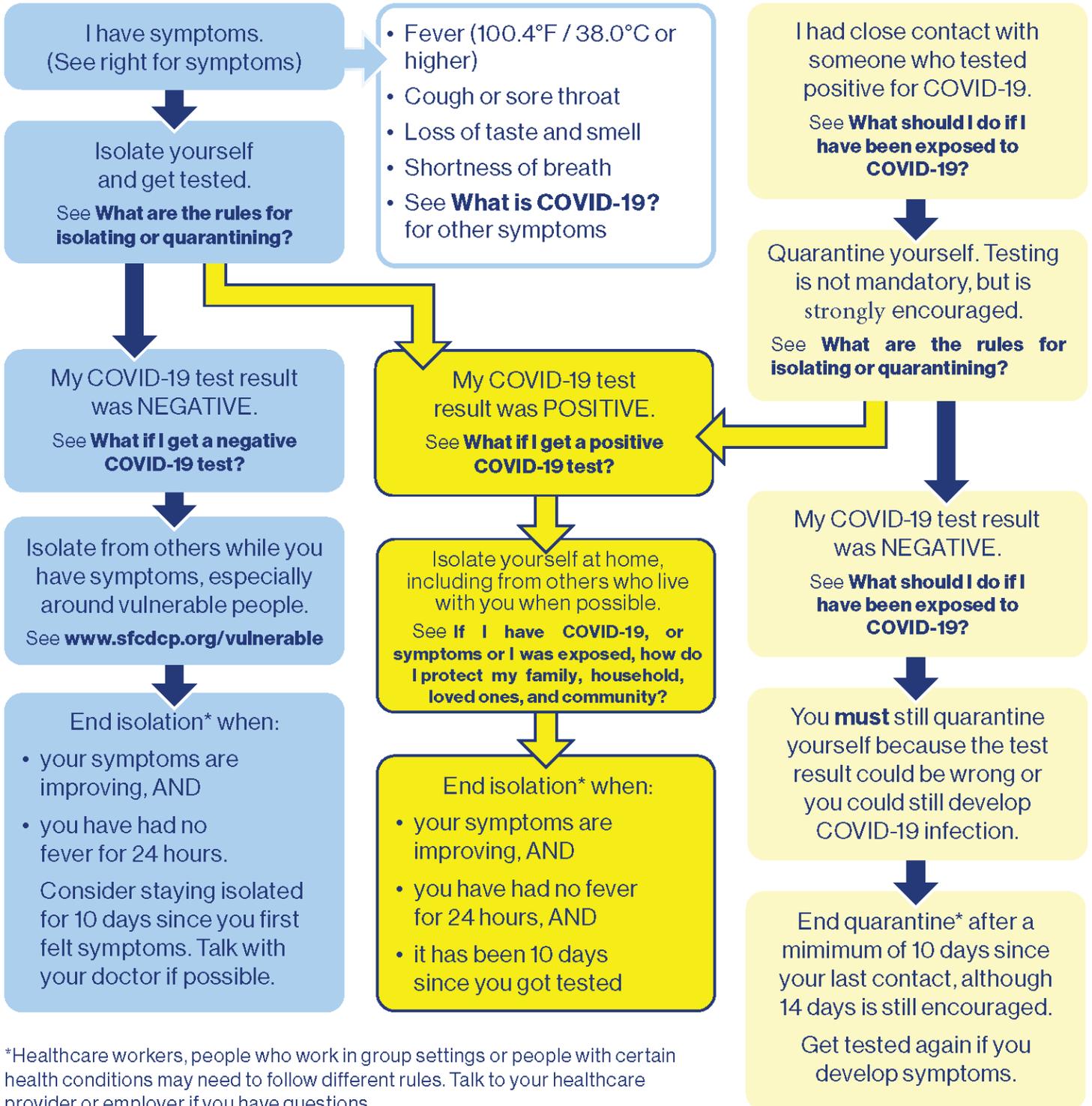
Some workers in the following groups are allowed to return to work early during staff shortages. Your employer may require you to wear a surgical mask or take other precautions until your isolation or quarantine ends. Consult your employer.

- **Essential COVID-19 response workers.** You're part of this group if you're a health care worker, lab worker handling COVID-19 specimens, morgue worker, sanitation worker, first responder, law enforcement, 911 or 311 operator, or emergency management personnel; if you're assigned to work as a Disaster Service Worker, and if you work in a long-term care facility (nursing home) or homeless shelter.
- **Social service workers in child welfare (e.g. Child Protective Services, Foster Care) and assisted living facilities** who have face-to-face contact with clients.

How long should I stay home?



Read "Testing, Isolation and Quarantine" at <http://www.sf.gov/file/after-your-covid-19-test-booklet> (you can use the QR code to open it on your phone or tablet). The bolded titles on this page refer to sections in that booklet.



*Healthcare workers, people who work in group settings or people with certain health conditions may need to follow different rules. Talk to your healthcare provider or employer if you have questions.



From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Issued – Audit of AMB Pier One, LLC, dba Prologis
Date: Wednesday, December 30, 2020 3:45:00 PM

From: San Francisco Controller's Office Reports <controller.reports@sfgov.org>
Sent: Wednesday, December 30, 2020 12:30 PM
To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Subject: Issued – Audit of AMB Pier One, LLC, dba Prologis

The City and County of San Francisco's Port Commission (Port) coordinates with the Office of the Controller's City Services Auditor (CSA) to conduct periodic compliance audits of the Port's tenants. CSA engaged Macias Gini & O'Connell LLP (MGO) to audit Port tenants to determine whether they complied with the reporting, payment, and selected other provisions of their agreements with the Port.

CSA presents the report of MGO's audit of AMB Pier One, LLC, dba Prologis (tenant). The tenant provides real property management and improvements at Pier 1. The tenant reported and paid \$5,909,007 in rent to the Port for the audit period in accordance with the lease agreement.

[Download the full report](#)



This is a send-only e-mail address.

[Sign up to receive news and updates](#)



For questions about the report, please contact Acting Director of Audits Mark de la Rosa at mark.p.delarosa@sfgov.org or (415) 554-7574 or the Audits Division at (415) 554-7469.

For media queries, please contact Communications Manager Alyssa Sewlal at alyssa.sewlal@sfgov.org or (415) 694-3261.

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[This email was sent to angela.calvillo@sfgov.org.](mailto:angela.calvillo@sfgov.org)
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AMB Pier One, LLC, dba Prologis, Reported Gross Revenues and Paid Rent in Accordance With Its Lease Agreement for July 1, 2016, Through June 30, 2019

Port Commission



December 30, 2020

City & County of San Francisco
Office of the Controller
City Services Auditor

About the Audits Division

The City Services Auditor (CSA) was created in the Office of the Controller through an amendment to the Charter of the City and County of San Francisco (City) that voters approved in November 2003. Within CSA, the Audits Division ensures the City's financial integrity and promotes efficient, effective, and accountable government by:

- Conducting performance audits of city departments, contractors, and functions to assess efficiency and effectiveness of service delivery and business processes.
- Investigating reports received through its whistleblower hotline of fraud, waste, and abuse of city resources.
- Providing actionable recommendations to city leaders to promote and enhance accountability and improve the overall performance and efficiency of city government.

Audit Team:

Winnie Woo, Senior Auditor

Audit Consultant:

Macias Gini & O'Connell LLP (MGO)

For more information please contact:

Mark de la Rosa
Acting Director of Audits
Office of the Controller
City and County of San Francisco
(415) 554-7574



<http://www.sfcontroller.org>



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OFFICE OF THE CONTROLLER

CITY AND COUNTY OF SAN FRANCISCO

Ben Rosenfield
Controller
Todd Rydstrom
Deputy Controller

December 30, 2020

San Francisco Port Commission
Pier 1, The Embarcadero
San Francisco, CA 94111

Ms. Elaine Forbes
Executive Director
Port of San Francisco
Pier 1, The Embarcadero
San Francisco, CA 94111

Dear Commission President, Commissioners, and Ms. Forbes:

The City and County of San Francisco's Port Commission (Port), which oversees the Port of San Francisco, coordinates with the Office of the Controller's City Services Auditor (CSA) to conduct periodic compliance audits of Port tenants. CSA engaged Macias Gini & O'Connell LLP (MGO) to audit Port tenants to determine whether they comply with the reporting, payment, and other selected provisions of their leases.

CSA's Audits Division presents the attached report for the compliance audit of AMB Pier One, LLC, dba Prologis (tenant), prepared by MGO. The tenant provides real property management and improvements at Pier 1.

Reporting Period: July 1, 2016, Through June 30, 2019

Rent Paid: \$5,909,007

Results:

The tenant reported and paid \$5,909,007 in rent to the Port for the audit period in accordance with the lease agreement.

The responses of the Port and the tenant are attached to this report.

CSA and MGO appreciate the assistance and cooperation of Port and tenant staff involved in this audit. For questions about the report, please contact me at mark.p.delarosa@sfgov.org or 415-554-7574 or CSA at 415-554-7469.

Respectfully,

A handwritten signature in black ink, appearing to read "Mark de la Rosa".

Mark de la Rosa
Acting Director of Audits

cc: Board of Supervisors
Budget Analyst
Citizens Audit Review Board
City Attorney
Civil Grand Jury
Mayor
Public Library

**CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER**

PERFORMANCE AUDIT REPORT
AMB Pier One, LLC
dba Prologis

July 1, 2016 through June 30, 2019



Certified
Public
Accountants



Performance Audit Report

Chief Audit Executive
City and County of San Francisco

Macias Gini & O’Connell LLP (MGO) presents its report concerning the performance audit of AMB Pier One, LLC. dba Prologis (Tenant) for the period July 1, 2016 through June 30, 2019 as follows:

Background

The Tenant entered into a lease agreement number L-12838 (Agreement) with the San Francisco Port Commission (Commission) dated August 2, 1999 for real property management and improvements at Pier 1. Certain provisions of the Agreement were subsequently amended through first and second amendments to the Agreement. The Agreement requires the Tenant to submit to the Port of San Francisco (Port) a quarterly report showing its rental income and computation of participation rent.

Provision of the Agreement pertaining to this performance audit include the required payment of the inclusion of minimum rent, participation rent, and additional participation rent as outlined below.

Lease:	L-12838
Reporting periods:	July 1, 2016 to June 30, 2019
Lease Term:	August 2, 1999 to August 1, 2049
Participation Rent:	An amount equal to 50% of all Excess Rental Income (defined as total rental income received by the Tenant in excess of the minimum monthly rent), payable in accordance with Section 2.5 of the Agreement, paid on the last day of April, July, October, and January.
Additional Participation Rent:	A minimum guaranteed participation rent for Bay 1B of \$500,000 (the “Minimum Guaranteed Amount”) over four years in equal quarterly installments of \$31,250 commencing with the first quarterly participation rent statement due after the second amendment to the Agreement effective date (established as of May 12, 2016).

Minimum monthly rent is subject to allowable adjustments per Section 2.3(c) of the Agreement (which were last completed in Mid-2002) as stipulated in the Agreement for the reporting periods as summarized below:

<u>Period</u>	<u>Minimum Monthly Rent</u>
July 2016 through June 2019	\$ 111,795

As specified in the Agreement, the Tenant shall pay “Rent” consisting of the minimum monthly rent, participation rent, and additional participation rent. The participation rent owed in excess of the minimum monthly rent is calculated monthly and paid quarterly together with the quarterly additional participation rent are due as additional rent to the Port.

Objectives and Scope

The objectives of this performance audit were to determine whether the Tenant was in substantial compliance with the reporting, payment, and other rent- related provisions of its Agreement with the Commission. To meet the objectives of the performance audit and based upon the provisions of the City and County of San Francisco (City) contract number 1000013953 dated July 1, 2019, between MGO and the City, and per Appendix A therein, we performed tests that total rental income for the audit period were reported to the Port in accordance with the Agreement provisions, and that such amounts agreed with the Tenant’s underlying accounting records. Our testing also included identifying whether any significant discrepancy (over or under) in reporting existed. If such discrepancies were identified, this report would

include the adjustments to rent payable to the Port and our recommendations to improve record keeping and reporting processes of the Tenant relative to its ability to comply with Agreement provisions.

The scope of our audit was limited to the records and reports supporting total rental income reported and rent paid or payable by the Tenant to the Port for the period from July 1, 2016 through June 30, 2019.

This audit and the resulting report relates only to the total rental income reported by the Tenant, and does not extend to any other performance or financial audits of the Commission, the City, and the Tenant.

Methodology

To meet the objectives of the performance audit, we performed the following procedures: inspected and identified the applicable terms of the Agreement; inspected the procedures and internal controls of the Tenant for collecting, recording, summarizing and reporting its gross revenues, and calculating its payments to the Port; conducted interviews and walkthroughs with Tenant and Port personnel; and conducted non-statistical testing, without projecting to the population, using a random selection of two sample months for the reporting period out of 36 months (~5.6%) and selected five out of six subleases (~83.3%) for each sample month. We also recalculated rent due (minimum rent plus participation rent plus quarterly additional participation rent) by computing the monthly participation rent and comparing to the minimum monthly rent due for all 36 months within the audit period and verified the timeliness of reporting total rental income and rent and submitting rent payments to the Port. We noted no exceptions within the results of our non-statistical sample testing.

We conducted this performance audit in accordance with generally accepted government auditing standards set forth in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Audit Results

Based on the results of our performance audit for the period from July 1, 2016 through June 30, 2019, the Tenant reported total rent due of \$5,909,007 consisting of minimum rent payments of \$4,024,629, participation rent payments of \$1,509,378, and additional participation rent payments of \$375,000 to the Port in accordance with its Agreement provisions. The reported amounts agreed to the underlying records.

The Agreement between the Tenant and the Commission defines total rental income. The table on the next page shows the rent paid to the Port as reported by the Tenant and the rent amounts due from the Tenant as reported by the Port.

**Schedule of Rent Due and Paid
July 1, 2016 through June 30, 2019
Lease No. L-12838**

<u>Lease Period</u>	<u>Calculated Participation Rent Stipulated by Lease</u>	<u>Additional Participation Rent Stipulated by Lease</u>	<u>Minimum Rent Stipulated by Lease</u>	<u>Total Rent Due</u>	<u>Rent Paid per Port Payment Records</u>	<u>Over (Under) Payment</u>
A	B	C	D (A + B + C)	E	F (E - D)	
July 1, 2016 through June 30, 2017	\$ 151,174	\$ 125,000	\$ 1,341,543	\$ 1,617,717	\$ 1,617,717	\$ -
July 1, 2017 through June 30, 2018	549,928	125,000	1,341,543	2,016,471	2,016,471	-
July 1, 2018 through June 30, 2019	808,276	125,000	1,341,543	2,274,819	2,274,819	-
Total	<u>\$ 1,509,378</u>	<u>\$ 375,000</u>	<u>\$ 4,024,629</u>	<u>\$ 5,909,007</u>	<u>\$ 5,909,007</u>	<u>\$ -</u>

Conclusion

There were no exceptions noted during the audit. We conclude that the Tenant was in substantial compliance with the reporting of total rental income, rent payments, and other rent related provisions of its Agreement with the Commission.

A copy of this report has been provided to the Port and the Tenant. The respective acknowledgements are attached to this report.

This performance audit did not constitute an audit of financial statements in accordance with *Government Auditing Standards* or auditing standards generally accepted in the United States of America. MGO was not engaged to, and did not, render an opinion on the effectiveness of the Tenant's internal controls over financial reporting or over the Tenant's financial management system.

This report is intended solely for the information and use of the City, the Commission, and the Tenant, and is not intended to be and should not be used by anyone other than these specified parties.

Macias Gini & O'Connell LLP

San Francisco, California
December 22, 2020



Mark de la Rosa
Acting Director of Audits
Office of the Controller, City Services Auditor
City Hall, Room 476
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

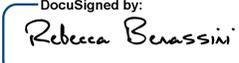
Dear Mr. de la Rosa:

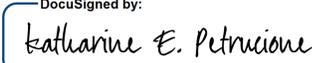
Thank you for the opportunity to review the draft performance audit report prepared by Macias Gini & O'Connell LLP (MGO), which covers Port tenant Prologis under lease #L-12838 for the period July 1, 2016 to June 30, 2019.

Based on the details in the report provided by MGO, there are no findings and the tenant was in compliance. Port management concurs with the results of the audit.

Please do not hesitate to contact us if you have any questions or require further information.

Sincerely,

DocuSigned by:

8C88C44597B2453
Rebecca Benassini,
Acting Deputy Director of Real Estate and Development

DocuSigned by:

F7DF1CA0D6B14A6...
Katharine Petrucione,
Deputy Director of Finance and Administration

Cc: Elaine Forbes, Executive Director
Scott Johnson, Macias Gini & O'Connell LLP
Nathan Law, Macias Gini & O'Connell LLP



December 21, 2020

Mark de la Rosa
Acting Director of Audits
City Hall, Room 476
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Performance Audit Report AMB Pier One, LLC dba Prologis
July 1, 2016 through June 30, 2019

Dear Mr. de la Rosa:

Thank you for your assistance as part of the recently completed Performance Audit Report titled AMB Pier One, LLC dba Prologis, July 1, 2016 through June 30, 2019.

We have reviewed the audit's findings and are pleased to know there are no exceptions noted. We also appreciate the assistance of the team at Macias Gini & O'Connell LLP (MGO) for their efforts in working closely with us on the audit.

Please contact me if you need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori N. Laureano".

Lori N. Laureano
Operations Associate-West Region

cc: Christine Cruz, Prologis
Lisa Barron, Prologis
Travis Durfee, Prologis
Megan Creecy-Herman, Prologis
Jamie Klein, Prologis

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: 2020 Annual Report San Francisco Sentencing Commission
Date: Thursday, January 7, 2021 3:01:00 PM
Attachments: [2020_SC Annual Report BOS Ltr .pdf](#)
[2020_SC Annual Report Mayor Ltr .pdf](#)
[2020 Annual Report_SFSC FINAL_submitted.pdf](#)

From: Russom, Kelsey (DAT) <kelsey.russom@sfgov.org>
Sent: Monday, January 4, 2021 11:23 AM
To: Breed, London (MYR) <london.breed@sfgov.org>; Elsbernd, Sean (MYR) <sean.elsbernd@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Cc: Anderson, Tara (DAT) <tara.anderson@sfgov.org>
Subject: FW: 2020 Annual Report San Francisco Sentencing Commission

Dear Honorable London Breed and Clerk of the Board Calvillo,

I wanted to make sure that you received our Sentencing Commission Annual Report. For some reason it looks like it was not received by some. Please do not hesitate to reach out if you have any questions.

Happy New Year,

Kelsey Russom
Confidential Executive Assistant
Office of District Attorney Boudin
kelsey.russom@sfgov.org
Cell: (415) 948-1618

From: "Russom, Kelsey (DAT)" <kelsey.russom@sfgov.org>
Date: Thursday, December 24, 2020 at 11:37 AM
To: "Breed, London (MYR)" <london.breed@sfgov.org>, "Elsbernd, Sean (MYR)" <sean.elsbernd@sfgov.org>, "Calvillo, Angela (BOS)" <angela.calvillo@sfgov.org>
Cc: "Anderson, Tara (DAT)" <tara.anderson@sfgov.org>
Subject: 2020 Annual Report San Francisco Sentencing Commission

Dear Honorable London Breed and Clerk of the Board Calvillo,

Please see attached 2020 Annual Report for the San Francisco Sentencing Commission. Please don't hesitate to reach out with questions.

Thank you and Happy Holidays,

Kelsey Russom
Confidential Executive Assistant
Office of District Attorney Boudin



Chesa Boudin
District Attorney

December 24, 2020

Angela Calvillo
Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: The San Francisco Sentencing Commission Annual Report

Dear Ms. Calvillo,

I am pleased to present the sixth annual report of the San Francisco Sentencing Commission in accordance with County Ordinance 10-12. The Sentencing Commission was established to encourage the development of criminal sentencing strategies that reduce recidivism, prioritize public safety and victim protection, emphasize fairness, employ evidence-based best practices, and efficiently utilize San Francisco's criminal justice resources.

The San Francisco Sentencing Commission facilitates conversations between criminal justice stakeholders about innovative approaches to sentencing and criminal justice reform and generates action-oriented recommendations resulting in successful program and policy implementation. The Commission has a proven track record of successes including but not limited to Young Adult Court, Law Enforcement assisted Diversion (LEAD), statewide policy reform and data-driven criminal justice policy.

In accordance with Governor Gavin Newsom's statewide order for all residents to "Stay at Home" – and with the numerous local and state proclamations, orders and supplemental directions – aggressive directives issued to slow down and reduce the spread of the COVID-19 virus, the first meeting of the 2020 schedule for the Sentencing Commission was canceled. When released from restrictions on non COVID-19 urgent meetings, the Sentencing Commission held meetings through videoconferencing on Zoom and facilitated remote public comment via the videoconference and phone.

During the 2020 calendar year, the San Francisco Sentencing Commission held three virtual hearings covering Local Sentencing Trends, 2020 Sentencing Legislation Introduced, Case Processing Technical Assistance with specific emphasis on COVID-19, Review and Approval of Safety and Justice Challenge Bylaws, Toward Shared Safety: The First-Ever National Survey of America's Safety Gaps, CA 2020 Victim Services Impact Survey Update, Victim Services During COVID-19, Jail Population Trends, 2020 Legislation Chaptered into Law and Update on the Committee on Revision of the Penal Code, and the Safety and Justice Challenge. In 2020 a significant amount of the work of the Sentencing Commission was focused on subcommittee support in fulfillment of Ordinance 80-20.

On May 12, 2020, the Board of Supervisors for the City and County of San Francisco (CCSF) passed Ordinance 80-20, directing the closure of County Jail #4 (CJ4) by November 1, 2020. The Board further assigned a newly formed Safety and Justice Challenge (SJC) Subcommittee operating under the auspices of the Sentencing Commission with the task of identifying measures and strategies to sustain jail population reductions. The Ordinance became effective on

May 7, 2017

June 21, 2020, and the Sentencing Commission voted to approve the bylaws of the newly formed Subcommittee on July 15, 2020.

The SJC Subcommittee was formed around an existing partnership to implement a \$2 million-dollar Safety and Justice Challenge grant investment from the MacArthur Foundation in fall 2018. The goal of the SJC initiative is to safely reduce the local jail population and address racial disparities. San Francisco's SJC initiative is a partnership between the District Attorney's Office, the Superior Court, the Sheriff's Office, Public Health Department, Adult Probation Department, Public Defender's Office, community representatives designated by the San Francisco Reentry Council and the Family Violence Council, and community stakeholders such as the San Francisco Pretrial Diversion Project. The SJC partnership has operated with oversight from the San Francisco Sentencing Commission since the grant's inception. On September 4, 2020, Sheriff Paul Miyamoto announced that CJ4 was no longer being used to house or hold people, functionally closing the jail two months ahead of schedule. The Sentencing Commission was proud to serve the City and County of San Francisco in this capacity and looks forward to continuing to advance collaborative discussions about justice reform in 2021.

Should you have any questions about the Commission's activities, progress, and recommendations please do not hesitate to contact my Director of Policy, Tara Anderson.

Sincerely,

A handwritten signature in blue ink that reads "Chesa Boudin". The signature is fluid and cursive, with a distinct loop at the end of the last name.

Chesa Boudin
District Attorney
City and County of San Francisco



Chesa Boudin
District Attorney

December 23, 2020

Honorable London Breed
Mayor of San Francisco
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: The San Francisco Sentencing Commission Annual Report

Dear Honorable London Breed,

I am pleased to present the sixth annual report of the San Francisco Sentencing Commission in accordance with County Ordinance 10-12. The Sentencing Commission was established to encourage the development of criminal sentencing strategies that reduce recidivism, prioritize public safety and victim protection, emphasize fairness, employ evidence-based best practices, and efficiently utilize San Francisco's criminal justice resources.

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May 7, 2017

measures and strategies to sustain jail population reductions. The Ordinance became effective on June 21, 2020, and the Sentencing Commission voted to approve the bylaws of the newly formed Subcommittee on July 15, 2020.

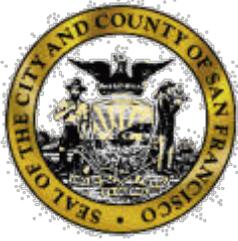
The SJC Subcommittee was formed around an existing partnership to implement a \$2 million-dollar Safety and Justice Challenge grant investment from the MacArthur Foundation in fall 2018. The goal of the SJC initiative is to safely reduce the local jail population and address racial disparities. San Francisco's SJC initiative is a partnership between the District Attorney's Office, the Superior Court, the Sheriff's Office, Public Health Department, Adult Probation Department, Public Defender's Office, community representatives designated by the San Francisco Reentry Council and the Family Violence Council, and community stakeholders such as the San Francisco Pretrial Diversion Project. The SJC partnership has operated with oversight from the San Francisco Sentencing Commission since the grant's inception. On September 4, 2020, Sheriff Paul Miyamoto announced that CJ4 was no longer being used to house or hold people, functionally closing the jail two months ahead of schedule. The Sentencing Commission was proud to serve the City and County of San Francisco in this capacity and looks forward to continuing to advance collaborative discussions about justice reform in 2021.

Should you have any questions about the Commission's activities, progress, and recommendations please do not hesitate to contact my Director of Policy, Tara Anderson.

Sincerely,



Chesa Boudin
District Attorney
City and County of San Francisco



The City and County of San Francisco
The San Francisco Sentencing Commission

2020 Annual Report

San Francisco Sentencing

Commission

December 9, 2020



San Francisco Sentencing Commission 2020 Annual Report

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The activities of the 2020 calendar year of the San Francisco Sentencing Commission are summarized in this annual report as required by County Ordinance 10-12.

I. EXECUTIVE SUMMARY

The San Francisco Sentencing Commission, an initiative of the District Attorney's Office, was created to analyze sentencing patterns, innovative solutions and outcomes; and to provide recommendations to the Mayor and Board of Supervisors that lead to a reduction in incarceration, lower recidivism rates, safer communities, and ensure that victims are made whole.

In accordance with Governor Gavin Newsom's statewide order for all residents to "Stay at Home" – and with the numerous local and state proclamations, orders and supplemental directions – aggressive directives issued to slow down and reduce the spread of the COVID-19 virus, the first meeting of the 2020 schedule for the Sentencing Commission was canceled. When released from restrictions on non COVID-19 urgent meetings, the Sentencing Commission held meetings through videoconferencing on Zoom and facilitated remote public comment via the videoconference and phone.

On May 12, 2020, the Board of Supervisors for the City and County of San Francisco (CCSF) passed Ordinance 80-20, directing the closure of County Jail #4 (CJ4) by November 1, 2020. The Board further assigned a newly formed SJC Subcommittee operating under the auspices of the Sentencing Commission with the task of identifying measures and strategies to sustain jail population reductions. The Ordinance became effective on June 21, 2020, and the Sentencing Commission voted to approve the bylaws of the newly formed Subcommittee on July 15, 2020.

The Safety and Justice Challenge (SJC) Subcommittee was formed around an existing partnership to implement a \$2 million-dollar Safety and Justice Challenge grant investment from the MacArthur Foundation in fall 2018. The goal of the SJC initiative is to safely reduce the local jail population and address racial disparities. San Francisco's SJC initiative is a partnership between the Superior Court, the Sheriff's Office, Public Health Department, Adult Probation Department, Public Defender's Office, the District Attorney's Office, community representatives designated by the San Francisco Reentry Council and the Family Violence Council, and community stakeholders such as the San Francisco Pretrial Diversion Project. The SJC partnership has operated with oversight from the San Francisco Sentencing Commission since the grant's inception.

On September 4, 2020, Sheriff Paul Miyamoto announced that CJ4 was no longer being used to house or hold people, functionally closing the jail two months ahead of schedule. The kitchen will remain in use, staffed by people held in County Jail #2 (CJ2), until the CJ2 kitchen remodel is complete. The estimated timeline for the completion of the remodel is March 2021.

During the 2020 calendar year, the San Francisco Sentencing Commission held three virtual hearings covering Local Sentencing Trends, 2020 Sentencing Legislation Introduced, Case Processing Technical Assistance with specific emphasis on COVID-19, Review and Approval of Safety and Justice Challenge By Laws, Toward Shared Safety: The First-Ever National Survey of America's Safety Gaps, CA 2020 Victim Services Impact Survey Update, Victim Services During COVID-19, Jail Population Trends, 2020 Legislation Chaptered into Law and Update on the Committee on Revision of the Penal Code and the Safety and Justice Challenge. The San Francisco Sentencing Commission not only facilitates conversations between criminal justice stakeholders about innovative approaches to sentencing and criminal justice reform but generates action-oriented recommendations resulting in successful program and policy implementation. In 2019 no formal recommendations were made due to the transition of leadership in the District Attorney's Office. In 2020 a significant amount of the work of the Sentencing Commission was focused on subcommittee support in fulfillment of Ordinance 80-20. A summary of previous year's recommendations is available on the Sentencing Commission website.

II. BACKGROUND

The San Francisco Sentencing Commission, an initiative of the District Attorney's Office, was created through local legislation to analyze sentencing patterns and outcomes, to advise the Mayor, Board of Supervisors, and other City departments on the best approaches to improve public safety, reduce recidivism, and to make recommendations for sentencing reforms that utilize best practices in criminal justice. Ultimately, the commission will make recommendations that establish a sentencing system that retains meaningful judicial discretion, avoids unwarranted disparity, recognizes the most efficient and effective use of correctional resources, and provides a meaningful array of sentencing options. The mandate of the Sentencing Commission includes the following:

- Evaluate effective and appropriate sentences for the most violent offenders;
- Explore opportunities for drug law reform;
- Examine inconsistencies in the penal code related to realignment sentencing; and
- Identify and define the most important factors that reduce recidivism.

The Sentencing Commission was created by County Ordinance 10-12 which amended the San Francisco Administrative Code by adding Article 25, Sections 5.250 through 5.250-3. The purpose of the Sentencing Commission is to encourage the development of criminal sentencing strategies that reduce recidivism, prioritize public safety and victim protection, emphasize fairness, employ evidence-based best practices and efficiently utilize San Francisco's criminal justice resources. The Sentencing Commission is an advisory body to the Mayor and the Board of Supervisors.

Commission Membership

The San Francisco Sentencing Commission membership was fully formed in July 2012 and subsequently renewed in 2015. At the time of this report additional authorization for a 5-year term to the year 2023 is pending before the Board of Supervisors. A current list of commission members and qualifications is found in Appendix A.

The membership of the Sentencing Commission was developed to ensure representation from City and County partners directly involved in the criminal justice system, and those who come in contact with it. Each seat represents a valuable perspective on criminal justice proceedings; from time of arrest to post release and the critical access points for support services provided to victims and survivors of crime. In addition to this practical and service experience, the commission includes experts in sentencing and statistical analysis. These are essential components to the commission membership and contribute to the development of data-informed, sustainable improvements to our sentencing practices. While this membership serves as the core of the Sentencing Commission's work, the Commission invites broader participation from practitioners, researchers, and community to inform the proceedings.

List of member seats:

District Attorney's Office (Chair), Public Defender's Office, Adult Probation Department, Juvenile Probation Department, Sheriff's Department, Police Department, Department of Public Health, Reentry Council, Superior Court, member of a nonprofit organization serving victims chosen by the Family Violence Council, member of non-profit organization working with ex-offenders chosen by the Reentry Council, sentencing expert chosen by the Board of Supervisors, and an academic researcher with expertise in data analysis appointed by the Mayor. Representatives from BART Police began attending meetings in December 2015 and serve as non-voting members.

III. 2020 MEETING TOPICS & PRESENTERS

The Sentencing Commission held three meetings in 2020. Full details are available on <http://www.sfdistrictattorney.org/>. Meeting dates and selected subject matter presenters are provided below. In addition to subject matter presentation regular status report are provided by Sentencing Commission staff, the Criminal Justice Racial Equity Workgroup, and Safety and Justice Challenge Workgroup.

July 15, 2020

Review of San Francisco Sentencing Trends

Presenter: Tara Anderson Sentencing Commission Director

2020 Sentencing Legislation Introduced

Presenter: Sentencing Commission Director, Tara Anderson

Case Processing Technical Assistance with specific emphasis on COVID-19

Presenter: Tim Dibble, Vice President, Justice Management Institute

Review and Approval of Safety and Justice Challenge ByLaws

Presenter: Josie Halpern-Finnerty, Safety and Justice Challenge Director

October 7, 2020

Toward Shared Safety: The First-Ever National Survey of America's Safety Gaps

Presenters: Tinish Hollins, Associate Director and Marisa Arrona Local Safety Solutions Project Director, Californians for Safety and Justice

CA 2020 Victim Services Impact Survey Update

Presenters: Paige Allmendinger, Acting Deputy Chief, Victim Services Division, San Francisco District Attorney's Office

Victim Services During COVID-19

Presenter: Dr. Gena Castro-Rodriguez, Chief of Victim Services Division, San Francisco District Attorney's Office

December 9, 2020

Jail Population Trends

Presenter: Lucas Jennings, San Francisco Sheriff's Department

2020 Legislation Chaptered into Law and Update on the Committee on Revision of the Penal Code

Presenter: Natasha Minsker

Sentencing Commission Annual Report

Presenter: Tara Anderson, Director of Policy, San Francisco District Attorney's Office

V. MEMBERSHIP UPDATES

Membership Transitions

In the 2020 calendar year the San Francisco Sentencing Commission experienced transitions for four member seats. In January, District Attorney Chesa Boudin, Juvenile Probation Chief Katy Miller, and Sheriff Paul Miyamoto were sworn into office. In June the Reentry Council appointed Jose Bernal to serve in the member seat for an organization serving a formerly incarcerated person. This appointment was time limited to allow for a more comprehensive outreach and selection process while also ensuring that the seat was filled for The Safety and Justice Challenge (SJC) Subcommittee activities. In September the Reentry Council appreciated Jose Bernal for his service during such a critical time. The Reentry Council then moved to formally appoint William Palmer to serve in the member seat for an organization serving a formerly incarcerated person.

Position of Superior Court

The San Francisco Superior Court is an invited member of the San Francisco Sentencing Commission. In 2018, representatives from the Administrative Office of the San Francisco Superior Court began participating in the Sentencing Commission as non-voting members. The court representatives are participating to advance the cross-system goals of San Francisco's Safety and Justice Challenge implementation. A detailed description of the Safety and Challenge goals is listed in section IV.

VI. FUTURE ACTIVITIES

Looking Forward: 2021

The San Francisco Sentencing Commission is currently scheduled to conduct four sessions in 2021. Sentencing Commission topics 2021 include:

- Overview of San Francisco Sentencing Trends
- 2021 Sentencing Policy and Legislative Updates

Additional areas of focus will be identified during the March 2021 meeting of the Sentencing Commission.

VII. CONCLUSION

In 2020, the San Francisco Sentencing Commission successfully completed the eighth full year of hearings covering experts discussing Local Sentencing Trends, 2020 Sentencing Legislation Introduced, Case Processing Technical Assistance with specific emphasis on COVID-19, Review and Approval of Safety and Justice Challenge By Laws, Toward Shared Safety: The First-Ever National Survey of America's Safety Gaps, CA 2020 Victim Services Impact Survey Update, Victim Services During COVID-19, Jail Population Trends, 2020 Legislation Chaptered into Law and an Update on the Committee on Revision of the Penal Code and the Safety and Justice Challenge. The San Francisco Sentencing Commission plans to conduct four meetings during the 2021 calendar year.

Appendix A: San Francisco Sentencing Commission Members

As of December 9, 2020

Agencies & Bodies	Member
District Attorneys' Office	Chesa Boudin, District Attorney
Public Defender	Manohar Raju, Public Defender
Adult Probation	Karen Fletcher, Adult Probation Chief
Juvenile Probation	Katy Miller, Juvenile Probation Chief
Sheriff	Paul Miyamoto, Sheriff
Police	William Scott, Police Chief
Department of Public Health	Grant Colfax, Director
Reentry Council	Karen Roye, Director Child Support Services
Superior Court*	Presiding Judge
<i>Member of a nonprofit org serving victims chosen by the</i> Family Violence Council	Jerel McCrary Attorney
<i>Member of non-profit org working with ex-offenders chosen by the</i> Reentry Council	William Palmer
Sentencing Expert chosen by the Board of Supervisors	Theshia Naidoo Senior Staff Attorney Drug Policy Alliance
Academic Researcher with expertise in data analysis appointed by the Mayor	Steven Raphael PhD Professor Goldman School of Public Policy University of California Berkeley

*Invited

** BART PD participates as a non-voting member.

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Somera, Alisa \(BOS\)](#)
Subject: FW: DOSW: Representation of Women in City Property Report per Admin Code Sec. 4.27(b)(2)
Date: Thursday, January 7, 2021 2:49:00 PM
Attachments: [DOSW Letter to BOS Re Representation of Women in City Property.pdf](#)
[Representation of Women in City Property 2020.pdf](#)

From: Newman, Elizabeth (WOM) <elizabeth.newman@sfgov.org>
Sent: Wednesday, December 30, 2020 12:33 PM
To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>
Cc: Ellis, Kimberly (WOM) <kimberly.n.ellis@sfgov.org>; Sacco, Carol (WOM) <carol.sacco@sfgov.org>; Fox, Linnea (WOM) <linnea.fox@sfgov.org>
Subject: DOSW: Representation of Women in City Property Report per Admin Code Sec. 4.27(b)(2)

Dear Ms. Calvillo,

On behalf of the Department on the Status of Women, I submit to the San Francisco Board of Supervisors the *Representation of Women in City Property: A Gender Analysis of Art, Streets, Buildings, and Parks* as directed by Ordinance 243-18 and Administrative Code, Section 4.27(b)(2).

This ordinance aims to increase the extent to which women are represented and commemorated in the public sphere by:

1. Requiring a work of public art depicting Maya Angelou be installed in front of the Main Library by December 31, 2020; and creating a fund to accept gifts for the design, construction, installation, and maintenance of public art depicting historic women;
2. Establishing a City policy goal for women to be at least 30% of historical figures depicted or recognized on public property; and mandating the Department on the Status of Women monitor the representation of women in City property through a biennial report.

The Department on the Status of Women's findings for 2020 are presented in the attached report and cover letter. Please reach out to me if you have any questions or need more information.

Thank you,

Elizabeth Newman
 Policy & Projects Director
[Department on the Status of Women](#)
 25 Van Ness Avenue, Suite 240
 San Francisco, CA 94102
 o: (415) 252-3206 | c: (651) 230-4265
Elizabeth.Newman@sfgov.org
 Pronouns: *she, her, hers*

Please note that I am working remotely during the current public health emergency. Check the City's website for

COVID-19 updates, <https://sf.gov/topics/coronavirus-covid-19> and DOSW's website, www.sfgov.org/dosw, for additional information. Be well.

City and County of San Francisco
Department on the Status of Women

London N. Breed
Mayor

Kimberly Ellis
Director

December 30, 2020

San Francisco Board of Supervisors
ATTN: Angela Calvillo, Clerk of the Board
City Hall Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102

Dear Members of the Board of Supervisors,

As directed by Ordinance 243-18 and Administrative Code, Section 4.27(b)(2), the San Francisco Department on the Status of Women submits to you the attached report on the *Representation of Women in City Property: A Gender Analysis of Art, Streets, Buildings, and Parks*. This ordinance aims to increase the extent to which women are represented and commemorated in the public sphere by:

1. Requiring a work of public art depicting Maya Angelou be installed in front of the Main Library by December 31, 2020; and creating a fund to accept gifts for the design, construction, installation, and maintenance of public art depicting historic women;
2. Establishing a City policy goal for women to be at least 30% of historical figures depicted or recognized on public property; and mandating the Department on the Status of Women monitor the representation of women in City property through a biennial report.

The Department on the Status of Women found that the overall representation of women in City property is 12 percent. The Arts Commission, the City Administrator's Office, Public Works, and the Recreation and Parks Department provided data as required by the Ordinance. At this time, the work of art depicting Maya Angelou has not been installed by the deadline.

The proportion of women among non-fictional historical people recognized or depicted in the public sphere in the designated categories are as follows:

- Art: 19% women depicted or recognized out of 166 public statues, monuments, or memorials;
- Streets: 7% women recognized or commemorated out of 600 street names;
- Buildings: 27% women recognized or commemorated out of 88 city buildings, rooms, and facilities names; and
- Parks: 20% women recognized or commemorated out of 114 city parks and open space names.

There was little change in the overall representation of women in San Francisco, although updates to methods of categorization and analysis resulted in percentage changes by category. These updates entailed: including data from multiple City departments in each category; counting public art, streets, buildings, or parks that depict or recognize a group of men and women in the overall statistics; and incorporating public art that figuratively depicts a group of historic people which does not name specific individuals (i.e., Volunteer Firefighters, Holocaust Survivors, and Comfort Women).

These findings were presented and approved by the Commission on the Status of Women on December 16, 2020. The report can also be found on our website at sfgov.org/dosw/gender-analysis-reports.

Sincerely,

Kimberly Ellis
Director

REPRESENTATION OF WOMEN IN CITY PROPERTY

A GENDER ANALYSIS OF PUBLIC ART, STREETS, BUILDINGS, AND PARKS

December 2020



City and County of San Francisco
London N. Breed
Mayor

Department on the Status of Women
Kimberly Ellis
Director



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ACKNOWLEDGEMENTS

The San Francisco Department on the Status of Women would like to thank the following departments for their efforts to gather and provide the data contained in this report: the Arts Commission, the City Administrator’s Office, Public Works, the Public Utilities Commission, the Recreation and Parks Department, the San Francisco Public Library, the Port of San Francisco, and the San Francisco International Airport.

This report was prepared by Public Policy Fellow Linnea Fox and edited and directed by Policy and Projects Director Elizabeth Newman at the San Francisco Department on the Status of Women.

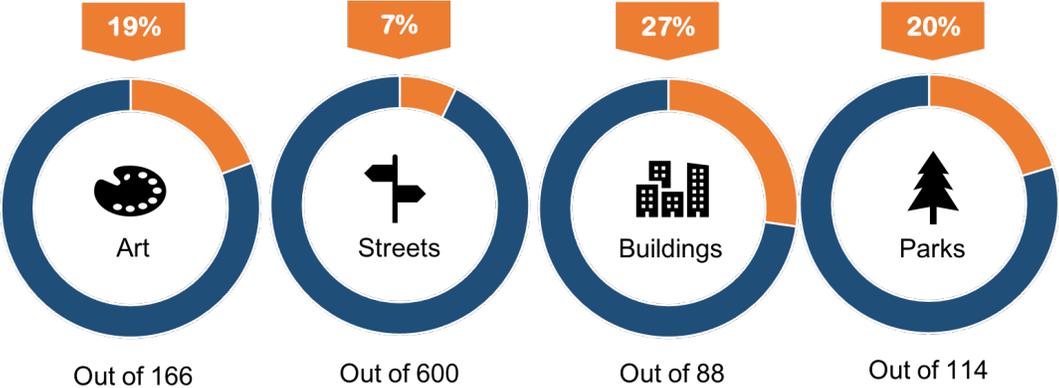
EXECUTIVE SUMMARY

In October 2018, the Board of Supervisors passed, and Mayor London N. Breed signed, [Ordinance 243-18](#) (“the Ordinance”) to expand the extent to which women are represented and commemorated in the public sphere, including in artwork, statues, street names, facilities, parks, and more. It establishes a City policy which states that at least 30 percent of historic figures depicted or recognized in the public sphere be women. This level of representation is important because studies suggest that 30 percent is the proportion at which critical mass is reached so that a member of an underrepresented community is no longer seen as a token but can influence organizational culture and decision-making.ⁱ

The Ordinance sets forth the effort to increase women’s representation with a work of public art depicting Maya Angelou, an American poet, civil rights activist, and San Francisco’s first female cable car operator, to be installed in front of the Main Library by December 31, 2020. Lava Thomas, a Bay Area multidisciplinary artist who tackles issues of race, gender, representation, and memorialization, was commissioned to create the piece of art depicting Maya Angelou. However, the artist’s selection was initially blocked and then later approved by the Arts Commission in a controversial process. At this time, the artwork will not be installed by the deadline and the timeline for completion is unknown.

The Ordinance also created a fund to accept gifts for the design, construction, repair, and maintenance of public art depicting historic women. The Ordinance further requires the Department on the Status of Women to, from 2020 on, report on the representation of women depicted in public art and on public property biennially. This is the second year of this report.

As we learn more about the data, some changes have been made to the analysis to better capture the representation of women. This includes expanding the public art category beyond the Arts Commission collection and incorporating buildings and other features named for both men and women into the overall data. Although these changes affected the proportion of women depicted or named in individual categories, the overall representation of women in City property remains at 12 percent. The 2019 report found 9 percent women’s representation in public art, 7 percent of street names, 14 percent of buildings, and 22 percent of parks. For 2020, the proportion of nonfictional women recognized in public property is the following:



The full report and initial 2019 report are available at the San Francisco Department on the Status of Women website, <https://sfgov.org/dosw/gender-analysis-reports>.

INTRODUCTION

Public art and other representations of individuals on City property serve as a vehicle to recognize people who have significantly contributed to society. The United States has less than 400 statues depicting real historic women.ⁱⁱ Generally, statues tend to portray war heroes or elected officials, who are overwhelmingly White men. When women are portrayed in statues, they are often hypersexualized, fictional characters, or a means to carry a metaphor, such as Lady Liberty.

Today, women have accomplished an extensive array of achievements and hold more positions of power than ever. Regardless, recognition of women in the public sphere is disproportionate. Recent efforts to change this underrepresentation of women were catalyzed by the Empowerment 2020 movement led by former US Treasurer Rosie Rios, known for initiating the process to feature a woman on US currency. Empowerment 2020’s efforts also extended to women’s representation in education and statues.

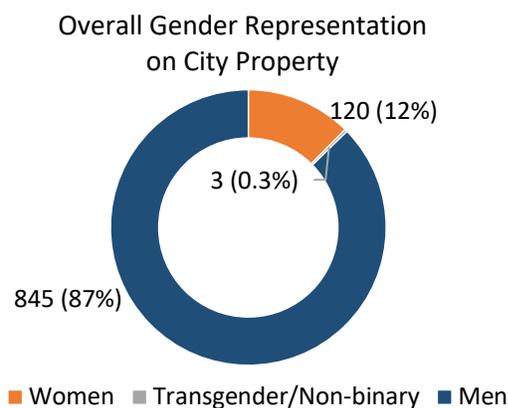
This movement inspired several US cities to take action. New York City previously had five statues depicting historic women.ⁱⁱⁱ This year, New York City unveiled three new statues of women, Elizabeth Cady Stanton, Sojourner Truth, and Susan B. Anthony, in Central Park. New York City has plans for dozens more statues to come, including a statue of the late US Supreme Court Justice Ruth Bader Ginsburg.



Representation is important. Psychologists, such as Albert Bandura, suggest that at early stages of development we tend to perform observational learning: the idea that we imitate what we see. If women and girls do not see accomplished women honored in their cities as much as men do, they may be at danger of asking themselves: “Are women even capable of accomplishing great things?” This in turn may limit their aspirations and the fields young women enter, like science, politics, and business.

With the passage of [Ordinance 243-18](#),

San Francisco similarly hopes to increase the representation of women in the public sphere, by breaking what some call the “bronze ceiling.” The Ordinance also requires regular reporting by the San Francisco Department on the Status of Women of the progress to reach 30 percent women’s representation in public art, street names, buildings, and parks. This report is the second such report following the initial benchmarking report issued in December 2019.



Although there have been some changes to the proportion of women depicted or named in individual categories, the overall representation of women in City property has not increased. As of December 2020, the overall representation of women in City property averages to 12 percent, well below the Ordinance’s 30 percent goal, with street names and public art requiring the most attention. This year, there were a total of 968 representations or depictions of historic figures on City property reported to our Department, 120 representing women, 845 of men, and 3 of transgender and non-binary individuals, including one transgender woman and one transgender man.

METHODOLOGY

City departments provided the data for this report as required by Ordinance 243-18, including the Arts Commission, the City Administrator, Public Works, and the Recreation and Parks Department. Departments compiled a list of historic figures depicted or recognized by name in properties under their jurisdiction. Artwork in museums and spaces requiring an admission fee were excluded per the Ordinance. Data that was posted on each Departments' website or received by the Department on the Status of Women by November 1, 2020 was included in this report. Additionally, supplementary data was provided by the Port of San Francisco, the San Francisco International Airport, the San Francisco Public Library, and the Department on the Status of Women.

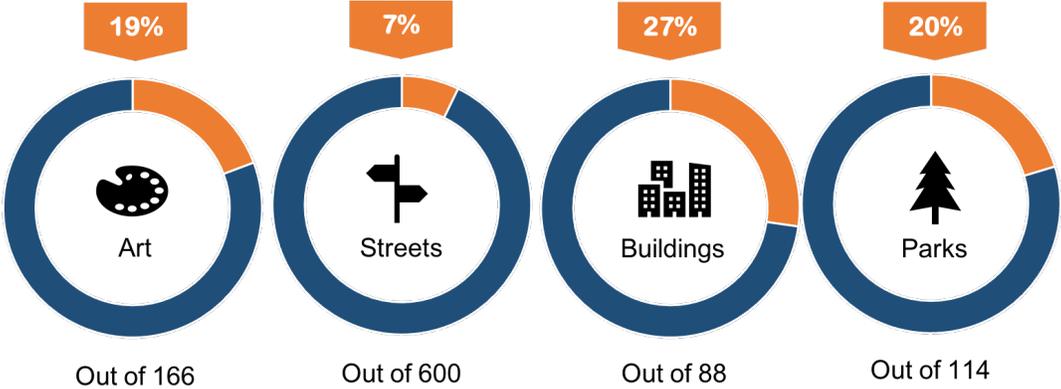
The objective of this analysis is to measure the current proportion of public property depicting or recognizing nonfictional historic women and to monitor progress towards the City's goal of reaching at least 30 percent representation of women in City property. This report highlights the importance of the representation and commemoration of women. It also serves to measure gender equity in the public sphere and to inform future naming decisions and depictions of historic people.

This is the second report of its kind and, since the previous year, there have been some updates in the method of analysis and categorization of the data. Each subsection of City property (public art, streets, buildings, and parks) now includes data from multiple City departments. Any public art, streets, buildings, or parks that depict or recognize more than one person were counted as collectively representing either women or men. In the case that both women and men were featured, it was included in each category, once to represent women and once to represent men, rather than being counted in their own category. Additionally, the method for establishing whether an aspect of City property depicts a nonfictional figure has been adapted to include public art figuratively depicting a historical group of people, that does not identify specific individuals (i.e., Comfort Women, Holocaust Survivors, Volunteer Firefighters). This change reflects the intention of the Ordinance to increase the visibility of women and their contributions to society.

In this report, the terms women and men are used as identifiers which encompass the social, institutional, and cultural roles and responsibilities of women and men, regardless of their sex assigned at birth. It is important to acknowledge that these definitions of gender identity may not be fully representative of the gender identities of San Franciscans and others throughout history. However, when known, transgender and gender expansive identities were included.

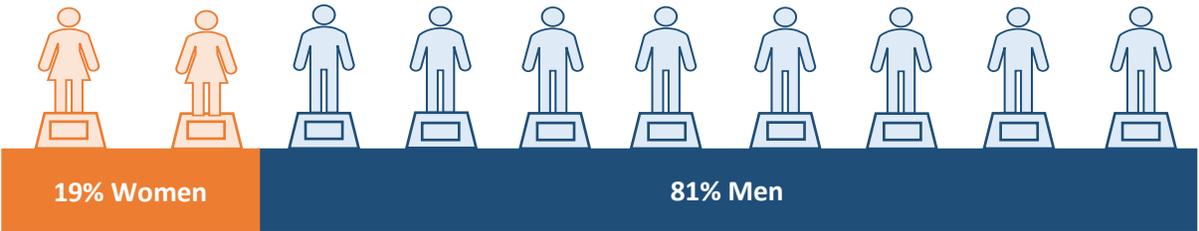
FINDINGS

Based on the data gathered, the results of the analysis of the representation of women in City property, including public art, street names, buildings and other facilities, and parks and open spaces are the following:



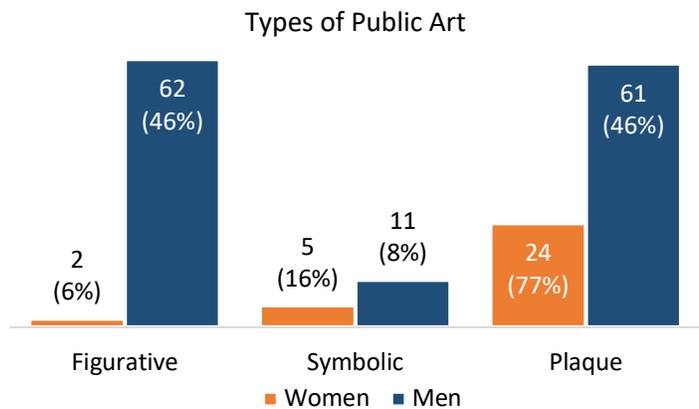
Public art is comprised of 166 pieces, 19 percent of which depicts or represents women, including sculptures, monuments, and plaques. City streets are currently the furthest from the City’s goal, at seven percent, 23 percentage points away. Buildings are the closest to the City’s goal, only three percentage points away, however, it is also the smallest category. Buildings include City property recognizing nonfictional figures such as buildings, rooms, facilities, and other fully enclosed structures. The category parks included outdoor spaces open to the public such as parks, playgrounds, other features within parks, and some non-green open spaces. In all of these categories, it is common that the individuals featured, either by name or figuratively, were involved in funding or donating to that feature or the City more broadly. Each of these categories is discussed in more detail in the subsequent sections.

PUBLIC ART



Public art refers to all permanently sited works of art in public spaces, including sculptural monuments, memorials, benches, gates, or plaques. In total, there are 166 artworks depicting or recognizing historic individuals, 81 percent represent men (134), 19 percent women (31), and one percent non-binary (1). This category is 11 percentage points behind the Ordinance’s 30 percent goal. This would require the addition of 26 monuments named after or depicting historic women. The large change from 2019, when 9 percent of public art represented women, is because this year’s data incorporates public art from all City departments and includes additional figurative depictions recognizing historical people (i.e., Comfort Women, Holocaust Survivors, Volunteer Firefighters).

Public works of art include depictions of nonfictional historic individuals through three-dimensional figures that honor a real person in their likeness or represent them through symbolic artwork or a plaque. Out of 31 pieces representing women, two are figurative depictions and five are symbolic depictions that name a historic woman or group of women. Meanwhile, twenty-four (77 percent) works of public art that recognizes historic women, are plaques. In contrast to the works of art which feature women, those of men are far more often (46 percent) figurative depictions of that specific individual. Men are also commonly found on plaques around the City.



The data for this section comes from the Arts Commission, the Recreation and Parks Department, and the Port of San Francisco. The table below shows the breakdown of public art by City department.

Public Art by City Department

Department	Public Art Pieces	Women	Percent Women
Arts Commission	83	10	12%
Rec and Park ¹	32	8	25%
Port	15	1	7%
Public Works	36	12	33%
Total	166	31	19%

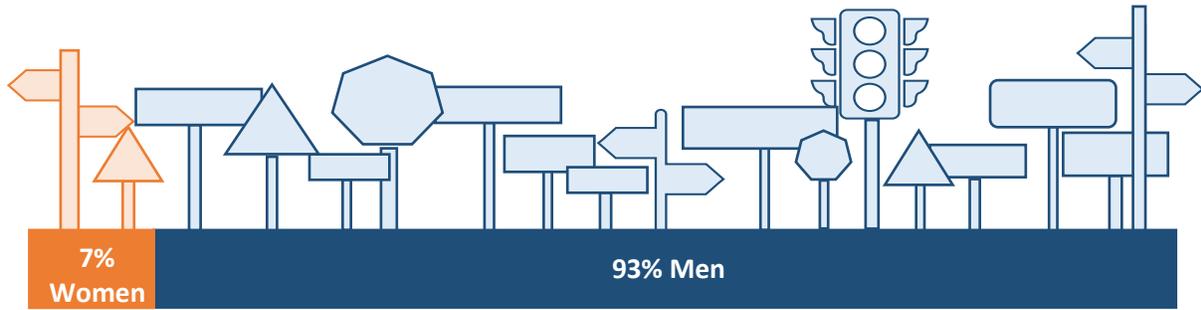
Although Public Works did not report information on art, they are listed for the Rainbow Honor Walk, located in San Francisco’s Castro neighborhood. A nonprofit organization of the same name selected the honorees and funded the creation of the plaques that were approved by the Arts Commission and installed in the sidewalk by Public Works, who also has a role in maintaining them. This landmark features portraits and descriptions of 36 pioneers of the LGBTQ+ community who have contributed to society in a variety of fields. Thirty-three percent of the honorees identify as women (12), including Christine Jorgensen who one of the first people in the US widely known to have sex reassignment surgery, and 64 percent identify as men (23), including Lou Sullivan another transgender pioneer.² One honoree identified as non-binary, We’wha, a famous Two-Spirit Zuni advocate.^{iv}

Additionally, the data lacks two-dimensional works of art, such as murals, paintings, and mosaics. Hopefully these will be included in future updates to this report to allow for a more comprehensive picture of who is represented in public art. Despite the underrepresentation of women depicted in works of public art, the Arts Commission has made a significant effort towards supporting gender equality in the arts by awarding 50 percent of its commissions to female artists.

¹ Rec and Park reported a number of statues also reported by the Arts Commission. As to not duplicate data, these pieces of public art are only listed under the Arts Commission.

² Classified by gender for each honoree’s self-identified gender.

STREET NAMES



The representation of women in San Francisco’s street names includes all officially valid avenues, streets, drives, ways, lanes, courts, places, and roads reported by Public Works and the Recreation and Parks Department. Out of the 600 streets named after historic individuals, 93 percent of streets are named for men (557) and 7 percent are named for women (43). This category is 23 percentage points behind the Ordinance’s 30 percent goal. This would require the naming of approximately 200 streets for women.

Location of San Francisco Streets Named for Women

Zip Code/Neighborhood	Number of Streets	Map of Streets Named After Women
94124: Bayview-Hunters Point	12	
94132: Lake Merced	7	
94109: Russian Hill/ Polk (Nob Hill)	3	
94103: South of Market	2	
94112: Ingleside-Excelsior/ Crocker-Amazon	2	
94115: Western Addition/ Japan Town	2	
94127: West Portal/ St. Francis Wood/ Miraloma	2	
94131: Twin Peaks/ Glen Park	2	
94102: Hayes Valley/ Tenderloin/ North of Market	1	
94107: South Park/ SOMA	1	
94117: Haight-Ashbury	1	
94118: Inner Richmond (Golden Gate Park)	1	
94121: Outer Richmond (Golden Gate Park)	1	
94134: Visitation Valley/ Sunnysdale	1	

Legend • Street Named After a Nonfictional Woman

Of the existing 43 streets named after historic women in San Francisco, the Bayview-Hunters Point neighborhood has the most. Ten out of 12 of these streets in the Bayview-Hunters Point neighborhood are named after racially diverse activists who sought to make Bayview-Hunters Point a better place. For example, the “Big 5,” a group of local African American women advocates from the 1960s, Julia Commer, Osceola Washington, Elouise Westbrook, Bertha Freeman, and Beatrice Dunbar.

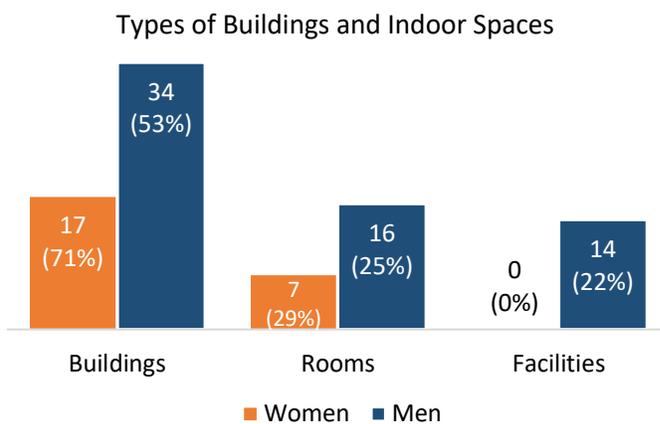
Lake Merced, located near San Francisco State University and the surrounding student housing, has the second most streets named after historic women. Four out of seven of these streets, which surround a roundabout, are named after members of the Juan Bautista de Anza expedition to San Francisco during

1775-1776, including Juan Bautista de Anza’s wife, Juana Cardenas. University and college campuses are a hub for more diverse street names. In 2018, a street near the City College of San Francisco campus was renamed Frida Kahlo Way. Additionally, most streets named after women in the Bayview-Hunters Point and Lake Merced neighborhoods are in very close proximity to one another, as mapped above.

BUILDINGS



The representation of women in City-owned buildings includes buildings, clubhouses, museums, recreation centers, community rooms, auditoriums, terminals, departure halls,³ staircases, rooms, and other enclosed places open to the public. The data provided does not include conference rooms, which the Ordinance calls for but were not available in time for this report. There are 88 City-owned buildings and other spaces named after nonfictional individuals, of which 73 percent (64) are named after men and 27 percent (24) are named after women. This category is three percentage points behind the Ordinance’s 30 percent goal. This would require the addition of 4 buildings or other spaces named after women.



Of the 24 City-owned properties and other indoor spaces named after women, 71 percent (17) are buildings, 29 percent (7) are rooms, and zero percent are facilities. City-owned properties named after men, on the other hand, are 53 percent (34) buildings, 25 percent (16) rooms, and 22 percent (14) facilities. Facilities, comprising spaces at which City employees work that are often far removed from larger crowds and have limited accessibility to the public, were all named after men. This lack of

representation of women in City facilities could set an unwelcoming tone, as many of these facilities house sectors of public employment which are overwhelmingly comprised of men, such as public transportation, sanitary engineering, construction, and first responders.

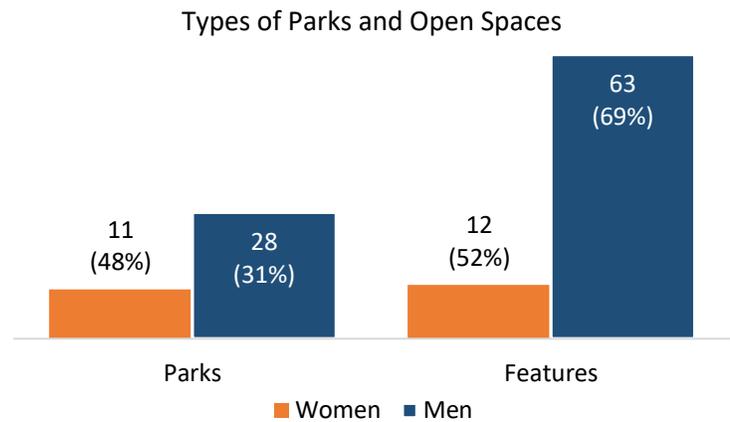
³ Does not include spaces beyond the airport security check point.

PARKS AND OPEN SPACES

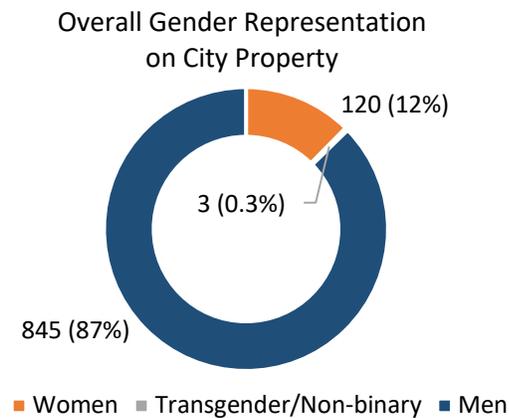


The representation of women in parks and open spaces includes public park sites, hills, gardens, playgrounds, tennis courts, squares, groves, yacht harbors, piazzas, golf courses, trees, and plazas. In total, under this category there are 114 outdoor spaces named for historical individuals, with men comprising 80 percent (91) and women comprising 20 percent (23). This category is 10 percentage points behind the Ordinance’s 30 percent goal of representation of women in the naming of public parks and open spaces. This would require the addition of 16 spaces named after women. Parks had a slight decrease in the representation of women from the previous year’s report, when 22 percent of parks represented women. This change is due to a few items, which were previously counted as parks, being moved to public art, such as benches, gates, plaques and other sculptural pieces found in City parks.

Of the 23 parks and open spaces which represent women, 48 percent (11) are parks and other outdoor spaces, and 52 percent (12) are features found within another park. Parks and open spaces named after men are 31 percent (28) parks and other outdoor spaces and 69 percent (63) are features found within another park. The category of parks included anything from mini-parks to some of San Francisco’s largest open spaces. Seven of the eleven parks named after women are two acres or less.



CONCLUSION



The overall representation of women in City property is 12 percent, 18 percentage points below the Ordinance’s 30 percent goal. Street names are the area with the smallest percentage of women represented, thus requiring the most attention to achieve the City’s goal. In order to create diverse representation across all of San Francisco, the location of City streets named after women should be considered. For public art, it is important to increase art that figuratively depicts women, as there are currently only two such artworks in San Francisco. It is also key to expand the number of City facilities that are named after women, which may encourage women to participate in male-dominated fields.

The overall representation of women in City property has not increased since last year. The change in representation in each subsection is due to improved methods of analysis and categorization. There were a total of 968 representations or depictions of historic figures on City property, 120 representing women, 845 of men, and three transgender and non-binary individuals, including one transgender woman and one transgender man. Future reports should include additional forms of art as well as conference rooms, which were not available at the time of data collection.

Local efforts to increase women’s representation in public art are underway with the creation of the artistic depiction of Maya Angelou that will be installed in front of the San Francisco Main Library. Similarly, many organizations and individuals are rallying to rename spaces recognizing historic figures who committed atrocious actions and instead name them after some of the many diverse civic heroes. We hope this report encourages naming authorities to promote gender equity and other forms of diversity when deciding who to recognize in the future.

ⁱ “Critical Mass: The Impact of Three or More Women on Corporate Boards.” Konrad A.M., Kramer, V., & Erkut, S. (2008). https://www.researchgate.net/publication/256923992_Critical_Mass_The_Impact_of_Three_or_More_Women_on_Corporate_Boards

ⁱⁱ “The US has fewer than 400 statues of women – but that’s changing.” Quartz. (2019). <https://qz.com/1732974/new-york-citys-central-park-will-get-its-first-statue-of-women/> and “Why the Dearth of Statues Honoring Women in Statuary Hall and Elsewhere.” Smithsonian American Art Museum’s Art Inventories Catalog, <https://www.si.edu/spotlight/women-in-wwi/smithsonian-american-art-museum-arts-inventories-catalog>

ⁱⁱⁱ Ibid.

^{iv} “Transgender Spotlight: We’wha.” Massachusetts Transgender Political Coalition. (2014). <https://www.masstpc.org/wewha/>

From: [Mchugh, Eileen \(BOS\)](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#); [BOS-Administrative Aides](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Young, Victor \(BOS\)](#); [PEARSON, ANNE \(CAT\)](#)
Subject: FW: Appointment of Becca Chappell to the SF Elections Commission
Date: Thursday, December 31, 2020 2:44:00 PM
Attachments: [Appointment Letter from SF Public Defender Raju.pdf](#)

Hello,

Please see the attached letter from the Public Defender Mano Raju to appointing Ms. Becca Chappell to the San Francisco Elections Commission.

Thank you,

Eileen McHugh
Executive Assistant
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-7703 | Fax: (415) 554-5163
eileen.e.mchugh@sfgov.org | www.sfbos.org

From: Auyong, Angela (PDR) <angela.auyong@sfgov.org>
Sent: Wednesday, December 30, 2020 11:22 AM
To: Arntz, John (REG) <john.arntz@sfgov.org>
Cc: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Boudin, Chesa (DAT) <chesa@sfgov.org>; Cisneros, Jose (TTX) <jose.cisneros@sfgov.org>; Mogi, Viva (REG) <viva.a.mogi@sfgov.org>; Delgadillo, Martha (REG) <martha.delgadillo@sfgov.org>; esther.Casco@sfusd.edu; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Rea, Diane (ADM) <diane.rea@sfgov.org>; Raju, Manohar (PDR) <manohar.raju@sfgov.org>; Chappell, Becca <RMChappell@Venable.com>; Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: Appointment of Becca Chappell to the SF Elections Commission

Dear Director Arntz,

Attached please find a letter from the Public Defender Mano Raju to appoint Ms. Becca Chappell to the San Francisco Elections Commission. If you have any questions, please contact Public Defender Raju or me. Thank you.

Best regards,
Angela

Angela Auyong | Office Manager
Office of the Public Defender | City & County of San Francisco
th

555 7 Street | San Francisco, CA 94103

Phone: (415) 553-1677 | Fax: (415) 553-1607 | Email: Angela.Auyong@sfgov.org

SAN FRANCISCO PUBLIC DEFENDER

MANOHAR RAJU – PUBLIC DEFENDER
MATT GONZALEZ – CHIEF ATTORNEY



December 28, 2020

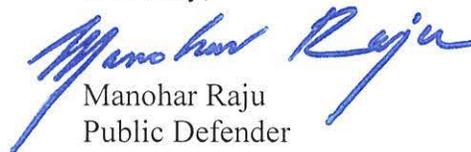
John Arntz
San Francisco Department of Elections
1 Dr. Carlton B. Goodlett, #48
San Francisco, CA 94102

Re: Appointment of Becca Chappell to the San Francisco Elections Commission

Dear Director Arntz:

Today, under Charter Section 13.103.5, I appointed Becca Chappell to serve as a member of the San Francisco Elections Commission, effective January 1, 2021. Ms. Chappell, who is a practicing transactional attorney and has a background analyzing and applying the law from a public policy and anti-abuse perspective, will serve until January 1, 2026.

Sincerely,


Manohar Raju
Public Defender

cc: Mayor London M. Breed
District Attorney Chesa Boudin
Treasurer Jose Cisneros
President of the San Francisco Elections Commission, Viva Mogi
Administrative Assistant to San Francisco Elections Commission, Martha Delgadillo
Executive Assistant to the SFUSD Board of Education, Esther Casco
Clerk to the Board of Supervisors, Angela Calvillo
County Clerk, Diane Rea

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: 12-31-20 SFJPD Semi-annual Report of Civil Detainers
Date: Thursday, December 31, 2020 12:04:00 PM
Attachments: [12-31-20 SFJPD Semi-Annual Report on Civil Detainers.pdf](#)

From: Cowan, Sheryl (JUV) <sheryl.cowan@sfgov.org>
Sent: Thursday, December 31, 2020 10:26 AM
To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Cc: Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Miller, Katherine (JUV) <katherine.miller@sfgov.org>
Subject: 12-31-20 SFJPD Semi-annual Report of Civil Detainers

Hello Ms. Calvillo!

Please find attached a copy of the 12-31-20 SFJPD Semi-annual Report on Civil Detainers. An emailed confirmation receipt for the Board of Supervisors would be most appreciated.

Take care, and, "Happy New Year!"

S. Cowan

Sheryl Cowan
Executive Assistant to
Chief Katherine Weinstein Miller, and
Assistant Chief Paula Hernandez
San Francisco Juvenile Probation Department
375 Woodside Avenue, Room 243
San Francisco, CA 94127
(415) 753-7556
Sheryl.cowan@sfgov.org



**City and County of San Francisco
Juvenile Probation Department**

Katherine Weinstein Miller
Chief Probation Officer

375 Woodside Avenue
San Francisco, CA 94127
(415) 753-7800

December 31, 2020

The Honorable Mayor London Breed
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 200
San Francisco, CA 94102-4689

San Francisco Board of Supervisors
c/o Ms. Angela Calvillo, Clerk of the Board
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

RE: Semi-Annual Report on Civil Detainers and communications with Federal agency charged with enforcement of the Federal immigration law (City Ordinance 12I)

Honorable Mayor Breed and Honorable Members of the Board of Supervisors:

This report is prepared and submitted by the Juvenile Probation Department in accordance with San Francisco Administrative Code Chapter 12I: Civil Immigration Detainers, Section 12I.5 Semi-Annual Report. The Department is pleased to report its compliance with the Civil Immigration Ordinance during reporting period June 30, 2020 through December 31, 2020.

Administrative Coded Section 12I.5 requires the Department to submit a report on a semiannual basis, as follows:

- (a) A description of all communications the Department made to the Federal agency charged with enforcement of the Federal immigration law, including but not limited to the number of civil immigration detainers, notification requests, or other types of communications.
- (b) A description of any communications the Department made to the Federal agency charged with enforcement of the Federal immigration law, including but not limited to any Department's responses to inquires (sic) as described in subsection 12I.5 and the Department's determination of the applicability of Subsections 12I.3(b), 12I.3(d), and 12I.3(e).

The following reflects SFJPD's interactions with Federal Authorities responsible for the enforcement of Federal immigration law. During the reporting period of June 30, 2020 through December 31, 2020:

1. Number of Detentions solely on Civil Immigration Detainers = 0
2. Rationale behind each civil immigration detainer = N/A

3. Communications:

- a. Detainers received = 0

The Juvenile Probation Department received 0 Detainers during this reporting period.

- b. Notification Requests received = 0

Applicability of 12I.3(d); 12I.3(b); and 12I.3(e)

Juveniles adjudged as wards of the court pursuant to Section 602 of the Welfare and Institutions Code are handled as civil cases. These matters are generally not classified as convictions, even though the criminal conduct may be comparable to that committed by an adult. Therefore, as written, sections 12I.3(b), 12I.3(d), and 12I.3(e), would never apply to minors subject to juvenile court petitions, unless San Francisco adopted the same meaning of the term "Conviction" as applied in the California Trust Act, Section 7282 of the Government Code. State law with respect to standards for responding to United States Immigration and Customs Enforcement Holds (ICE) in California states: "'Conviction' shall have the same meaning as subdivision (d) of Section 667 of the Penal Code.'" Section 667(d)(3)(A-D) of the Penal Code states that a prior juvenile adjudication shall constitute a prior serious and/or violent felony conviction for purposes of sentence enhancement if:

- (A) The juvenile was 16-years old or older at the time he or she committed the prior offense.
- (B) The prior offense is listed in subdivision (b) of Section 707 of the Welfare and Institutions Code or described in paragraph (1) or (2) as a serious and/or violent felony.
- (C) The juvenile was found to be a fit and proper subject to be dealt with under the juvenile court law.
- (D) The juvenile was adjudged a ward of the juvenile court within the meaning of Section 602 of the Welfare and Institutions Code because the person committed an offense listed in subdivision (b) of Section 707 of the Welfare and Institutions Code.

The term "Conviction" would only apply if Section 12I explicitly includes juveniles in the definition of "Convicted" and/or clarifies the applicability of subsections 12I.3(d), 12I.3(b), and 12I.3(e) to include juveniles. Otherwise, those provisions would not be applicable to minors subject to juvenile court petitions.

The SFJPD is available to answer any questions regarding its compliance with City Ordinance 12I.

Sincerely,



Paula Hernandez, Assistant Chief Probation Officer

C: Katherine Weinstein Miller, Chief Juvenile Probation Officer
Gary Levene, Acting Director of Probation Services

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#); [BOS-Administrative Aides](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#)
Subject: FW: HSH Weekly SIP Hotel Report - January 4, 2021
Date: Monday, January 4, 2021 8:23:00 PM
Attachments: [1.4.2020_HSH_SIP_Hotel_Reporting_FINAL.pdf](#)
[Outlook-DHSH_symbo.png](#)

From: Schneider, Dylan (HOM) <dylan.schneider@sfgov.org>
Sent: Monday, January 4, 2021 6:14 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; BOS-Administrative Aides <bos-administrative-aides@sfgov.org>
Cc: Mchugh, Eileen (BOS) <eileen.e.mchugh@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Kittler, Sophia (MYR) <sophia.kittler@sfgov.org>; Cohen, Emily (HOM) <emily.cohen@sfgov.org>; Stewart-Kahn, Abigail (HOM) <abigail.stewart-kahn@sfgov.org>
Subject: HSH Weekly SIP Hotel Report - January 4, 2021

Honorable Supervisors and Aides,

Please find attached the first weekly written report to fulfill the reporting requirements in Emergency Ordinance 273-20, File No. 201328.

Please let me know if you have any questions.

Sincerely,
Dylan

Dylan Rose Schneider (she/her)

Manager of Policy and Legislative Affairs

San Francisco Department of Homelessness and Supportive Housing

Dylan.schneider@sfgov.org | C: 415.961.8257

Learn: hsh.sfgov.org | Follow: [@SF_HSH](https://twitter.com/SF_HSH) | Like: [@SanFranciscoHSH](https://twitter.com/SanFranciscoHSH)

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Personal Health Information (PHI) contained herein may subject the discloser to civil or criminal penalties under state and federal privacy laws.



MEMO

January 4, 2021

To: Honorable Members of the San Francisco Board of Supervisors

From: Department of Homelessness and Supportive Housing (HSH)

Re: Shelter in Place (SIP) Hotel Emergency Ordinance Reporting Requirements

Overview

In March 2020, a [shelter-in-place order](#) was issued by the San Francisco Department of Public Health (DPH) due to the community spread of COVID-19. The City activated the first Shelter-in-Place (SIP) hotel in April 2020, providing a safe place for individuals who were at the highest risk for severe disease. Over the intervening months, the City expanded the emergency SIP program to include 25 SIP hotel sites. Thanks to the hard work of City Departments and nonprofit partners, San Francisco opened and filled nearly 20% of all hotel rooms operated as part of the State's Project Roomkey, despite San Francisco only having 5% of the state's homeless population.

Given the large number of SIP sites, the Department of Homelessness and Supportive Housing (HSH) created a data- and stakeholder-informed SIP Rehousing and Site Demobilization Proposal to connect people from the temporary SIP hotels to permanent solutions.

The [SIP Rehousing and Site Demobilization Proposal](#) uses a disaster rehousing model to move people from SIP sites into a variety of permanent housing interventions quickly. This model focuses rehousing efforts to act with urgency, connecting people in need immediately to housing resources, removing onerous documentation requirements and accessing needed public benefits and supports quickly. Additionally, HSH is exploring how to offer COVID-safe housing fairs within the plan to centralize resources onsite to assist the guests to connect to housing, receive service referrals and assist with move-out coordination, and is working with DPH to identify safe practices for quickly rehousing guests. This implementation strategy is contingent upon staffing support, new funding for an array of housing options needed to safely move guests from temporary hotels to stability and continued stakeholder input. As additional funding is approved and input received, HSH will work to continue to evolve the approach, but intends it to be iterative as The City continues to respond to the pandemic.

San Francisco recognizes that housing is healthcare. Guests who were referred to SIP sites since April 2020 are largely medically vulnerable and housing will not only further mitigate the spread of COVID-19 but improve the quality of life for our most vulnerable residents. It is to the City's benefit to rehouse guests in permanent housing and move forward with demobilizing these temporary and emergency resources in order to effectively utilize available resources to continue to provide permanent solutions to people experiencing homelessness.

Emergency Ordinance 273-20: Overview

On December 8, 2020 the Board of Supervisors unanimously passed Emergency Ordinance 273-20 "Limiting COVID-19 Impacts by Not Moving People Experiencing Homelessness Currently Placed in Shelter-in-Place Hotel Rooms". The effective date of the Ordinance is December 23, 2020. An executed



copy of the legislation by Mayor London N. Breed was included in Board File No. 201328 [accompanied by a letter](#) from Mayor Breed addressed to the Board of Supervisors acknowledging that with the passage of this Ordinance the Board of Supervisors have directed a policy shift to utilize more of the City's resources for temporary shelter. By expanding the SIP hotel program away from COVID response and continuing to utilize backfills to these sites as temporary shelter there is a very real possibility that we may be returning people to the streets once FEMA funding has ended for this program.

Emergency Ordinance 273-20: Reporting Requirements

This memo serves as the first public written report provided to the Board of Supervisors and to be included in Board File No. 201328 on a weekly basis or until a public dashboard is produced that meets the reporting requirements. HSH looks forward to providing additional details to fulfill the reporting requirements in future reports. Please note, the data included in this initial report is subject to change based on improvements to data quality and continued reconciliation efforts.

For the purposes of this report, the terms "client", "guest" or "household" refer to data collected by head of household. This methodology is standard when providing client-level data across multiple sub-populations. All data included in this report pertains to the "SIP Rehousing Cohort" which includes all guests active in SIP hotels as of November 15, 2020 whom the City has committed to provide permanent exits to through the SIP Rehousing process.

I. Guest Status Reporting

The data below related to Guest Status reflects data as of December 30, 2020. Future reporting will include the following categories in total and disaggregated by race, ethnicity and Sexual Orientation and Gender Identify (SOGI).

- (a) *Guests in SIP Rehousing Cohort:* 1,912 active SIP hotel guests included in the SIP Rehousing Cohort of 2,146. This data reflects 1,937 Adults, 67 Families, 47 Transitional Aged Youth (TAY) and 89 Veterans and 6 uncategorized guests.
- (b) *Guests who received a Problem Solving Screening:* 486 guests have received a Problem Solving Screening. This data reflects 442 Adults, 14 Families, 9 TAY and 20 Veterans and 1 uncategorized guest. Problem Solving Screening is a new tool that was developed in November 2020 to identify whether or not a guest may have strong opportunities to resolve their homelessness through Problem Solving strategies. It is important to note that Problem Solving Screenings are distinct from Problem Solving Conversations which are a component of the Coordinated Entry system pre-COVID.
- (c) *Guests deemed Problem Solving Status:* 690 guests have been determined to be Problem Solving Status. This data reflects 635 Adults, 17 Families, 14 TAY and 24 Veterans. Please note that with the integration of Pandemic Prioritization the status of these guests may change.
- (d) *Guests who received a Coordinated Entry Primary Assessment:* 1,727 guests have received a Coordinated Entry Primary Assessment and 419 guests have never received a Coordinated Entry Primary Assessment. Of the 1,727 guests with an assessment, 1,079 have an active assessment and 648 have an inactive assessment. Of the 1,727 guests who have received a Coordinated Entry Primary Assessment at some point in time, this data reflects 1,567 Adults, 43 Families, 38 TAY, 75 Veterans and 4 uncategorized guests.



- (e) *Guests deemed Housing Referral Status:* 590 guests have been assessed and determined to be Housing Referral Status. This data reflects 509 Adults, 20 Families, 20 TAY, 38 Veterans and 3 uncategorized guests.
- (f) *Guests deemed Pandemic Prioritization Status:* HSH is actively working with partners to implement Pandemic Prioritization and look forward to providing additional reporting as this data becomes available. Included below is an overview of Pandemic Prioritization categories and estimated population distribution of SIP hotel clients included in the SIP Rehousing Cohort. Please be aware that assigning pandemic prioritization is a collaborative effort with the Department of Public Health (DPH) which requires validating medical information and cross-referencing data.

II. Exit Reporting

The data below related to Exit Reporting reflects data for guests in the SIP Rehousing Cohort who have exited to date as of December 30, 2020. Rehousing efforts were intentionally slowed over the last few months in order to update the SIP Rehousing Proposal and develop and implement the pandemic prioritization. Future reporting will include the following categories in total and disaggregated by race, ethnicity and Sexual Orientation and Gender Identify (SOGI) as well as include distinct data sets for Adults, Families, Transitional Aged Youth (TAY) and Veterans.

- (a) *Permanent Housing - Permanent Supportive Housing (PSH):* 49 guests have exited SIP hotels to Permanent Supportive Housing.
- (b) *Permanent Housing - Flexible Housing Subsidy Pool:* 7 guests have exited SIP hotels to the Flexible Housing Subsidy Pool.
- (c) *Permanent Housing - Rapid Rehousing (RRH):* 1 guest has exited to Rapid Rehousing.
- (d) *Homelessness Prevention/Problem Solving:* There are no confirmed exits through Homelessness Prevention/Problem Solving. Homeless Prevention programs provide one-time or short-term financial assistance to individuals and families such as Problem Solving and Diversion Plus.
- (e) *Homeward Bound:* There are no confirmed exits through Homeward Bound.
- (f) *Institutional Setting:* 7 guests have exited to a hospital, nursing or long-term care facility. Future reporting will include additional Institutional Setting exit locations.
- (g) *Other:* Future reporting will include additional exit locations and definitions as appropriate.

III. Available Exits

The data below related to Available Exits reflects data as of December 30, 2020. Future reporting will include additional details including breakdown of Available Exits by subpopulation for Adults, Families, Transitional Aged Youth (TAY) and Veterans.



- (a) *Permanent Housing – Permanent Supportive Housing*: There are over 8,000 total units/slots of Permanent Supportive Housing (PSH) in the HSH PSH portfolio. Of these, 638 units/slots are currently available with an additional 1,134 planned.
- (b) *Permanent Housing – Flexible Housing Subsidy Pool*: There are 329 total units/slots in the Flexible Housing Subsidy Pool portfolio. Of these, 102 are currently available with an additional 890 planned.
- (c) *Permanent Housing – Rapid Rehousing*: There are 1,298 units/slots in the Rapid Rehousing portfolio. Of these, 478 are currently available with an additional 430 planned.
- (d) *Homelessness Prevention/Problem Solving – Diversion Plus*: There are 250 units/slots of Diversion Plus planned. Additional details to be provided in future reporting. Diversion Plus is a Problem Solving intervention that offers rental assistance for up to a year through a one-time grant.

Glossary

A glossary that includes terms used in the reporting above is included in this report as Appendix A. This glossary will continue to be updated to reflect any additional terminology that is utilized in future reporting.



APPENDIX A: Glossary of Key Terms

TERM	DEFINITION
Adult/s	An individual age 18 or over living in a household of one or more people without minor children, or an individual under 18 who has been legally emancipated.
Available Exits: Total Units / Slots	The total number of units, slots, or subsidies dedicated to homeless clients under HSH's placement control. Includes both occupied and unoccupied resources.
Available Exits: Currently Available	The total number of vacant units, slots, or subsidies under HSH's placement control that are currently available for referral.
Available Exits: Planned	The total number of units, slots, or subsidies that are planned for opening by January 1, 2022. Includes inventory that has a funding request submitted, already has a funding commitment in place, and/or has a contract agreement with a provider already in place.
Coordinated Entry	Coordinated Entry facilitates the coordination and management of resources and services through the Homelessness Response System by utilizing common, population-specific assessments, a centralized data system, and a prioritization method that directs clients to the appropriate resources and allows for data-driven decision making and performance based accountability. Coordinated Entry in San Francisco is organized to serve three subpopulations: Adults, Families and Youth.
Coordinated Entry: Inactive Assessment	Applies to households who have a Coordinated Entry Primary Assessment that is more than 6 months old and have not maintained contact with the Access Points and/or Coordinated Entry System.
Coordinated Entry Primary Assessment	Coordinated Entry Primary Assessments are used to provide a standardized and consistent method for assessing households experiencing homelessness to identify who will be prioritized to receive an HSH-funded housing resource.
Coordinated Entry Status: Housing Referral Status	Housing Referral Status refers to households that are prioritized for HSH housing resources as a result of their Coordinated Entry Primary Assessment results. Housing Referral Status households are limited based on the number of housing placements available.
Coordinated Entry Status: Problem Solving Status	Problem Solving Status refers to households that are currently enrolled in the Coordinated Entry program in the ONE System and are not "Housing Referral Status."
Current SIP Status	Indicates if a guest is actively staying at a SIP Hotel or if they have exited.
Demobilization Phase	As part of the SIP Rehousing Plan, all SIP Hotels have been assigned to one of four phases in order to sequence site demobilization and client rehousing.
Diversion Plus	Problem Solving intervention that offers rental assistance for up to a year through a one-time grant.



Family (Families)	A household consisting of one or more adults with physical and legal custody of one or more minor children; or one or more adults in a household which includes a person who is pregnant; or one or more adults with one or more minor children not currently in their custody who are expected to reunify in less than 90 days and who have a letter from Child Protective Services stating that the only barrier to reunification is lack of shelter or housing.
Flexible Housing Subsidy Pool	A Flexible Housing Subsidy Pool provides tenants with an ongoing subsidy to utilize in housing units available in the private housing market. Flexible Housing Subsidy Pool programs include housing coordination, case management, and on-going in-home support.
Homeless Prevention	Homeless Prevention programs provide one-time or short-term financial assistance to individuals and families at imminent risk of becoming homeless to maintain their housing or find suitable alternative housing before becoming homeless.
Homeward Bound	The Homeward Bound program provides relocation assistance help reunite people experiencing homelessness in San Francisco with family and friends willing and able to offer ongoing support to end the cycle of homelessness.
Pandemic Prioritization	Pandemic Prioritization categories inform housing placement out of SIP Sites by adjusting Coordinating Entry Systems to prioritize guests for housing based on health vulnerabilities that will cause them to become severely ill from COVID.
Permanent Supportive Housing (PSH)	HSH administers locally and federally funded supportive housing to provide long-term affordable housing with on-site social services to people exiting chronic homelessness.
Problem Solving	Problem Solving is a strategy to assist clients in exploring safe options for housing outside of the Homeless Response System. Problem Solving solutions can include, but are not limited to, mediation with family, friends, landlords, or others, family reunification, or limited financial assistance to help preserve or secure housing.
Problem Solving Screening	The Problem Solving Screening was a new tool introduced in November 2020 to quickly assess a client's opportunities to resolve their homelessness through Problem Solving Strategies (aka diverted from Homeless Response System resources).
Rapid Rehousing (RRH)	Rapid Rehousing provides time-limited rental assistance and services for households exiting homelessness. It includes housing identification, temporary rent and assistance, and case management.
Shelter In Place (SIP) Hotel	Shelter In Place (SIP) Hotels are part of the City's COVID-19 Alternative Housing program that provides emergency, temporary shelter options for the City's most vulnerable populations. SIP Hotels provide non-



	congregate, temporary shelter for people experiencing homelessness at highest risk of the disease.
SIP Rehousing Cohort	The SIP Rehousing Cohort refers to clients that were active in SIP Hotel sites as of November 15, 2020.
Transition Age Youth (TAY)	Transition Age Youth (TAY) are unaccompanied individuals between the ages of 18-24, or unaccompanied individuals under 18 who have been legally emancipated. Certain services and resources may be available for an extended definition of TAY up to 29 years old.
Uncategorized Guests	Refers to guests whose age has not been confirmed and could either be categorized as an Adult or TAY.

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Remarks for item #1 - GAO January 7, 2021 - File No. 201372
Date: Thursday, January 7, 2021 1:23:00 PM
Attachments: [image001.png](#)

From: Carroll, John (BOS) <john.carroll@sfgov.org>
Sent: Thursday, January 7, 2021 10:39 AM
To: Karin Flood <karinlflood@gmail.com>
Cc: Pagan, Lisa (ECN) <lisa.pagan@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: RE: Remarks for item #1 - GAO January 7, 2021 - File No. 201372

Thank you. I will add these comments and send them to the full Board for their consideration with the subject resolution.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.

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The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

Disclosures: *Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

From: Karin Flood <karinlflood@gmail.com>

Sent: Thursday, January 7, 2021 10:36 AM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Cc: Pagan, Lisa (ECN) <lisa.pagan@sfgov.org>
Subject: Re: Remarks for item #1

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear John:

I just sent these remarks to you and hope they will be included in the full packet to the Board of Supervisors. I was on the line this morning waiting to speak at the Gov & Audit Committee item 1 and following the hearing and somehow my call was not registered. I pressed *3 when directed to and then heard there were no callers on the line. Anyway here are my remarks again.

Thank you.

Karin

Sent from my iPhone

On Jan 7, 2021, at 11:14 AM, Karin Flood <karinflood@gmail.com> wrote:

Remarks

Please add to packet to Gov & Audit item #1

Good morning Supervisors Peskin, Haney and Mar

My name is Karin Flood and I am the Executive Director of the Union Square BID. By

Thank you for the opportunity to make comments about this resolution which appears to be additional oversight on the operations of privately funded organizations (BIDs and CBDs) that are set up to enhance City Services. - mostly public safety and cleanliness.

Let me first just say that this has been an incredibly challenging year for all of us and the for the people who come to work and try to run their businesses in Union Square we are collectively concerned about our our economic viability and our future. And not just because of the pandemic but more because of the weaknesses that the pandemic

has exposed namely public safety issues.

Over the past year we have had 2 shootings in broad daylight, we have had vehicles drive through our store windows, we had a security guard held down while at one of our stores while thieves pushed their way into the store to steal merchandise, it seems every other day there is a store break in. Sometimes I watch some of this footage and it is deeply troubling. Employees are scared. The area does not feel safe. Many of our stores now have to hire armed guards outside and if you want to be really safe you also have to pay for 1-2 inside

At the end of May we had 36 store windows smashed, merchandise taken, vandalism covering our buildings - easily \$50 million dollars worth of damage, our foot traffic is down 90% from last year, large brand stores are closing on Powell Street our busiest street and I could go on.

We set up a private security camera system starting in 2013 with 6 cameras to help protect ourselves and our properties. We now have about 375 cameras. With all the activity I just described we provide camera footage for probably 1-2 incidents a day that assists in an SFPD investigation. We have our own camera policy that we established with advice from the police on how the system should be used and a Board of Directors who oversees our operations and acts responsibly. Most of the system was funded by additional funds raised beyond our assessments. We have shared some of this funding and expertise with other districts including Mid Market, Tenderloin, Japantown and Chinatown.

Our concern with this legislation is that it will place an additional administrative burden on our organizations (if I may speak for the other CBDS) many of which only have a few staff members. The additional reporting of funds, the extra public hearings. Instead of more oversight we need help and support from our elected officials and from those in our criminal justice system to keep us safe. Instead when we are down and struggling you are asking for more oversight?

The oversight of the camera system should already be covered in the policy that is being developed by SFPD and I would hope also for all of the other agencies that request camera footage from us - the DAs office, Public Defender's office as well.

As for the funding - we haven't received an anonymous donation in 2 years - some very generous person through the SVCF funded a good portion of our camera system early on and we are so grateful for that investment. To have to record every donation of any amount doesn't make sense - maybe there should be a threshold - over \$500.

If our criminal justice system as a whole actually served us our camera system would be even more effective in deterring and solving crime and we might actually be able to protect ourselves and our properties better.

Just before the holidays all the CBDs received a video from Mayor Breed thanking us for our service and for really stepping up to help keep our City clean and safe in this incredibly challenging year. This is what I would have hoped to receive from all of you as well instead of a request for more oversight. Really?

Thank you.

Karin Flood

Sent from my iPhone

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Young, Victor \(BOS\)](#)
Subject: FW: Support for SFMTA Board appointments
Date: Monday, January 4, 2021 4:50:00 PM
Attachments: [SFTR support for Fiona Hinze 01.04.21.pdf](#)
[SFTR support for Manny Yekutiel 01.04.21.pdf](#)

From: Cat Carter <cat@sftransitriders.org>
Sent: Monday, January 4, 2021 3:51 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Cc: Tumlin, Jeffrey (MTA) <Jeffrey.Tumlin@sfmta.com>; MTABoard <MTABoard@sfmta.com>; Mark Cordes <mark@sftransitriders.org>; fiona@ilrcsf.org; Manny <manny@welcometomannys.com>
Subject: Support for SFMTA Board appointments

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear President Yee and Supervisors,

Attached find our letters of support for the appointments of Fiona Hinze and Manny Yekutiel to the SFMTA Board of Directors.

Thank you,
Cat

--



Cat Carter
Operations & Communications
she/her
sftransitriders.org





January 4, 2021

Board President Norman Yee and Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689

Re: Support for appointment of Fiona Hinze to the SFMTA Board of Directors

Dear President Yee and Supervisors,

San Francisco Transit Riders (SFTR) is the city's member-supported advocate for transit riders and for affordable, efficient, and growing transit. We wish to express our strong support for the appointment of Fiona Hinze to the SFMTA Board of Directors.

I appreciate Ms. Hinze's vast experience advocating for the disabled community locally and statewide. Her lived experience, her dedication to civic engagement, and her work with the Independent Living Resource Center demonstrates that she will bring a crucial perspective and community voice to oversight of the SFMTA.

I was happy to see the unanimous support from the Rules Committee and I urge you to approve Fiona Hinze's appointment to the SFMTA Board of Directors.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Cordes".

Mark Cordes
Executive Director
San Francisco Transit Riders

cc:
SFTMA Board of Directors
Jeffrey Tumlin, Director of Transportation



January 4, 2021

Board President Norman Yee and Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689

Re: Support for appointment of Manny Yekutieli to the SFMTA Board of Directors

Dear President Yee and Supervisors,

San Francisco Transit Riders (SFTR) is the city's member-supported advocate for transit riders and for affordable, efficient, and growing transit. We wish to express our strong support for the appointment of Manny Yekutieli to the SFMTA Board of Directors.

I appreciate Mr. Yekutieli's perspective as a small business owner and Muni rider. His service on the Small Business Commission, and with the Valencia Corridor Merchants Association, will bring better balance to the SFMTA Board of Directors to represent the needs of the merchants who are the lifeblood of our economy and community.

I was happy to see the unanimous support from the Rules Committee and I urge you to approve Manny Yekutieli's appointment to the SFMTA Board of Directors.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Cordes".

Mark Cordes
Executive Director
San Francisco Transit Riders

cc:
SFTMA Board of Directors
Jeffrey Tumlin, Director of Transportation

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Letter in Support of Fiona Hinze Nomination
Date: Thursday, January 7, 2021 3:01:00 PM
Attachments: [TLTSTF Support Letter for Fiona Hinze.pdf](#)

From: Evan Oravec <evan@thclinic.org>
Sent: Monday, January 4, 2021 11:41 AM
To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Cc: Eric Rozell <eric@tlcbd.org>
Subject: Letter in Support of Fiona Hinze Nomination

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi,

Attached is a letter from Eric Rozell and myself - the current Chairs of the Tenderloin Traffic Safety Task Force- to the Rules Committee members expressing our support of Fiona Hinze's nomination to the SFMTA Board.

Best,
Evan Oravec
Chair
Tenderloin Traffic Safety Task Force

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San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Rules Committee Members,

The Tenderloin is at the center of San Francisco's fight for a more equitable transit system and Vision Zero. Tenderloin residents depend on reliable, affordable transit to live their lives - lives too often threatened by endemic traffic violence which can turn simply leaving one's home into tragedy. We need leaders at SFMTA with both the lived experience and proven commitment to this work to assure we achieve a brighter future.

Fiona Hinze will be one of these leaders. She is an active member of the Tenderloin Traffic Safety Task Force, always showing up and volunteering to take on tasks to make sure important work is advanced. This includes everything from spending extra time to advance projects by joining working groups to taking meeting notes. She is knowledgeable, accessible and committed.

She brings to this work a deep understanding of the challenges many San Franciscans face - an understanding forged through her lived experience as someone with a disability and her advocacy for disability rights. Her voice and knowledge will result in better policy and help us advance crucial change.

Therefore we, the Chair and Co-Chair of the Tenderloin Traffic Safety Task Force, voice our strong support for Fiona's nomination to the SFMTA Board.

Sincerely,
Evan Oravec and Eric Rozell
Chair and Co-Chair
Tenderloin Traffic Safety Task Force

From: [Brian Haagsman](#)
To: [Calvillo, Angela \(BOS\)](#)
Subject: Letter of Support for Appointment of Fiona Hinze to SFMTA Board
Date: Monday, January 4, 2021 4:30:49 PM
Attachments: [Walk SF - Letter of Support - Hinze to SFMTA Board 1.4.21.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Angela,

I am attaching Walk San Francisco's letter of support for the appointment of Fiona Hinze to the SFMTA Board of Directors for sharing with the Supervisors in advance of their meeting on this topic tomorrow (item 11).

Thank you for sharing, and happy new year!

Brian

--

-



Step up for safe streets and [make a gift to Walk SF today.](#)

Brian Haagsman
Vision Zero Organizer
Walk San Francisco
333 Hayes St, Suite 202, San Francisco, CA 94102
walksf.org



January 4, 2021

Board of Supervisors
City Hall
1 Dr Carlton B Goodlett Pl
San Francisco, CA 94102

Re: Support for confirmation of Fiona Hinze to SFMTA Board of Directors

Dear President Yee and Supervisors,

On behalf of Walk San Francisco, I am writing to register our support for the confirmation of Fiona Hinze to the SFMTA Board of Directors.

Through our collaboration with Fiona in the Vision Zero Coalition and the Tenderloin Traffic Safety Task Force, we have seen Fiona work effectively across groups to find solutions that improve transit access and pedestrian safety. In every setting, her knowledge of transportation issues and her focus for considering how decisions impact those most vulnerable on our streets, including seniors and people with disabilities, are apparent.

Particularly as a member of the Senior and Disability Workgroup of the Vision Zero Coalition, Fiona's expertise and solutions-focused approach have been instrumental in our cutting edge work on disability street safety issues. Her participation, feedback and insight into the working group's publication *Getting to the Curb: A Guide to Building Protected Bike Lanes That Work for Pedestrians*, has improved our city's ability to deliver bike infrastructure that make streets safe for both people biking and people walking, particularly seniors and people with disabilities.

Fiona is an informed, respected and thoughtful candidate for the SFMTA Board. I urge you to support her nomination.

Sincerely,

A handwritten signature in black ink, appearing to read "Jodie Medeiros", with a long horizontal flourish extending to the right.

Jodie Medeiros
Executive Director

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Support for Fiona Hinze's appointment to SFMTA Board
Date: Thursday, January 7, 2021 3:00:00 PM

From: Cathy DeLuca <delucathy@gmail.com>
Sent: Monday, January 4, 2021 7:57 AM
To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Subject: Support for Fiona Hinze's appointment to SFMTA Board

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I am writing in strong support of Fiona Hinze being appointed to the SFMTA Board of Directors.

I have worked with Fiona on pedestrian safety and accessibility campaigns for over 6 years, and it has been a true pleasure. Fiona is the rare person who not only understands the experience of people who use our transportation system, but who also understands how our transportation agencies work. Fiona is a pedestrian expert, and she also deeply understands the ways that our transportation projects intersect for different street users. For example, she helped develop a guide that outlines how to make protected bike lanes accessible for people walking, a groundbreaking document that has had a national reach. Through her work with coalitions like the Dignity Fund Coalition and the Coalition of Agencies Serving the Elderly, Fiona has successfully navigated City agencies to make policy change and to secure funding for the benefit of people with disabilities.

While Fiona cannot represent all people with disabilities, her presence would be an important step for the SFMTA to make in ensuring its Board represents all San Franciscans.

I hope you will appoint her to the SFMTA Board.

Sincerely,

Cathy DeLuca
Transportation Planner & Advocate
(510) 421-1034

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Ng, Wilson \(BOS\)](#)
Subject: FW: FW: Enforcement of last night's SOTF 19103 ruling, Immediate Disclosure Request for Future Breed Calendars
Date: Thursday, December 31, 2020 8:36:00 AM
Attachments: [Re FW Enforcement of last night's SOTF 19103 ruling Immediate Disclosure Request for Future Breed Calendars.msg](#)

-----Original Message-----

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Wednesday, December 30, 2020 11:04 AM
To: MayorSunshineRequests, MYR (MYR) <mayorsunshinerequests@sfgov.org>; Heckel, Hank (MYR) <hank.heckel@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Elsbernd, Sean (MYR) <sean.elsbernd@sfgov.org>; Lila LaHood <lilalahood.sotf@gmail.com>; Bruce Wolfe (Chair, SOTF, SF) <sotf@brucewolfe.net>; SOTF, (BOS) <sotf@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Ethics Commission, (ETH) <ethics.commission@sfgov.org>
Subject: Re: FW: Enforcement of last night's SOTF 19103 ruling, Immediate Disclosure Request for Future Breed Calendars

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: [Anonymous](#)
To: [MayorSunshineRequests, MYR \(MYR\)](#); [Heckel, Hank \(MYR\)](#); [Breed, Mayor London \(MYR\)](#); [Elsbernd, Sean \(MYR\)](#); [Lila LaHood](#); [Bruce Wolfe \(Chair, SOTF, SF\)](#); [SOTF, \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [Ethics Commission, \(ETH\)](#)
Subject: Re: FW: Enforcement of last night's SOTF 19103 ruling, Immediate Disclosure Request for Future Breed Calendars
Date: Wednesday, December 30, 2020 11:04:27 AM
Attachments: [signature.asc](#)

Mr. Heckel:

If you choose to continue your dilatory tactics instead of either complying or openly refusing by close of business today Dec 30, 2020, I intend to file State Bar complaints for the below. You have been given ample opportunities, warnings, and benefit of the doubt to comply with the law and ethical rules of your profession.

If you want to win, you must do so with integrity and honesty and a better legal argument. This is your final warning.

You are now violating State Bar Rule of Professional Conduct 3.4(f) - Fairness to Opposing Party and Counsel "***A lawyer shall not: knowingly* disobey an obligation under the rules of a tribunal* except for an open refusal based on an assertion that no valid obligation exists***" and Bar Rule 3.2 "***In representing a client, a lawyer shall not use means that have no substantial* purpose other than to delay or prolong the proceeding or to cause needless expense.***"

On Dec 2, 2020, the SOTF, an administrative tribunal, unanimously passed the following ruling in SOTF 19103: "Moved by Member LaHood, seconded by Member Hinze to find that Mayor London Breed, Hank Heckel, and the Mayor's Office violated Administrative Code, Sections 67.26 for failing to keep withholding to a minimum, 67.27 for justification of withholding and to refer the matter to the Compliance and Amendments Committee to ensure that properly redacted records are provided to the Petitioner" regarding your, Breed's, and your office's unlawful refusal to provide Breed's future calendar entries instead of redacting the security procedures. You represented the Respondents in this complaint. Under SOTF Rules you were then required to comply within 5 days.

If you are not complying with the ruling, you must make an "open refusal based on an assertion that no valid obligation exists".

It is long after 5 days in SOTF Rules, and it is after the CPRA's 24 day requirement pursuant to Gov Code 6253(c).

You also violated Bar Rule 3.4(f) by making an argument during the SOTF 19103 Dec 2 hearing after general public comment and after *my* opportunity to have the last word during rebuttal, even after the Chair repeatedly directed you to cease doing so - this violated SOTF Bylaw 10.6 excluding you from speaking. This was unfair to me as opposing party, because the City, not I, got to have the last word.

You are also violating Rule 3.1 "***(a) A lawyer shall not: (2) present a claim or defense in litigation that is not warranted under existing law, unless it can be supported by a good faith argument for an extension, modification, or reversal of the existing law.***". You have cited no law for your authority to extend your response beyond the maximum 24 days permitted by Gov Code 6253(c) under the CPRA.

I also previously warned that you violated Bar Rule 3.3(a)(1) - Candor to the Tribunal - "***A lawyer shall not: knowingly* make a false statement of fact or law to a tribunal* or fail to***

correct a false statement of material fact or law previously made to the tribunal* by the lawyer;" in falsely stating to SOTF, an administrative tribunal, that no other information existed other than the "PropG, Mayor" calendar in SOTF 19047, in your written response to the SOTF, and continuing to mislead the SOTF orally during the Committee hearing when repeatedly questioned by the SOTF Members about information other than the calendar you had disclosed, instead of correcting the statement.

You also violated Bar Rule 3.4(f) by refusing to comply with SOTF Rules in Order 19047 - where you were required to comply within 5 days.

You claim you respect the SOTF's ruling, and yet you have not complied (nor timely appealed) after over 455 days after the decision was issued.

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Sincerely,

Anonymous

----- Original Message -----

On Tuesday, December 29th, 2020 at 8:32 PM, MayorSunshineRequests, MYR (MYR) <mayorsunshinerequests@sfgov.org> wrote:

Anonymous,

We are continuing to consult internally regarding our response and appropriate withholding regarding existing calendar records responsive to your request below, in light of the security concerns referenced and of SOTF's recent ruling. We anticipate responding further in approximately two weeks.

Regards,

Hank Heckel

Compliance Officer

Office of the Mayor

City and County of San Francisco

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Thursday, December 3, 2020 8:29 AM
To: Heckel, Hank (MYR) <hank.heckel@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; MayorSunshineRequests, MYR (MYR) <mayorsunshinerequests@sfgov.org>
Cc: SOTF, (BOS) <sotf@sfgov.org>; Press Office, Mayor (MYR) <mayorspressoffice@sfgov.org>; Elsbernd, Sean (MYR) <sean.elsbernd@sfgov.org>; Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; Cretan, Jeff (MYR) <jeff.cretan@sfgov.org>; Lila LaHood <lilalahood.sotf@gmail.com>
Subject: Enforcement of last night's SOTF 19103 ruling, Immediate Disclosure Request for Future Breed Calendars

Good morning Mayor Breed, Hank Heckel, and Office of the Mayor,

Last night in *SOTF 19103 Anonymous v. Breed, et al.*, the SOTF unanimously ruled that Breed, Heckel, and the Office of the Mayor violated SFAC 67.26 for withholding the entirety of Mayor Breed's future calendars (instead of minimally redacting only the "security procedures" of a "local police agency" portions as cited in Gov Code 6254(f)); and violated SFAC 67.27 for citing *Times Mirror v. Superior Court (1991)* only after the complaint was filed and not in the original written justification; and compelled you to comply. It is time to test your compliance:

Please provide, as an immediate disclosure request, each of Breed's prospective/planned Outlook calendar/meeting entry records (for all Breed calendars, whether personal about the conduct of public business or government-owned, and whether Prop G or non-Prop G), in detailed form **(including but not limited to the title, attendees, start/end date/time, location, attachments, images, and entry body/content, and every other part of the Outlook entry)**, where each Outlook entry is printed on a separate page ("Memo Style"), for every event scheduled from Jan 15 through Feb 1, 2021, ***as the records exist at the time you receive this request***. You must provide rolling responses. I do not care about .ics files or metadata that is not visible on the detailed/Memo Style entry view in this request, but you are welcome to provide them if that is faster. You must minimally redact the "security procedures" of a "local police agency" pursuant to your 6254(f) citation and provide all other words on the page (comply

with 67.26). Since you've apparently been confused how to do this, I've provided you an hypothetical example attached of what one could have done with last time (without in any way conceding that all of that redacted info is in fact lawfully exempt). Note that this example would show exactly what you redacted, **with a key for every redaction**, so the SOTF can judge your compliance; in this hypothetical attached example a staff phone number was Gov Code 6254(c), and the location of the meeting was Gov Code 6254(f).

=====

Compliance Chair LaHood, and members of SOTF - if Breed unreasonably delays full production or rolling responses, I urge you to reject their procedural hijinks and find Breed in willful violation of the law, and agendize 19103 at Compliance immediately. I've won now, and you have compelled them to comply. The nearest date of future calendars requested is almost a month and a half from now - Consider how much time is reasonable to produce a single calendar entry if they are not unlawfully dragging their feet. "Dennis Herrera said so" is no defense to the willful violation of the law, because Herrera is their attorney and will be loyal only to these incumbent officers, and not to the people's laws.

=====

Journalists (BCC): I urge you to listen to the SOTF 19103 hearing of Dec 2. I wanted to note that Breed was apparently willing to produce events *she subjectively deems public*. This is yet more evidence that all they are truly hiding is the topics and attendees of the remaining secret meetings. Why would a *deemed public* event be less of a physical security risk than the other ones? They aren't. They are just hiding who the Mayor is meeting with and what she is discussing, not to prevent physical violence as they falsely claim, but to control the press narrative and timing of release of future meetings and to prevent *political backlash* against controversial meetings happening in the future, which people would then petition the government about (say by going before the BoS) as is their First Amendment right. Breed's actions are an attempt (now ruled unlawful) to protect, without saying so, her non-existent deliberative process privilege in violation of the people's decision in SFAC 67.24(h). Part of the reason deliberative process exempts (outside of SF) such info is to prevent potential participants from cancelling the meetings for fear of *political embarrassment* so that Breed can hear from a wide variety of parties. (Consider meetings between a politician and politically unpopular lobbyists for example). While there are pros and cons to deliberative process, the people of SF have spoken: it is unlawful to use such exemption in this City.

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Sincerely,

Anonymous

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Ng, Wilson \(BOS\)](#)
Subject: FW: FW: Enforcement of last night's SOTF 19103 ruling, Immediate Disclosure Request for Future Breed Calendars
Date: Thursday, December 31, 2020 8:43:00 AM
Attachments: [Re FW Enforcement of last night's SOTF 19103 ruling Immediate Disclosure Request for Future Breed Calendars.msg](#)

-----Original Message-----

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Wednesday, December 30, 2020 6:50 PM
To: Heckel, Hank (MYR) <hank.heckel@sfgov.org>; MayorSunshineRequests, MYR (MYR) <mayorsunshinerequests@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Elsbernd, Sean (MYR) <sean.elsbernd@sfgov.org>; lilalahood.sotf@gmail.com; sotf@brucewolfe.net; SOTF, (BOS) <sotf@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Ethics Commission, (ETH) <ethics.commission@sfgov.org>
Subject: Re: FW: Enforcement of last night's SOTF 19103 ruling, Immediate Disclosure Request for Future Breed Calendars

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From: [Anonymous](#)
To: [Heckel, Hank \(MYR\)](#); [MayorSunshineRequests, MYR \(MYR\)](#); [Breed, Mayor London \(MYR\)](#); [Elsbernd, Sean \(MYR\)](#); [lilalahood.sotf@gmail.com](#); [sotf@brucewolfe.net](#); [SOTF, \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [Ethics Commission, \(ETH\)](#)
Subject: Re: FW: Enforcement of last night's SOTF 19103 ruling, Immediate Disclosure Request for Future Breed Calendars
Date: Wednesday, December 30, 2020 6:49:45 PM
Attachments: [signature.asc](#)

Mr. Heckel:

If you disagree with the SOTF ruling, you had the legal option of determining in 24 days (by Dec 28) that there were no disclosable public records among Mayor Breed's future calendar entries, provide your justification, openly reject the SOTF's decision like Chief Scott did, and suffer whatever consequences may come, including, as I assume you believe you will, prevailing in Superior Court. You also had the option of giving me the portion of the records that are not SFPD security procedures, per SOTF decision in 19103 - by for example redacting meeting locations and times which you believe are security-sensitive. There is no third option where you take no decision and no responsibility until the meeting dates arise and presuming the rest of us are fools.

The law does not allow you to simply refuse to make a determination after 24 days after a PRA request - Gov Code 6253(c), and you have cited no legal authority for your dilatory tactics. If as you say the issue is complex - that's why you had 24 days; otherwise the law only gave you 10 days. This is not local law, but state law, and Breed cannot unilaterally make go away because she does not like it. You ask me to follow process, yet you simply ignore any law you don't like. None of that law depends on a decision made vs an order published.

You flatly lie to each of the recipients of your email when you claim you and Breed take your obligations under Sunshine seriously, just as you lied to the SOTF last year about Breed not having additional government calendars other than the PropG calendar. If you took the law seriously you would not have ignored the prior order 19047 against you, personally, for over one year and still counting. Not all city employees behave the way you do, and those others that really do act in good faith I have, as you now well know, in fact worked with extensively and productively. Unlike you, those other employees do not lie.

Since you have refused to comply with the simplest requirements of fairness and ethical conduct after repeated warnings, the further complaints will be filed. I have been enormously patient with you Mr. Heckel - for over one year, when the law only gave you 5 days - assuming that you would show some professional competence and either comply with or timely appeal a lawful order, but I have been wrong. I won't beg to be treated fairly anymore, and you can instead deal with an authority with more legal power than I have.

I understand now why other SOTF complainants come to the Task Force angry and at wits' end - due to misconduct and delay engaged in by people like you, with the full backing of the City government protecting you from responsibility. Prevailing complainants, like me, are your victims, not the other way, around as you have previously attempted to manipulate the Board of Supervisors into thinking in your Custodians' letter.

No matter how many times the public prevails at SOTF, employees like you never give the public what is rightfully, and legally, ours without running us through endless gauntlets assuming most of us will give up.

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Sincerely,

Anonymous

Sent from ProtonMail mobile

----- Original Message -----

On Dec 30, 2020, 5:06 PM, Heckel, Hank (MYR) <hank.heckel@sfgov.org> wrote:

Dear Anonymous,

As I notified you in my email yesterday, the Office of the Mayor is continuing to consult internally and with the City Attorney's Office regarding our response to your recent request for future calendars of Mayor Breed in light of the discussion at SOTF on December 2, 2020 in File 19103 regarding your request from October of 2019 for then-future calendars of Mayor Breed. We take very seriously our obligations under the Sunshine Ordinance and SOTF's role in advising the City on the application of the ordinance.

The issues raised in File 19103 are complex. We are continuing to deliberate on how to address the security concerns reflected in PRA 6254(f) and the Times Mirror decision that are implicated by your continued requests for future calendars of the Mayor. We are, of course, taking into account the motion passed at the December 2 SOTF hearing on this file. Please note, however, that this motion referred the matter to the Compliance Committee and no Order of Determination has yet been issued. Thus, a specific action has not been directed by the Task Force at this time.

Therefore, we review your complaint below as premature at best. We are working in good faith to answer this request as we do with all sunshine requests and we will get back to you in due course. We hope that you pursue a constructive dialogue with us instead of resorting to threats of actions outside the normal sunshine and Task Force process. We ask for your patience as we work through that process.

Regards,

Hank Heckel

Compliance Officer

Office of the Mayor

City and County of San Francisco

From: Anonymous <arecordsrequestor@protonmail.com>

Sent: Wednesday, December 30, 2020 11:04 AM

To: MayorSunshineRequests, MYR (MYR)

<mayorsunshinerequests@sfgov.org>; Heckel, Hank (MYR)

<hank.heckel@sfgov.org>; Breed, Mayor London (MYR)

<mayorlondonbreed@sfgov.org>; Elsbernd, Sean (MYR)

<sean.elsbernd@sfgov.org>; Lila LaHood <lilalahood.sotf@gmail.com>; Bruce

Wolfe (Chair, SOTF, SF) <sotf@brucewolfe.net>; SOTF, (BOS)

<sotf@sfgov.org>; Board of Supervisors, (BOS)

<board.of.supervisors@sfgov.org>; Ethics Commission, (ETH)

<ethics.commission@sfgov.org>

Subject: Re: FW: Enforcement of last night's SOTF 19103 ruling, Immediate Disclosure Request for Future Breed Calendars

Mr. Heckel:

If you choose to continue your dilatory tactics instead of either complying or openly refusing by close of business today Dec 30, 2020, I intend to file State Bar complaints for the below. You have been given ample opportunities, warnings, and benefit of the doubt to comply with the law and ethical rules of your profession.

If you want to win, you must do so with integrity and honesty and a better legal argument. This is your final warning.

You are now violating State Bar Rule of Professional Conduct 3.4(f) - Fairness to Opposing Party and Counsel "***A lawyer shall not: knowingly* disobey an obligation under the rules of a tribunal* except for an open refusal based on an assertion that no valid obligation exists***" and Bar Rule 3.2 "***In representing a client, a lawyer shall not use means that have no substantial* purpose other than to delay or prolong the proceeding or to cause needless expense.***"

On Dec 2, 2020, the SOTF, an administrative tribunal, unanimously passed the following ruling in SOTF 19103: "Moved by Member LaHood, seconded by Member Hinze to find that Mayor London Breed, Hank Heckel, and the Mayor's Office violated Administrative Code, Sections 67.26 for failing to keep withholding to a minimum, 67.27 for justification of withholding and to refer the matter to the Compliance and Amendments Committee to ensure that properly redacted records are provided to the Petitioner" regarding your, Breed's, and your office's unlawful refusal to provide Breed's future calendar entries instead of redacting the security procedures. You represented the Respondents in this complaint. Under SOTF Rules you were then required to comply within 5 days.

If you are not complying with the ruling, you must make an "open refusal based on an assertion that no valid obligation exists".

It is long after 5 days in SOTF Rules, and it is after the CPRA's 24 day requirement pursuant to Gov Code 6253(c).

You also violated Bar Rule 3.4(f) by making an argument during the SOTF 19103 Dec 2 hearing after general public comment and after *my* opportunity to have the last word during rebuttal, even after the Chair repeatedly directed you to cease doing so - this violated SOTF Bylaw 10.6 excluding you from speaking. This was unfair to me as opposing party, because the City, not I, got to have the last word.

You are also violating Rule 3.1 "***(a) A lawyer shall not: (2) present a claim or defense in litigation that is not warranted under existing law, unless it can be supported by a good faith argument for an extension, modification, or reversal of the existing law.***". You have cited no law for your authority to extend your response beyond the maximum 24 days permitted by Gov Code 6253(c) under the CPRA.

I also previously warned that you violated Bar Rule 3.3(a)(1) - Candor to the Tribunal - "***A lawyer shall not: knowingly* make a false statement of fact or law to a tribunal* or fail to correct a false statement of material fact or law***"

previously made to the tribunal by the lawyer;" in falsely stating to SOTF, an administrative tribunal, that no other information existed other than the "PropG, Mayor" calendar in SOTF 19047, in your written response to the SOTF, and continuing to mislead the SOTF orally during the Committee hearing when repeatedly questioned by the SOTF Members about information other than the calendar you had disclosed, instead of correcting the statement.*

You also violated Bar Rule 3.4(f) by refusing to comply with SOTF Rules in Order 19047 - where you were required to comply within 5 days.

You claim you respect the SOTF's ruling, and yet you have not complied (nor timely appealed) after over 455 days after the decision was issued.

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Sincerely,

Anonymous

----- Original Message -----

On Tuesday, December 29th, 2020 at 8:32 PM, MayorSunshineRequests, MYR (MYR) <mayorsunshinerequests@sfgov.org> wrote:

Anonymous,

We are continuing to consult internally regarding our response and appropriate withholding regarding existing calendar records responsive to your request below, in light of the security concerns referenced and of SOTF's recent ruling. We anticipate responding

further in approximately two weeks.

Regards,

Hank Heckel

Compliance Officer

Office of the Mayor

City and County of San Francisco

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Thursday, December 3, 2020 8:29 AM
To: Heckel, Hank (MYR) <hank.heckel@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; MayorSunshineRequests, MYR (MYR) <mayorsunshinerequests@sfgov.org>
Cc: SOTF, (BOS) <sotf@sfgov.org>; Press Office, Mayor (MYR) <mayorspressoffice@sfgov.org>; Elsbernd, Sean (MYR) <sean.elsbernd@sfgov.org>; Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; Cretan, Jeff (MYR) <jeff.cretan@sfgov.org>; Lila LaHood <lilalahood.sotf@gmail.com>
Subject: Enforcement of last night's SOTF 19103 ruling, Immediate Disclosure Request for Future Breed Calendars

Good morning Mayor Breed, Hank Heckel, and Office of the Mayor,

Last night in *SOTF 19103 Anonymous v. Breed, et al.*, the SOTF unanimously ruled that Breed, Heckel, and the Office of the Mayor violated SFAC 67.26 for withholding the entirety of Mayor Breed's future calendars (instead of minimally redacting only the "security procedures" of a "local police agency" portions as cited in Gov Code 6254(f)); and violated SFAC 67.27 for citing *Times Mirror v. Superior Court (1991)* only after the complaint was filed and not in the original written justification; and compelled you to comply. It is time to test your compliance:

Please provide, as an immediate disclosure request, each of Breed's prospective/planned Outlook calendar/meeting entry records (for all Breed calendars, whether personal about the conduct of public business or government-owned, and whether Prop G or non-Prop G), in detailed form **(including but not limited to the title, attendees, start/end date/time, location, attachments, images, and entry body/content, and every other part of the Outlook entry)**, where each Outlook entry is printed on a separate page ("Memo Style"), for every event scheduled from Jan 15 through Feb 1, 2021, ***as the records exist at the time you receive this request***. You must provide rolling responses. I do not care about .ics files or metadata that is not visible on the detailed/Memo Style entry view in this request, but you are welcome to provide them if that is faster. You must minimally redact the "security procedures" of a "local police agency" pursuant to your 6254(f) citation and provide all other words on the page (comply with 67.26). Since you've apparently been confused how to do this, I've provided you an hypothetical example attached of what one could have done with last time (without in any way conceding that all of that redacted info is in fact lawfully exempt). Note that this example would show exactly what you redacted, **with a key for every redaction**, so the SOTF can judge your compliance; in this hypothetical attached example a staff phone number was Gov Code 6254(c), and the location of the meeting was Gov Code 6254(f).

=====

Compliance Chair LaHood, and members of SOTF - if Breed unreasonably delays full production or rolling responses, I urge you to reject their procedural hijinks and find Breed in willful violation of the law, and agendize 19103 at Compliance immediately. I've won now, and you have compelled them to comply. The nearest date of future calendars requested is almost a month and a half from now - Consider how much time is reasonable to produce a single calendar entry if they are not unlawfully dragging their feet. "Dennis Herrera said so" is no defense to the willful violation of the law, because Herrera is their attorney and will be loyal only to these incumbent officers, and not to the people's laws.

=====

Journalists (BCC): I urge you to listen to the SOTF 19103 hearing of Dec 2. I wanted to note that Breed was apparently willing to produce events *she subjectively deems public*. This is yet more evidence that all they are truly hiding is the topics and attendees of the remaining secret meetings. Why would a *deemed public* event be less of a physical security risk than the other ones? They aren't.

They are just hiding who the Mayor is meeting with and what she is discussing, not to prevent physical violence as they falsely claim, but to control the press narrative and timing of release of future meetings and to prevent *political backlash* against controversial meetings happening in the future, which people would then petition the government about (say by going before the BoS) as is their First Amendment right. Breed's actions are an attempt (now ruled unlawful) to protect, without saying so, her non-existent deliberative process privilege in violation of the people's decision in SFAC 67.24(h). Part of the reason deliberative process exempts (outside of SF) such info is to prevent potential participants from cancelling the meetings for fear of *political embarrassment* so that Breed can hear from a wide variety of parties. (Consider meetings between a politician and politically unpopular lobbyists for example). While there are pros and cons to deliberative process, the people of SF have spoken: it is unlawful to use such exemption in this City.

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Sincerely,

Anonymous

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Ng, Wilson \(BOS\)](#)
Subject: FW: Prop G calendars - Immediate Disclosure Request
Date: Thursday, December 31, 2020 8:44:00 AM
Attachments: [Re Prop G calendars - Immediate Disclosure Request.msg](#)

-----Original Message-----

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Wednesday, December 30, 2020 8:07 PM
To: SOTF, (BOS) <sotf@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Heckel, Hank (MYR) <hank.heckel@sfgov.org>; Hart, Amy (ADM) <amy.hart@sfgov.org>; Collymore, Kalima (ADM) <kalima.collymore@sfgov.org>; Rydstrom, Todd (CON) <Todd.Rydstrom@sfgov.org>; Rosenfield, Ben (CON) <ben.rosenfield@sfgov.org>; Quesada, Amy (PRT) <amy.quesada@sfport.com>; Nicita, Carl (PRT) <carl.nicita@sfport.com>; Quesada, Randolph (PRT) <randolph.quesada@sfport.com>; Forbes, Elaine (PRT) <elaine.forbes@sfport.com>
Cc: Elsbernd, Sean (MYR) <sean.elsbernd@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Ethics Commission, (ETH) <ethics.commission@sfgov.org>
Subject: Re: Prop G calendars - Immediate Disclosure Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: [Anonymous](#)
To: [SOTF, \(BOS\)](#); [Breed, Mayor London \(MYR\)](#); [Heckel, Hank \(MYR\)](#); [Hart, Amy \(ADM\)](#); [Collymore, Kalima \(ADM\)](#); [Rydstrom, Todd \(CON\)](#); [Rosenfield, Ben \(CON\)](#); [Quesada, Amy \(PRT\)](#); [Nicita, Carl \(PRT\)](#); [Quezada, Randolph \(PRT\)](#); [Forbes, Elaine \(PRT\)](#)
Cc: [Elsbernd, Sean \(MYR\)](#); [Board of Supervisors, \(BOS\)](#); [Ethics Commission, \(ETH\)](#)
Subject: Re: Prop G calendars - Immediate Disclosure Request
Date: Wednesday, December 30, 2020 8:06:49 PM
Attachments: [image001.png](#)
[signature.asc](#)

SOTF: Please note this thread in Files 20033, 20040, 20041, 20042

Respondents Breed, Hart, Rosenfield, and Forbes - *all of them* - failed to comply within the CPRA 10-day requirement (which was due Dec 28, due to the weekend).

Not a single one of them produced their Prop G (Admin Code 67.29-5) calendars, or even a single entry, for Nov 1-14, 2020 or declared a lawful 14-day extension - one of the simplest and most basic requirements of the CPRA. None of them provided records in a rolling fashion. None of them provided any legal justification for doing so.

Remember they were supposed to have these prepared calendars **3 business days** after Nov 14 (SFAC 67.29-5). It is December 30.

Respondents' representatives pleaded with this Task Force on Dec 15 that their failures to comply with the law that I demonstrated were supposedly minor and they had improved their practices since the complaints were filed.

As is often the case, the City representatives lied to you to attempt to manipulate you emotionally.

The custodians' job is apparently not to implement the public's right to know what their bosses meet about, but instead to spew fluff to the Task Force about how much respect their bosses have for laws they do not comply with.

In reality, these Respondents have no respect for the Sunshine Ordinance, this Task Force, or the members of the public they serve.

Transparency is an afterthought at best.

Sadly, no surprises there.

(These complaints concern unlawful behavior that long pre-dates COVID - they cannot use the tragic death of others to excuse their conduct here).

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Sincerely,

Anonymous

----- Original Message -----

On Wednesday, December 16th, 2020 at 9:00 AM, Anonymous
<arecordsrequestor@protonmail.com> wrote:

Mayor Breed, Amy Hart, Ben Rosenfield, Elaine Forbes, and Grant Colfax:

Last night, some of your representatives made various claims to SOTF regarding the improved compliance of your calendars with the law since my complaints were filed early this year. I intend to verify those claims.

Please read the request carefully:

- Immediate disclosure request for an exact PDF copy, with all details, of each calendar entry required to be recorded under SF Admin Code 67.29-5 for you for the dates (inclusive) Nov 1 - Nov 14, 2020 ***as the records exist as of the time you receive this request.*** Note that this is a request for the entries in your Prop G calendar and if you voluntarily recorded more information than is minimally required by Prop G, you must still provide all of that other extra info, unless you redact it with footnote or other clear reference to an exemption citation.

Please do not lie and provide any modifications or new records you create ***after*** you receive this request - ***those are not responsive records.*** You were required by law to create compliant Nov 1-14 entries weeks ago.

I will later request full metadata of the records showing who modified the records and when. (If you are unfamiliar with the metadata issue, the underlying computer record will maintain this information, and such metadata has been previously ruled public and disclosable by SOTF).

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Sincerely,

Anonymous

Sent from ProtonMail Mobile

On Thu, Dec 10, 2020 at 1:40 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Good Afternoon:

The agenda and packet for the Complaint Committee of the Sunshine Ordinance Task Force December 15, 2020 5:30 p.m. meeting is online at the following link:

https://sfgov.org/sunshine/sites/default/files/complaint_121520_agenda.pdf

The packet material is linked to each item listed on the agenda marked with an “attachment”. Click anywhere on the title of the item to open the link to the pdf of the packet material in question.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Cheryl.Leger@sfgov.org

Tel: 415-554-7724

Fax: 415-554-5163

www.sfbos.org



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From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Ng, Wilson \(BOS\)](#)
Subject: FW: Supervisor Haney's Tweet re: Degrafinried
Date: Thursday, December 31, 2020 10:16:00 AM
Attachments: [Supervisor Haney's Tweet re Degrafinried.msg](#)

-----Original Message-----

From: sf.texts.research@pm.me <sf.texts.research@pm.me>
Sent: Wednesday, December 30, 2020 11:14 PM
To: Haney, Matt (BOS) <matt.haney@sfgov.org>; Hanestaff (BOS) <hanestaff@sfgov.org>
Cc: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Heckel, Hank (MYR) <hank.heckel@sfgov.org>; Degrafinried, Alaric (DPW) <alaric.degrafinried@sfdpw.org>; Elsbernd, Sean (MYR) <sean.elsbernd@sfgov.org>; Steinberg, David (DPW) <david.steinberg@sfdpw.org>
Subject: Supervisor Haney's Tweet re: Degrafinried

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: sf.texts.research@pm.me
To: [Haney, Matt \(BOS\)](#); [Haneystaff \(BOS\)](#)
Cc: [Breed, Mayor London \(MYR\)](#); [Heckel, Hank \(MYR\)](#); [Degrafinried, Alaric \(DPW\)](#); [Elsbernd, Sean \(MYR\)](#); [Steinberg, David \(DPW\)](#)
Subject: Supervisor Haney's Tweet re: Degrafinried
Date: Wednesday, December 30, 2020 11:14:12 PM
Attachments: [JULY - Messages - London Breed.pdf-redacted \(6\).pdf](#)
[DECEMBER - Messages - London Breed.pdf-redacted.pdf-redacted.pdf](#)
[JULY - Texts - London Breed.pdf-redacted \(1\).pdf](#)
[signature.asc](#)

Supervisor Haney,
as a public communication

I noticed you asked a Twitter user on Dec 26 about messages between Breed and Degrafinried: <https://twitter.com/MattHaneySF/status/1343044550432976896>

I (not the Twitter user) am the person who originally made that records request and analyzed the records. What you got on Twitter is not the whole story.

The only reason you were able to find these messages at all is because of a strong Sunshine Ordinance, a strong SOTF, and people like me who consistently fight for these records. Next time a question comes up at the Board about whether to weaken or strengthen the Ordinance or the SOTF - consider whether this information about the executive branch is information Supervisors and the public should be able to have. Because of various SOTF rulings against her, the Mayor is gunning for the Ordinance and the SOTF in 2021 - consider why Breed does so (see below) and please do your part to protect public access.

Here's the information I can give you:

- The [records](#) resulted from a records request made to Alaric Degrafinried for all of his texts/chats with London Breed ([citation](#)).
- Mayor Breed was also asked for her public records of these same texts. So far she has refused to produce them ([citation](#)) - apparently because she deleted them prior to my request. Because of that, I have been forced to ask every department head to provide their copy of Breed texts, hoping that they are more compliant with the law, Admin Code 67.29-7(a), requiring department heads and elected officials to preserve all of their correspondence in a professional manner. Why does the Mayor destroy her public records? I have no idea - Perhaps you can find out.
- Degrafinried has apparently partially deleted this public record between July and December. How do I know? Because I made essentially the same request in July 2020 as well. July's records response had *more* texts in it than in December. July [records](#) vs December [records](#).
- What you saw on Twitter was only a particular type of message. Substantially more Degrafinried/Breed texts were released here, on the same theme: <https://sanfrancisco.nextrequest.com/documents/5259461>
- Unlike what was speculated on Twitter, the messages were likely between Breed and Degrafinried alone. We are able to determine this from the record's "metadata" - an electronic portion of public records sometimes not visible on a print out that the City attempts to hide but which the SOTF has ruled multiple times must be disclosed (in this case, from the record's underlying path - which is often clobbered but in this case was not). Over 14 years ago, this Board unanimously defended the right of the public to access this info, see [Motion M06-134](#). The Mayor and City Attorney refuse to comply

with these SOTF rulings. DPW seems to be on the fence.

If you want to know more, feel free to contact me. I'm well aware government officials are not keen on people like me who use public records laws. But I thought I'd give it a shot anyway.

Happy New Years.

P.S. To be clear, I am not the "HDizz" that you replied to on Twitter nor am I in anyway affiliated with them, nor do I necessarily agree with their positions. HDizz apparently enjoys tracking and live-tweeting every records request I make and posting the records with editorialization, almost as much as I enjoy issuing public records requests.

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Sincerely,

Anonymous



iMessage
4/9/20 12:42:31 PM PDT

London Breed ([redacted])

There is a lot of feces on haight street between Masonic and cole. Really said because it's on the new sidewalks

4/9/20 12:43:44 PM PDT

I'll send a crew over now.

4/9/20 12:48:03 PM PDT

We're also trying to find a good location for a portable toilet in that area.

5/12/20 5:40:51 PM PDT

Good evening, Mayor Breed. Naomi recommended I contact you and let
[redacted]
Personnel
In the meantime, I'll be working from home so don't hesitate contacting me if you need anything and I'll keep you posted.

Delivered

Redaction Log

Reason	Page (# of occurrences)	Description
Personnel	1 (1)	We have withheld records responsive to your request [and/or redacted parts of the records provided in response to your request] that constitute private personnel records of a City employee. Cal. Govt. Code Secs. 6254(c), 6254(k); California Constitution, Art. I, Sec. 1.
Privacy	1 (3)	Due to privacy concerns, personal information, such as personal phone numbers, cell numbers and email addresses, has been redacted from the documents that we are making available to you. We redacted this personal information pursuant to Section 6254(c) and Section 6254(k) of the California Public Records Act and Article 1, Section 1 of the California Constitution.



iMessage
3/17/20 6:18:18 PM PDT

Mayor Breed, sorry to bother you. I spoke with my superintendent and he also noticed that Market Street had an usual amount debris on the sidewalks today. He also confirmed that both the Tenderloin and Polk Street CBDs have ceased operations due to the shelter-in-place order. We'll reach out to them, and the others, to see if they can resume operations or otherwise assist us with coverage.

In the meantime, I'm going to see if I can redeploy some of my furloughed employees to that area to assist our regular crews.

3/21/20 3:10:23 PM PDT

London Breed (redacted)

Please clean up Embarcadero plaza ASAP. There is trash everywhere. Market st is looking much better

3/21/20 5:45:29 PM PDT

I'm on it. Sorry for the delayed response.

4/29/20 12:39:36 PM PDT

London Breed (redacted)

Can you send someone to clean up all the trash on Hayes Street between Octavia and Laguna there's just a lot of garbage outside

4/29/20 12:45:35 PM PDT

Yes, I'm sending someone over there now.

5/5/20 4:18:03 PM PDT

London Breed (redacted)

Can you please send people to clean up area at Geary and Webster on both sides of the bridge. There are people living there and creating a huge mess

5/5/20 4:27:34 PM PDT

No problem, I'm sending someone over now.

5/5/20 5:50:44 PM PDT

London Breed (redacted)

Can you send pics of the area please

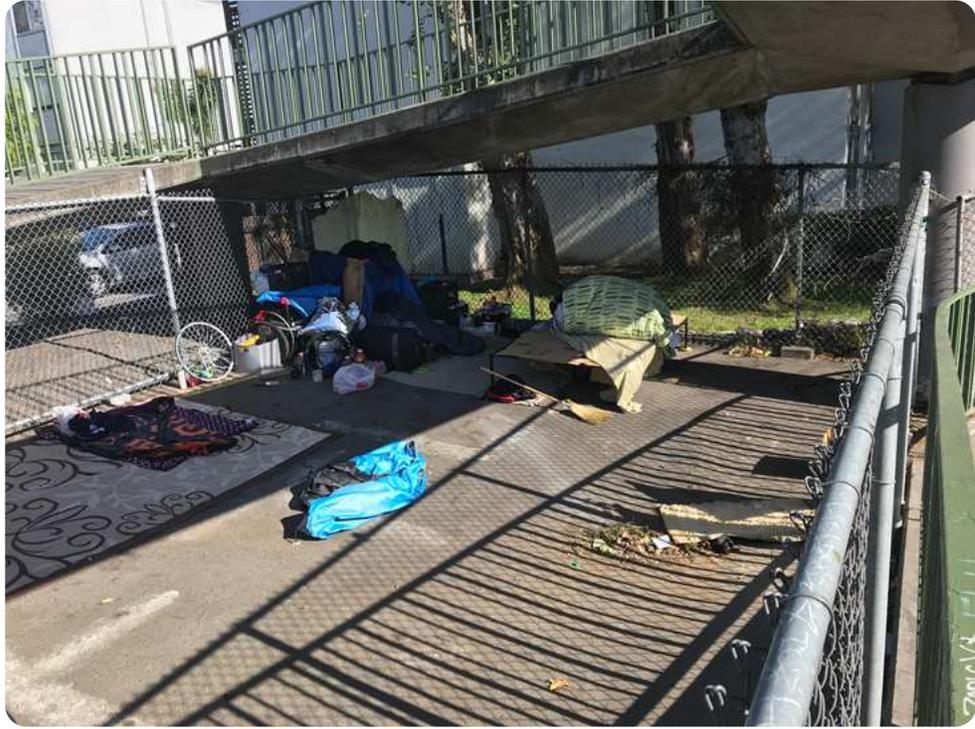
5/5/20 6:21:51 PM PDT



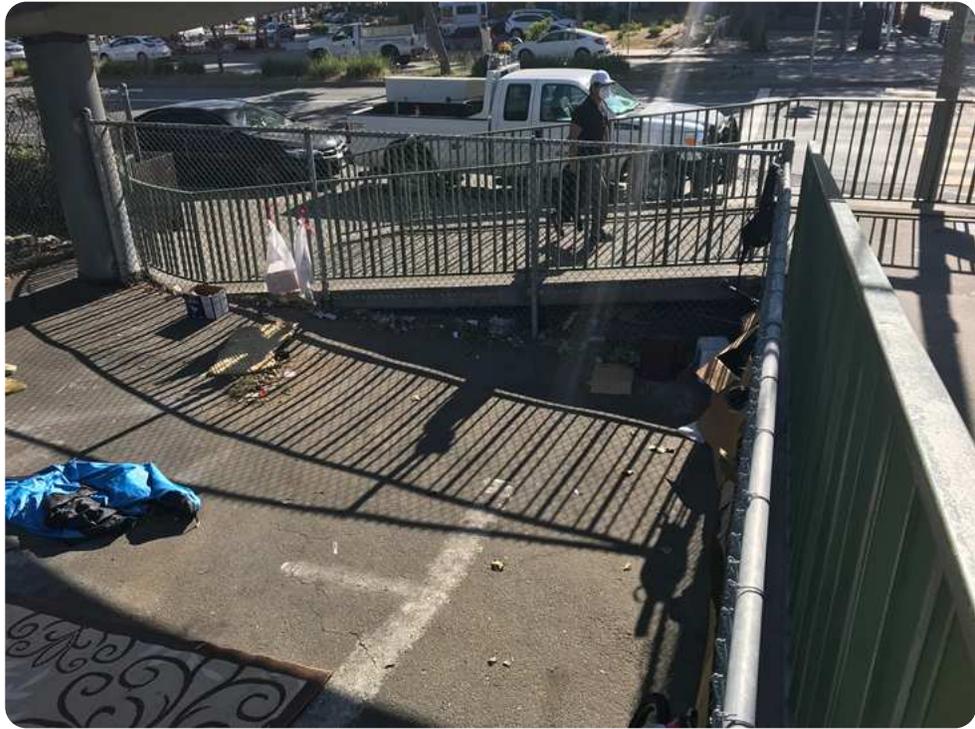
5/5/20 6:21:51 PM PDT



5/5/20 6:21:51 PM PDT



5/5/20 6:21:51 PM PDT



5/5/20 6:21:51 PM PDT



5/5/20 6:21:51 PM PDT





5/5/20 6:21:51 PM PDT



5/5/20 6:21:51 PM PDT

Sorry this took a while to clean up. We're a little short staffed today.

Delivered

5/5/20 6:24:10 PM PDT

London Breed ([redacted])

Do you have before photos?

Redaction Log

Reason	Page (# of occurrences)	Description
Privacy	1 (7) 2 (3) 3 (3) 4 (3) 5 (4)	Due to privacy concerns, personal information, such as personal phone numbers, cell numbers and email addresses, has been redacted from the documents that we are making available to you. We redacted this personal information pursuant to Section 6254(c) and Section 6254(k) of the California Public Records Act and Article 1, Section 1 of the California Constitution.

iMessage
4/9/20 12:42:31 PM PDT

London Breed **Privacy**

There is a lot of feces on haight street between Masonic and cole. Really said because it's on the new sidewalks

4/9/20 12:43:44 PM PDT

I'll send a crew over now.

4/9/20 12:48:03 PM PDT

We're also trying to find a good location for a portable toilet in that area.

Read 4/9/20

Redaction Log

Reason	Page (# of occurrences)	Description
Privacy	1 (1)	Due to privacy concerns, personal information, such as personal phone numbers, cell numbers and email addresses, has been redacted from the documents that we are making available to you. We redacted this personal information pursuant to Section 6254(c) and Section 6254(k) of the California Public Records Act and Article 1, Section 1 of the California Constitution.

Redaction Log

Reason	Page (# of occurrences)	Description
Privacy	1 (1)	Due to privacy concerns, personal information, such as personal phone numbers, cell numbers and email addresses, has been redacted from the documents that we are making available to you. We redacted this personal information pursuant to Section 6254(c) and Section 6254(k) of the California Public Records Act and Article 1, Section 1 of the California Constitution.

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Ng, Wilson \(BOS\)](#)
Subject: FW: Metadata Pilot
Date: Thursday, December 31, 2020 4:07:00 PM
Attachments: [RE Metadata Pilot.msg](#)

-----Original Message-----

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Thursday, December 31, 2020 1:28 PM
To: Gerull, Linda (TIS) <linda.gerull@sfgov.org>
Cc: Heckel, Hank (MYR) <hank.heckel@sfgov.org>; Makstman, Michael (TIS) <Michael.Makstman@sfgov.org>; Andraychak, Michael (POL) <michael.andraychak@sfgov.org>; SOTF, (BOS) <sof@sfgov.org>; Bruce Wolfe (Chair, SOTF, SF) <sof@brucewolfe.net>; Cityattorney <Cityattorney@sfcityatty.org>; Scott, William (POL) <william.scott@sfgov.org>
Subject: RE: Metadata Pilot

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From: [Anonymous](#)
To: [Gerull, Linda \(TIS\)](#)
Cc: [Heckel, Hank \(MYR\)](#); [Makstman, Michael \(TIS\)](#); [Andraychak, Michael \(POL\)](#); [SOTF, \(BOS\)](#); [Bruce Wolfe \(Chair, SOTF, SF\)](#); [Cityattorney](#); [Scott, William \(POL\)](#)
Subject: RE: Metadata Pilot
Date: Thursday, December 31, 2020 1:27:46 PM
Attachments: [image001.png](#)
[signature.asc](#)

Thank you Ms. Gerull for the email and your work on this important issue - I continue to be happy to work with the Dept of Technology on metadata in public records, and with any other City agency or employee who also first demonstrates in good faith that they will comply, at least in principle, instead of stonewall or delay. I hope that you take up SOTF's prior invitation to present on these topics outside of the complaint context - the public should hear and have input on the good work DT is doing.

Sadly, it is not currently possible to work with the Office of the Mayor who has released no relevant information whatsoever, not even a single record, in the last year after being ordered to do so under SOTF 19047. If they change their behavior, then the cooperation, discussion, etc. they claim to seek may be possible. The ball is always in their court.

SFPD however does not have to go the way of the Mayor - they can choose, as Public Works did, to in demonstrate on *even a single record* that they will comply in SOTF 19098. I will follow up with SFPD about this option. Not doing so may help the Mayor, but that doesn't mean it is in the interest of SFPD.

I also want to point out something that I assume Ms. Gerull and Mr. Makstman are well aware of, but that Heckel, Andraychak, and the others may not be, when weighing the applicable risk:

- Every single email the City sends to a member of the public contains nearly all of the City's headers, IP addresses, signatures, and more - without any redactions at all - that are now being carefully analyzed for redactions as public records. I can see all of them right now for the email Linda just sent me. This is simply how the Internet and SMTP (the email protocol) works.
- This isn't "hacking" or criminal activity - and is necessary to *defend against*, not cause, spoofing and spam. Even the scary-sounding authentication headers are visible to recipients, because they generally use asymmetric, not symmetric, cryptography, and those signatures allow the computer on my side (the recipient) to verify that the email was really sent by sfgov.org for example.
- The Chair (an IT professional) and also the then-Vice Chair (a journalist) of the SOTF pointed this out during the prior hearings with the Mayor and City Attorney.
- Please think about these things before making over-reaching exemption claims at SOTF. They also do their research and have spent quite some time on this topic alone.

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or offer; it merely authenticates the sender. Please do not include any confidential information, as I intend that these communications with the government all be disclosable public records.

Sincerely,

Anonymous

----- Original Message -----

On Thursday, December 31st, 2020 at 10:41 AM, Gerull, Linda (TIS)

<linda.gerull@sfgov.org> wrote:

All,

The work on the DT metadata pilot was started 6 months ago and DT researched many sources of information to determine the cybersecurity risk of email and calendar meta data. During this process, Anonymous was helpful in reviewing the metadata lists for what is cyber related, providing feedback and identifying where we had gaps. The list has changed over this time which is a standard iterative process for a technology pilot. I expect we will continue to make refinements to the Green List (now called the Allowed List) in the next weeks as the metadata redaction software tool is built and tested.

I believe we are the first to be working on protecting government networks by ensuring meta data in publicly available documents does not contain information that could enable hackers. Given the recent significant Solarwinds breach, we DO KNOW that nation states are actively and continually looking for ways to gain access to our networks. We must act to address any and all vulnerabilities and do all we can to not give hackers easy ways to gain valuable information.

This is why this project is so important. What might have started out as a discussion about meta data release has turned into an effort to close a cyber attack vector. If we are successful with this work, other state, federal and local agencies will benefit.

I have shared DT's progress on the pilot with internal teams and maybe I was not clear that this type of work is "iterative" and will evolve as we learn more. I also

very much appreciate and respect Anonymous's help to be accurate, complete and build a solid understanding of why we would and would not release certain meta data fields. By mid January, DT will have the software tools prototypes and we can then assess the feasibility and ease of producing metadata.

If anyone has questions please reach out to me. Thank you for your support of DT's work.

Regards and Happy New Year,

Linda

Linda J. Gerull

City CIO

Executive Director | Department of Technology

City and County of San Francisco

[628.652.5182](tel:628.652.5182) | linda.gerull@sfgov.org

[@SFCityCIO](#) | sfgov.org/dt

image001.png



From: Heckel, Hank (MYR) <hank.heckel@sfgov.org>

Sent: Thursday, December 31, 2020 10:20 AM

To: Anonymous <arecordsrequestor@protonmail.com>; Gerull, Linda (TIS) <linda.gerull@sfgov.org>; Makstman, Michael (TIS)

<Michael.Makstman@sfgov.org>

Cc: Andraychak, Michael (POL) <michael.andraychak@sfgov.org>

Subject: RE: Pilot

Anonymous,

The statement I made regarding the pilot reflected my understanding of your negotiation with DT regarding that issue. The program remains exactly that, a pilot. We will continue to consult with our IT professionals and the City Attorney's Office regarding the security risks of the metadata in all formats that you have requested.

Regards,

Hank Heckel

Compliance Officer

Office of the Mayor

City and County of San Francisco

From: Anonymous <arecordsrequestor@protonmail.com>

Sent: Thursday, December 31, 2020 10:15 AM

To: Gerull, Linda (TIS) <linda.gerull@sfgov.org>; Makstman, Michael (TIS) <Michael.Makstman@sfgov.org>

Cc: Heckel, Hank (MYR) <hank.heckel@sfgov.org>; Andraychak, Michael (POL) <michael.andraychak@sfgov.org>

Subject: Pilot

Hi Linda and Michael,

Why are Heckel and Andraychak claiming I refused DT's metadata pilot? You called me, asked me, and I said I was happy to be a part of the pilot.

The City lying about my position is not acceptable. Is this just the rest of the City BS-ing as usual?

Happy new years!

Anonymous

----- Original Message -----

On Thursday, December 31st, 2020 at 10:07 AM, Anonymous
<arecordsrequestor@protonmail.com> wrote:

Hi Mr. Heckel/Andraychak,

SOTF: *File this for Compliance in Files 19098 and 19047 please.*

Are City employees now copy-pasting each others' lies? Is the copy-paste lie originating from the Mayor's Office or the City Attorney? I will soon find out.

Not only did I agree to DT's pilot, but I recently informed SOTF that

at least for their own metadata complaint 19119 there were no remaining disputes - I mostly got everything I wanted (very late, but still at this point complete). CIO Gerull either disclosed or agreed, in writing, to disclose **all** of the additional fields I wanted disclosable. Unlike you, Gerull and CISO Makstman appear to respect the Sunshine Ordinance with the purpose of fulfilling the public's right access, instead of with the intent to hide lawfully disclosable information.

That's fine, both of you can keep on lying, in writing. Better record for future judges, and evidence of willful violations for me. Sgt. Andraychack, as a police officer you cannot engage in dishonesty in your job. Please retract your lies immediately.

Andraychak sent almost exactly what Heckel sent, including the underlined lie:

We understand and respect the rulings of SOTF on these issues. We are continuing to consult with the Department of Technology and the City Attorney's Office regarding the scope of any metadata, including calendar ICS data, that can be safely and efficiently disclosed without jeopardizing the safety, security and integrity of the City and County of San Francisco's computer networks, proprietary and licensed systems, and individual users' accounts. See Cal. Govt. Code ? 6253.9(f); 6254.19.

As you are well aware, this task is far from simple. I understand that **you have not agreed to a pilot protocol including a metadata field "green list" proposed by the Department of Technology** and continue to disagree with the boundaries drawn by the City's technical experts. This reflects the continuing complexity of solving the associated technical and practical challenges of providing all of the information in all of the formats you have sought, without inadvertently disclosing cyber-sensitive information or information traditionally withheld for other reasons such as privilege or privacy, that may be embedded in metadata.

Thus, we are working through additional guidance on these issues from the appropriate City professionals, and will respond further when we have a clearer understanding of our obligations under any applicable authorities or rulings, and a reliable methodology for securely and effectively producing permissibly disclosed information while safeguarding exempt information.

Sgt. Andraychak: This is an immediate disclosure request for all communications in any form that you have received with the words "We understand and respect the rulings of SOTF on these issues"

Office of the Mayor: This is an immediate disclosure request for all communications in any form that your office has sent or received with the words "We understand and respect the rulings of SOTF on these issues"

Office of the City Attorney: This is an immediate disclosure request for all communications in any form that you have sent with the words "We understand and respect the rulings of SOTF on these issues"

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Sincerely,

Anonymous

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#)
Cc: [Ng, Wilson \(BOS\)](#)
Subject: FW: Supervisor Haney's Tweet re: Degrafinried (and Immediate Disclosure Request)
Date: Thursday, December 31, 2020 4:08:00 PM
Attachments: [Re Supervisor Haney's Tweet re Degrafinried \(and Immediate Disclosure Request\).msg](#)

-----Original Message-----

From: sf.texts.research@pm.me <sf.texts.research@pm.me>
Sent: Thursday, December 31, 2020 3:08 PM
To: Haney, Matt (BOS) <matt.haney@sfgov.org>; Hanestaff (BOS) <hanestaff@sfgov.org>
Cc: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Heckel, Hank (MYR) <hank.heckel@sfgov.org>; Degrafinried, Alaric (DPW) <alaric.degrafinried@sfdpw.org>; Elsbernd, Sean (MYR) <sean.elsbernd@sfgov.org>; Steinberg, David (DPW) <david.steinberg@sfdpw.org>; Kittler, Sophia (MYR) <sophia.kittler@sfgov.org>
Subject: Re: Supervisor Haney's Tweet re: Degrafinried (and Immediate Disclosure Request)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: sf.texts.research@pm.me
To: [Haney, Matt \(BOS\)](#); [Haneystaff \(BOS\)](#)
Cc: [Breed, Mayor London \(MYR\)](#); [Heckel, Hank \(MYR\)](#); [Degrafinried, Alaric \(DPW\)](#); [Elsbernd, Sean \(MYR\)](#); [Steinberg, David \(DPW\)](#); [Kittler, Sophia \(MYR\)](#)
Subject: Re: Supervisor Haney's Tweet re: Degrafinried (and Immediate Disclosure Request)
Date: Thursday, December 31, 2020 3:08:10 PM
Attachments: [JULY - Messages20-20Sean20Elsbernd.pdf-redacted.pdf](#)
[DECEMBER - Messages - Sean Elsbernd.pdf-redacted \(3\).pdf](#)
[signature.asc](#)

Supervisor Haney,

Attached are the messages between Degrafinried and Elsbernd re: not appearing to oppose your successful splitting of Public Works in the last election.

Compare the attached July Elsbernd [records](#) versus December Elsbernd [records](#). Note how in December's response the texts skip from April to December, while in July's response they do not skip around. Degrafinried appears to have deleted *those politically sensitive* messages from May about splitting Public Works in between the two requests, *after* I requested them under CPRA, while keeping older messages from April! We'll find out soon if that is legal to do.

- **SOTF:** Please file complaint Anonymous v Alaric Degrafinried, alleging violations of SFAC 67.29-7(a) and SFAC 67.21. Degrafinried produced the attached records in July and again in December to two separate requests. Between July and December, messages from May 2020 were apparently deleted and not produced. This shows that Degrafinried either destroyed (*after a records request was made*) or refused to produce those records without reason. As a department head, this act violates at least SF Admin Code 67.29-7(a).
- **Supervisor of Records Dennis Herrera:** This is a SFAC 67.21(d) petition against Alaric Degrafinried and Public Works for the May 2020 messages between Degrafinried and Elsbernd that were not produced in DPW Request <https://sanfrancisco.nextrequest.com/requests/20-4788>. Please determine in writing that one or more records or parts thereof are public and order them disclosed.
- **Alaric Degrafinried:** This is an immediate disclosure request for every text, chat, or instant message of every kind, form, or application, on government accounts or personal accounts subject to City of San Jose v Superior Court (2017) with Sophia Kittler. This is also an immediate disclosure request for the Settings page of your iMessage and SMS/text threads with Sean Elsbernd, showing for example any auto-destruction/timers you may have set on your conversation, of every kind, form, or application, on government accounts or personal accounts subject to City of San Jose v Superior Court (2017) with Sophia Kittler. Auto-destruction of messages, if any, with Elsbernd concern the conduct of public business. You must preserve and produce all text message metadata - see SOTF 19098 Anonymous v Police Department.
- **Sophia Kittler:** This is an immediate disclosure request for every text, chat, or instant message of every kind, form, or application, on government accounts or personal accounts subject to City of San Jose v Superior Court (2017) with Alaric Degrafinried. You must preserve and produce all text message metadata - see SOTF 19098 Anonymous v Police Department.

Sean Elsbernd: This is an immediate disclosure request for every copy or version you have of the attached messages with Degrafinried, on government or personal accounts. You must preserve and produce all text message metadata - see SOTF 19098 Anonymous v Police Department.

NOTE: Nothing herein is legal, IT, or professional advice. No warranties, express or implied, including but not limited merchantability, fitness. Not liable for any special, direct, indirect, consequential, or any other damages whatsoever. Email digital signature indicates identity only, not my legal or binding agreement to anything. If this message is to a journalist, it is confidential. If this message is to the government, it is a disclosable public record.

Sincerely,

Anonymous

----- Original Message -----

On Wednesday, December 30th, 2020 at 11:14 PM, <sf.texts.research@pm.me> wrote:

Supervisor Haney,
as a public communication

I noticed you asked a Twitter user on Dec 26 about messages between Breed and Degrafinried: <https://twitter.com/MattHaneySF/status/1343044550432976896>
I (not the Twitter user) am the person who originally made that records request and analyzed the records. What you got on Twitter is not the whole story.

The only reason you were able to find these messages at all is because of a strong Sunshine Ordinance, a strong SOTF, and people like me who consistently fight for these records.

Next time a question comes up at the Board about whether to weaken or strengthen the Ordinance or the SOTF - consider whether this information about the executive branch is information Supervisors and the public should be able to have. Because of various SOTF rulings against her, the Mayor is gunning for the Ordinance and the SOTF in 2021 - consider why Breed does so (see below) and please do your part to protect public access.

Here's the information I can give you:

- The [records](#) resulted from a records request made to Alaric Degrafinried for all of his texts/chats with London Breed ([citation](#)).
- Mayor Breed was also asked for her public records of these same texts. So far she has refused to produce them ([citation](#)) - apparently because she deleted them prior to my request. Because of that, I have been forced to ask every department head to provide their copy of Breed texts, hoping that they are more compliant with the law, Admin Code 67.29-7(a), requiring department heads and elected officials to preserve all of their correspondence in a professional manner. Why does the Mayor destroy her

- public records? I have no idea - Perhaps you can find out.
- Degrafinried has apparently partially deleted this public record between July and December. How do I know? Because I made essentially the same request in July 2020 as well. July's records response had *more* texts in it than in December. July [records](#) vs December [records](#).
 - What you saw on Twitter was only a particular type of message. Substantially more Degrafinried/Breed texts were released here, on the same theme: <https://sanfrancisco.nextrequest.com/documents/5259461>
 - Unlike what was speculated on Twitter, the messages were likely between Breed and Degrafinried alone. We are able to determine this from the record's "metadata" - an electronic portion of public records sometimes not visible on a print out that the City attempts to hide but which the SOTF has ruled multiple times must be disclosed (in this case, from the record's underlying path - which is often clobbered but in this case was not). Over 14 years ago, this Board unanimously defended the right of the public to access this info, see [Motion M06-134](#). The Mayor and City Attorney refuse to comply with these SOTF rulings. DPW seems to be on the fence.

If you want to know more, feel free to contact me. I'm well aware government officials are not keen on people like me who use public records laws. But I thought I'd give it a shot anyway.

Happy New Years.

P.S. To be clear, I am not the "HDizz" that you replied to on Twitter nor am I in anyway affiliated with them, nor do I necessarily agree with their positions. HDizz apparently enjoys tracking and live-tweeting every records request I make and posting the records with editorialization, almost as much as I enjoy issuing public records requests.

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Sincerely,

Anonymous



iMessage
4/8/20 5:07:21 PM PDT

Hi Sean, this is Alaric Degrafinried. Just tried calling you back. Feel free to call whenever you're available.

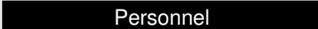
5/12/20 5:42:25 PM PDT

Good evening, Sean. Naomi recommended I contact you and let you

Personnel
In the meantime, I'll be working from home so don't hesitate contacting me if you need anything and I'll keep you posted.

5/12/20 5:47:14 PM PDT

Sean Elsbernd ()

 Personnel don't hesitate to contact me if you need anything.

5/26/20 2:56:28 PM PDT

Hey Sean, I know you're extremely busy so I hate to bother you but do you have some time over the next week or so to discuss the proposed charter amendment that would split Public Works into two separate departments?

I know I can't be vocal advocate against this but I do think it's a bad idea and I'm concerned about the profound affect it will have on our department and the City more broadly.

5/26/20 4:10:17 PM PDT

Sean Elsbernd ()

Alaric, can you connect with Sophia Kittler, our Board Liaison? She's the one playing point on this

5/26/20 4:10:43 PM PDT

Sean Elsbernd ()

Sofia Kittler.vcf

5/26/20 4:12:20 PM PDT

Thanks, will do.



5/31/20 12:06:05 AM PDT

Sean Elsbernd ([redacted])

Mayor just called about downtown destruction from protests. She very much hopes we will be able to help get it all cleaned up ASAP tomorrow morning so it does not become an attractive nuisance for more vandalism tomorrow

5/31/20 3:41:27 AM PDT

We'll take care of it.

5/31/20 5:54:19 AM PDT

We're working with Karin Flood and the Union Square CBD to assess which businesses have board up service for broken windows and we'll supplement where needed. I've been down here for an hour or two and a number of the larger businesses are already taken care of.

We had a lot of sick outs last night so we didn't have as much coverage as we would've liked but we don't seem to have the same problem with this morning's crew.

I'm headed over to the Mission. I'll keep you posted.

5/31/20 6:06:41 AM PDT

Sean Elsbernd ([redacted])

Thank you

5/31/20 8:40:46 AM PDT

I've got all my staff focusing on downtown, TL, and Market St (the Mission looked okay). The Union Square BID has been a big help.

The area is looking a lot better but there are a number of broken windows in the area so store fronts are boarded up/secured accordingly.

5/31/20 1:47:36 PM PDT

Here are some before pictures from this morning. I'll try and get you some after pictures as soon as I can.



5/31/20 1:48:16 PM PDT



5/31/20 1:48:16 PM PDT





5/31/20 1:48:16 PM PDT



5/31/20 1:48:16 PM PDT





5/31/20 1:48:16 PM PDT



5/31/20 1:48:16 PM PDT



5/31/20 1:51:54 PM PDT

Sean Elsbernd (Redacted)

Thank you - wow



5/31/20 2:00:16 PM PDT

Here are some more pictures (before/after). The team really stepped up today!!

5/31/20 2:00:31 PM PDT



5/31/20 2:00:39 PM PDT



5/31/20 2:01:09 PM PDT



5/31/20 2:01:27 PM PDT





5/31/20 2:01:44 PM PDT



6/1/20 10:11:08 PM PDT

Sean Elsbernd ([redacted])

All good. Have a good night.

6/1/20 10:11:25 PM PDT

Okay, you too.

Delivered

Redaction Log

Reason	Page (# of occurrences)	Description
Personnel	1 (5)	We have withheld records responsive to your request [and/or redacted parts of the records provided in response to your request] that constitute private personnel records of a City employee. Cal. Govt. Code Secs. 6254(c), 6254(k); California Constitution, Art. I, Sec. 1.
Privacy	1 (5) 2 (4) 3 (2) 4 (2) 5 (3) 6 (2) 7 (2) 8 (3)	Due to privacy concerns, personal information, such as personal phone numbers, cell numbers and email addresses, has been redacted from the documents that we are making available to you. We redacted this personal information pursuant to Section 6254(c) and Section 6254(k) of the California Public Records Act and Article 1, Section 1 of the California Constitution.

iMessage
4/8/20 5:07:21 PM PDT

Hi Sean, this is Alaric Degrafinried. Just tried calling you back. Feel free to call whenever you're available.

12/3/20 9:37:59 AM PST

Hey Sean, I hope this message finds you well. Any chance you have a little time to chat tomorrow?

I've been working on a Public Works Action Plan that will launch several initiatives to address: (1) Street Conditions, (2) Reporting/Accountability; and (3) the Permitting Process. We've completed a draft plan for the first initiative and before I roll this out more broadly I wanted to make sure your office was aware of it.

12/3/20 9:38:26 AM PST

Sean Elsbernd (Privacy)

Anytime between 8 and 9:30?

12/3/20 9:38:32 AM PST

Sean Elsbernd (Privacy)

Or at noon?

12/3/20 9:40:25 AM PST

8:30am tomorrow (12/4) would be great. Shouldn't take more than 10-15 minutes.

Thank you.

12/9/20 3:21:18 PM PST

I hope that was okay. I'm cautiously optimistic our initiatives will start improving things.

12/9/20 3:37:01 PM PST

Sean Elsbernd (Privacy)

You did very very well!

12/14/20 11:51:32 AM PST

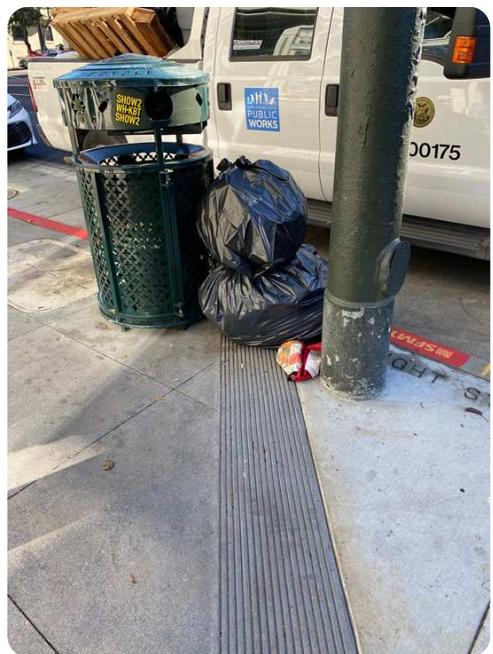
Sean Elsbernd (Privacy)

Please call when you can

12/14/20 3:00:51 PM PST



12/14/20 3:00:51 PM PST



12/14/20 3:00:51 PM PST



12/14/20 3:00:51 PM PST



12/14/20 3:00:51 PM PST

Hi Sean, we picked up the bagged trash but my crew didn't see any problems with feces.

Read 12/14/20

Redaction Log

Reason	Page (# of occurrences)	Description
Privacy	1 (6) 2 (2) 3 (2)	Due to privacy concerns, personal information, such as personal phone numbers, cell numbers and email addresses, has been redacted from the documents that we are making available to you. We redacted this personal information pursuant to Section 6254(c) and Section 6254(k) of the California Public Records Act and Article 1, Section 1 of the California Constitution.

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Ng, Wilson \(BOS\)](#)
Subject: FW: Evidence of willful violation of the Sunshine Ordinance and dishonest conduct by Mayor's Office - SOTF 19047
Date: Monday, January 4, 2021 8:59:00 AM
Attachments: [Evidence of willful violation of the Sunshine Ordinance and dishonest conduct by Mayor's Office - SOTF 19047.msg](#)

-----Original Message-----

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Thursday, December 31, 2020 5:19 PM
To: Heckel, Hank (MYR) <hank.heckel@sfgov.org>; Elsbernd, Sean (MYR) <sean.elsbernd@sfgov.org>; Bruce Wolfe (Chair, SOTF, SF) <sof@brucewolfe.net>; SOTF, (BOS) <sof@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Ethics Commission, (ETH) <ethics.commission@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Lila LaHood <lilalahood.sotf@gmail.com>; Andraychak, Michael (POL) <michael.andraychak@sfgov.org>; CABRERA, ALICIA (CAT) <Alicia.Cabrera@sfcityatty.org>; christine.fontaine@sfgov.org
Subject: Evidence of willful violation of the Sunshine Ordinance and dishonest conduct by Mayor's Office - SOTF 19047

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: [Anonymous](#)
To: [Heckel, Hank \(MYR\)](#); [Elsbernd, Sean \(MYR\)](#); [Bruce Wolfe \(Chair, SOTF, SF\)](#); [SOTF, \(BOS\)](#); [Breed, Mayor London \(MYR\)](#); [Ethics Commission, \(ETH\)](#); [Board of Supervisors, \(BOS\)](#); [Lila LaHood](#); [Andraychak, Michael \(POL\)](#); [CABRERA, ALICIA \(CAT\)](#); christine.fontaine@sfgov.org
Subject: Evidence of willful violation of the Sunshine Ordinance and dishonest conduct by Mayor's Office - SOTF 19047
Date: Thursday, December 31, 2020 5:18:49 PM
Attachments: [For Anonymous IDR 1.pdf](#)
[signature.asc](#)

SOTF,

As you know, the Mayor's Office has never complied with SOTF Order 19047 from October 2019.

Attached is a record produced by SFPD, showing Mayoral "Compliance Officer" Hank Heckel privately describing to the CAO and SFPD how he can stonewall - after more than a year - my request until unknown "further developments," and advising Sgt. Andraychak that a refusal to comply with 19098 would be consistent with the Mayor's Office's refusal.

That message contained a lie by Heckel that I refused to participate in DT's metadata pilot, inducing SFPD to follow Heckel's suit in disregarding the SOTF's decision.

Not only did I participate in the pilot, but DT and I have no outstanding disputes about which fields could be disclosed for emails and calendars, and we informed the SOTF as such in SOTF 19119.

Note Heckel first sent to me and SOTF this copy-paste lie on Dec 21. I immediately informed him he was mistaken about the pilot.

Then on Dec 30, Heckel gave the same lie to Andraychak - even though he *knew* it was false.

The refusal to disclose metadata comes from the Mayor's Office, not DT or myself.

Heckel is an unrepentant, unapologetic liar and no representation he makes should be given any weight by SOTF.

At each hearing of any sort with Hank Heckel, I will now start by listing, with evidence, each of Heckel's lies in Sunshine matters, as will I in public comment of others' cases against Heckel.

When this reaches Compliance this month, I will ask you not only to find Breed, Heckel, Elsbernd, and their Office in willful violation and having committed official misconduct, refer the matter to Ethics, the DA, and the AG, and refer the matter to the Presiding Judge of the Superior Court, but I will also ask you to recommend the full SOTF issue a second OD in this matter finding Breed, Heckel, and the Mayor's Office violated 67.21(e) for not complying with your first order within 5 days. Every available legal procedure must be brought to bear upon these respondents.

We are at over one year now of stonewalling.

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(signature.asc attachment), if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender. Please do not include any confidential information, as I intend that these communications with the government all be disclosable public records.

Sincerely,

Anonymous

RE: California Public Records Act Request #P008260-071519

Heckel, Hank (MYR) <hank.heckel@sfgov.org>

Wed 12/30/2020 8:31 PM

To: Andraychak, Michael (POL) <michael.andraychak@sfgov.org>; Cox, Andrew (POL) <r.andrew.cox@sfgov.org>; CABRERA, ALICIA (CAT) <Alicia.Cabrera@sfcityatty.org>; Fountain, Christine (POL) <christine.fountain@sfgov.org>

Hi Sergeant Andraychak,

This is how I responded to a recent follow-up from Muckrock on this issue. This reflects where we stand and DT, DPW, our office and CAT are basically on the same page. So your current approach is consistent with that pending further developments. Hope you are well. Happy New Year.

...

From: Heckel, Hank (MYR)**Sent:** Monday, December 21, 2020 10:50 PM

To: Anonymous <arecordsrequestor@protonmail.com>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; MayorSunshineRequests, MYR (MYR) <mayorsunshinerequests@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>

Subject: RE: 19047 - Demand to produce records

Dear Anonymous,

We understand and respect the rulings of SOTF on these issues. We are continuing to consult with the Department of Technology and the City Attorney's Office regarding the scope of any metadata, including calendar ICS data, that can be safely and efficiently disclosed without jeopardizing the safety, security and integrity of the City and County of San Francisco's computer networks, proprietary and licensed systems, and individual users' accounts. See Cal. Govt. Code § 6253.9(f); 6254.19.

As you are well aware, this task is far from simple. I understand that you have not agreed to a pilot protocol including a metadata field "green list" proposed by the Department of Technology and continue to disagree with the boundaries drawn by the City's technical experts. This reflects the continuing complexity of solving the associated technical and practical challenges of providing all of the information in all of the formats you have sought, without inadvertently disclosing cyber-sensitive information or information traditionally withheld for other reasons such as privilege or privacy, that may be embedded in metadata.

Thus, we are working through additional guidance on these issues from the appropriate City professionals, and will respond further when we have a clearer understanding of our obligations under any applicable authorities or rulings, and a reliable methodology for securely and effectively producing permissibly disclosed information while safeguarding exempt information.

Regards,

Hank Heckel
Compliance Officer
Office of the Mayor
City and County of San Francisco

From: Andraychak, Michael (POL)**Sent:** Tuesday, December 29, 2020 5:48 PM**To:** Cox, Andrew (POL) <r.andrew.cox@sfgov.org>; CABRERA, ALICIA (CAT) <Alicia.Cabrera@sfcityatty.org>;

Fountain, Christine (POL) <christine.fountain@sfgov.org>

Cc: Heckel, Hank (MYR) <hank.heckel@sfgov.org>

Subject: Fw: California Public Records Act Request #P008260-071519

Hi,

FYI .. anonymous still insisting I provide metadata along with emails and text messages, etc. He's citing various "cases" that CCSF lost in the SOTF.

If I need to be doing something differently with respect to metadata, please let me know. Otherwise, I will continue to redact metadata.

Michael Andraychak #457

Sergeant of Police

Public Information Officer

Media Relations Unit

San Francisco Police Department

1245 - 3rd Street, 6th Floor

San Francisco, CA 94158

(415) 837-7395

Regular Days Off: Sat & Sun

<http://www.sanfranciscopolice.org/>

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From: 76435-93915115@requests.muckrock.com <76435-93915115@requests.muckrock.com>

Sent: Tuesday, December 29, 2020 5:20 PM

To: Andraychak, Michael (POL) <michael.andraychak@sfgov.org>

Subject: RE: California Public Records Act Request #P008260-071519

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San Francisco Police Department
 PRA Office
 1245 3rd Street
 SF, CA 94158

December 29, 2020

This is a follow up to request number P008260-071519:

Perhaps you are out of date on what has happened with metadata...

67.21(L) limits only the format, not the information itself. Note that the law says "available" or "easily generated" NOT "easily redacted." Generating these files takes moments; redacting them takes longer. The format is certainly "available" to you.

DT and DPW have now provided the information in PDF format, and then redacted it so that redaction can be done in Adobe Acrobat like other records.

DPW started providing their headers in Oct-Nov 2020: <https://avanan.url-protection.com/v1/url?o=https%3A//sanfrancisco.nextrequest.com/documents/6046865&g=NmU1ZDg3NjRIYTVjMjhhOQ==&h=NjgwZWUxMzc0MjVjNGFhODFIMDkxOWI1NjI0NDZhMjdmOTZmNzE3NTVmNjYwNDczMTM5ZjBkMTIwNGU2NzM1NA==&p=YXAzOnNmZHQyOmF2YW5hbJpvZmZpY2UzNjVfZW1haWxzX2VtYWIsOmZhOTAxZTJIMzIxODMyMGQ3ZjFIZDM5ZmQ5ZmFhNDJjOnYx>

DT finished providing headers as of Dec 28, 2020: <https://avanan.url-protection.com/v1/url?o=https%3A//sanfrancisco.nextrequest.com/documents/6211041&g=Y2NhZmZiZDdiZDNmYjA2Mw==&h=NzZhODU3YzExZDdiMmVjZTJjODg4NzdmMWZiOWQ0YWRkMWMwYzlkMGRIYzRjMGUyNTA3ZGFjMmU2N2FjOWJjZg==&p=YXAzOnNmZHQyOmF2YW5hbJpvZmZpY2UzNjVfZW1haWxzX2VtYWIsOmZhOTAxZTJIMzIxODMyMGQ3ZjFIZDM5ZmQ5ZmFhNDJjOnYx>

I don't plan on re-arguing this with you - SFPD, the Mayor, and the City Attorney each lost these cases. You might want to send an email to DT before you go down this road.

Anyway... To confirm, SFPD is refusing to comply with the metadata part of SOTF's ruling in 19098, correct?

Thanks,
 Anonymous

Filed via MuckRock.com

E-mail (Preferred): 76435-93915115@requests.muckrock.com

Upload documents directly: https://avanan.url-protection.com/v1/url?o=https%3A//accounts.muckrock.com/accounts/login/%3Fnext%3Dhttps%253A%252F%252Fwww.muckrock.com%252Faccounts%252Flogin%252F%253Fnext%253D%25252Faccounts%25252Fagency_login%25252Fsan-francisco-police-department-367%25252Femail-and-electronic-communications-audit-sfpd-76435%25252F%25253Femail%25253Dmichael.andraychak%25252540sfgov.org%26amp%3Burl_auth_token%3DAAAIho6-kUH0n-gqo3T6PAL_wX5Q%253A1kuQAB%253AuoOss_QTc6tdqGGjvNt9j_x85g0&g=MjI5OWRkMmE3ZjA1ODkzMw==&h=MGM2OWMzZmQ5ZjJjOWRmMGM2MDg2Y2Y5ZGFjOTM0NWMzYmM4ZDljODIxZjNiYjZlZDM0NjRmMDAwMzU5ODNjMA==&p=YXAzOnNmZHQyOmF2YW5hbJpvZmZpY2UzNjVfZW1haWxzX2VtYWIsOmZhOTAxZTJIMzIxODMyMGQ3ZjFIZDM5ZmQ5ZmFhNDJjOnYx

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 76435
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On Dec. 29, 2020:

Subject: Re: California Public Records Act Request #P008260-071519

Mr. Anonymous,

This is consistent with the City's response requests for metadata. The difficulty of consistent redactions makes the metadata formats not "easily generated" and therefore also exempt under Sunshine 67.21(l).

67.21(l) places reasonable limits on the types of electronic information and formats that must be provided

Michael Andraychak #457

Sergeant of Police

Public Information Officer

Media Relations Unit

San Francisco Police Department

1245 - 3rd Street, 6th Floor

San Francisco, CA 94158

(415) 837-7395

Regular Days Off: Sat & Sun

<https://avanan.url-protection.com/v1/url?o=http%3A//www.sanfranciscopolice.org/&g=ZTlhMmE2YzFkM2E1NjRlNw==&h=YzljNzkyNDI0ZTEy.NTE0Y2U1MGE4OWNhYWJiNWJiNmQ4ZmFmODNjYjQ0ZDNINDIxODQ3MDAyMjVhOGUwMmlzNw==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWIsOmZhOTAxZTJlMzkxODMy.MGQ3ZjFIZDM5ZmQ5ZmFhNDJjOnYx>

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On Dec. 29, 2020:

Subject: RE: California Public Records Act Request #P008260-071519

> As you know, we are redacting Metadata.

So you are refusing to comply with the SOTF's decision in this case?

On Dec. 29, 2020:

Subject: P008260-071519

At your request, I recontacted members of the command staff and asked them to double check and let me know if they had any official ccsf work emails on their personal email account.

Attached are emails from Dep. Chief Yee's personal email. They were saved directly as PDFs. As you know, we are redacting Metadata.

He has no other responsive documents.

There are no further command staff members with work emails in their personal accounts.

I am working on the text message portion of this request.

Michael Andraychak #457

Sergeant of Police

Public Information Officer

Officer in Charge - Media Relations Unit

San Francisco Police Department

1245 - 3rd Street, 6th Floor

San Francisco, CA 94158

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<https://avanan.url-protection.com/v1/url?o=http%3A//www.sanfranciscopolice.org/&g=ZmM2MmY0Mzk0OWFkNTIzNw==&h=NzEwZDgwMDNiNzI5ZDg5OWI2MWQwNzkwYmFhOWJINGZhODhmYTljZmNlMjBmMWFjMmY4MzhhNDYyZjM3NGMwMA==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWlsOmZhOTAxZTJlMzIxODMyMGQ3ZjFIZDM5ZmQ5ZmFhNDJlOnYx>

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On Dec. 10, 2020:

Subject: RE: California Public Records Act Request #P008260-071519

Thanks - if you first show that this decision can and will be implemented properly by SFPD for some smaller sample of records, and agree with a letter signed by Chief Scott that SFPD agrees to, for every public record produced hereafter, (1) provide PDF copies of electronic public records without printing and scanning if requested, (2) disclose all non-exempt email headers if requested, (3) disclose all non-exempt text message metadata if requested, (4) always key every redaction to a written exemption justification in all records requests, and (5) search personal property for records related to the conduct of public business pursuant to City of San Jose v Superior Court (2017), I remain willing to waive the remainder of the re-production of the entire request.

Given you haven't responded before I assume SFPD does not wish to settle the matter this way.

--Anonymous

On Dec. 10, 2020:

Subject: Re: California Public Records Act Request #P008260-071519

Good morning,

I'm working on getting you text messages (re-done) and learned how to directly save an email as a PDF. So I'll get you those work emails from DC Yee from his personal email.

Michael Andraychak #457

Sergeant of Police

Public Information Officer

Media Relations Unit

San Francisco Police Department

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San Francisco, CA 94158

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intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

On July 2, 2019:

Subject: California Public Records Act Request: Email and Electronic Communications Audit (SFPD)
RE: Email and Electronic Communications Audit

To Whom It May Concern:

** NOTE: this is a public mailbox, and all of your responses (including disclosed records) may be automatically and instantly available to the general public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). **

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA) the following items from the SFPD.

Similar requests were recently made of the Board of Supervisors, Clerk, and Mayor's Office. If a person has multiple email addresses (including but not limited to email aliases), 10 emails from each are requested. For example the Mayor may have a public-facing email alias and also an email address she uses to do business internally- 10 from each are requested. Please do not include spam or product advertisement emails.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. For the chat apps, a screenshot or print-out is acceptable.

If you use PDF, use properly redacted searchable or text pdfs. Please don't use image PDFs to make it harder to analyze the records.

If you provide PDFs instead of original email files, only give a few of the headers or lacking attachments/images, and/or improperly withhold public records that exist on private accounts/devices you may be in violation of SF Admin Code and/or CPRA, and we may challenge your decision at the Sunshine Ordinance Task Force, Supervisor of Records, judicially, and/or via any other remedies available to us. I currently have pending petitions to the Task Force and Supervisor of Records to correct prior disclosure failures of electronic information from various SF agencies.

You must justify all withholding.

Provide records in a rolling fashion. Do not wait for all records to be available.

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required free notice of which of those records are available and non-exempt for inspection in-person if we so choose. Please use email to respond.

I look forward to your prompt disclosure.

PART 1 - Email

A. an electronic copy, in the original electronic format, with all headers, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the most recent 10 emails RECEIVED BY EACH OFFICIAL government email account of

1. Chief of Police
2. Asst. Chief/Chief of Staff
3. Asst. Chief/Operations
4. Deputy Chief/Administration
5. Executive Director/Strategic Management
6. Deputy Chief/Field Operations
7. Deputy Chief/Investigations
8. Deputy Chief/Special Operations
9. Deputy Chief/Airport
10. every Commander
11. every Civilian Director

B. an electronic copy, in the original electronic format, with all headers, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the most recent 10 emails SENT FROM EACH OFFICIAL government email account of

1. Chief of Police
2. Asst. Chief/Chief of Staff
3. Asst. Chief/Operations
4. Deputy Chief/Administration
5. Executive Director/Strategic Management
6. Deputy Chief/Field Operations
7. Deputy Chief/Investigations
8. Deputy Chief/Special Operations
9. Deputy Chief/Airport
10. every Commander
11. every Civilian Director

C. an electronic copy, in the original electronic format, with all headers, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the most recent 10 emails IN THE DRAFT or OUTBOX folder of EACH OFFICIAL government email account of the following. Please remember the special Sunshine exceptions to CPRA draft withholding under SF Admin Code 67.24(a).

1. Chief of Police
2. Asst. Chief/Chief of Staff
3. Asst. Chief/Operations
4. Deputy Chief/Administration
5. Executive Director/Strategic Management
6. Deputy Chief/Field Operations
7. Deputy Chief/Investigations
8. Deputy Chief/Special Operations
9. Deputy Chief/Airport
10. every Commander
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D. an electronic copy, in the original electronic format, with all headers, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the

Ordinance, of the most recent 10 emails regarding the public's business (specifically those disclosable under relevant statute and case law, including but not limited to City of San Jose v Superior Court (2017)) SENT FROM EACH PERSONAL email account(s) of the following officials, TO/CC/BCC any sfgov.org email address. If NO such emails exist for each entry, remember you must state under Govt Code 6253(c) that there are no responsive records.

1. Chief of Police
2. Asst. Chief/Chief of Staff
3. Asst. Chief/Operations
4. Deputy Chief/Administration
5. Executive Director/Strategic Management
6. Deputy Chief/Field Operations
7. Deputy Chief/Investigations
8. Deputy Chief/Special Operations
9. Deputy Chief/Airport
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E. an electronic copy, in the original electronic format, with all headers, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the most recent 10 emails regarding the public's business (specifically those disclosable under relevant statute and case law, including but not limited to City of San Jose v Superior Court (2017)) RECEIVED BY EACH PERSONAL email account(s) of the following officials, FROM any sfgov.org email address. If NO such emails exist for each entry, remember you must state under Govt Code 6253(c) that there are no responsive records.

1. Chief of Police
2. Asst. Chief/Chief of Staff
3. Asst. Chief/Operations
4. Deputy Chief/Administration
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8. Deputy Chief/Special Operations
9. Deputy Chief/Airport
10. every Commander
11. every Civilian Director

PART 2 - Chat/Messaging

As used below "Conversations" include but are not limited to any metadata records showing that a conversation had taken place but is now deleted (due to expiration for example).

Various types of apps are mentioned below.

A. an electronic copy, in the original electronic format, with all headers, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the most recent 10 conversations (whether individual or group chats) of all OFFICIAL government account(s) of the following person in [Facebook Messenger]:

1. Chief of Police
2. Asst. Chief/Chief of Staff
3. Asst. Chief/Operations
4. Deputy Chief/Administration

5. Executive Director/Strategic Management
6. Deputy Chief/Field Operations
7. Deputy Chief/Investigations
8. Deputy Chief/Special Operations
9. Deputy Chief/Airport
10. every Commander
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B. an electronic copy, in the original electronic format, with all headers, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the most recent 10 conversations (whether individual or group chats) of all OFFICIAL government account(s) of the following person in [Telegram]:

1. Chief of Police
2. Asst. Chief/Chief of Staff
3. Asst. Chief/Operations
4. Deputy Chief/Administration
5. Executive Director/Strategic Management
6. Deputy Chief/Field Operations
7. Deputy Chief/Investigations
8. Deputy Chief/Special Operations
9. Deputy Chief/Airport
10. every Commander
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C. an electronic copy, in the original electronic format, with all headers, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the most recent 10 conversations (whether individual or group chats) of all OFFICIAL government account(s) of the following person in [Slack]:

1. Chief of Police
2. Asst. Chief/Chief of Staff
3. Asst. Chief/Operations
4. Deputy Chief/Administration
5. Executive Director/Strategic Management
6. Deputy Chief/Field Operations
7. Deputy Chief/Investigations
8. Deputy Chief/Special Operations
9. Deputy Chief/Airport
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D. an electronic copy, in the original electronic format, with all headers, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the most recent 10 conversations (whether individual or group chats) of all OFFICIAL government account(s) of the following person in [Google Hangouts]:

1. Chief of Police
2. Asst. Chief/Chief of Staff
3. Asst. Chief/Operations
4. Deputy Chief/Administration
5. Executive Director/Strategic Management

6. Deputy Chief/Field Operations
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1. Chief of Police
2. Asst. Chief/Chief of Staff
3. Asst. Chief/Operations
4. Deputy Chief/Administration
5. Executive Director/Strategic Management
6. Deputy Chief/Field Operations
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8. Deputy Chief/Special Operations
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F. an electronic copy, in the original electronic format, with all headers, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the most recent 10 conversations (whether individual or group chats) of all OFFICIAL government account(s) of the following person in [SMS/MMS/text messages]:

1. Chief of Police
2. Asst. Chief/Chief of Staff
3. Asst. Chief/Operations
4. Deputy Chief/Administration
5. Executive Director/Strategic Management
6. Deputy Chief/Field Operations
7. Deputy Chief/Investigations
8. Deputy Chief/Special Operations
9. Deputy Chief/Airport
10. every Commander
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G. an electronic copy, in the original electronic format, with all headers, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the most recent 10 conversations (whether individual or group chats) of all PERSONAL account(s) of the following person in [Facebook Messenger], solely to the extent that such conversations are regarding the public's business and disclosable under relevant statute and case law, including but not limited to City of San Jose v Superior Court (2017). If NO such conversations exist for each entry, remember you must state under Govt Code 6253(c) that there are no responsive records.

1. Chief of Police
2. Asst. Chief/Chief of Staff
3. Asst. Chief/Operations

4. Deputy Chief/Administration
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H.an electronic copy, in the original electronic format, with all headers, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the most recent 10 conversations (whether individual or group chats) of all PERSONAL account(s) of the following person in [Telegram], solely to the extent that such conversations are regarding the public's business and disclosable under relevant statute and case law, including but not limited to City of San Jose v Superior Court (2017). If NO such conversations exist for each entry, remember you must state under Govt Code 6253(c) that there are no responsive records.

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J.an electronic copy, in the original electronic format, with all headers, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the

Ordinance, of the most recent 10 conversations (whether individual or group chats) of all PERSONAL account(s) of the following person in [Google Hangouts], solely to the extent that such conversations are regarding the public's business and disclosable under relevant statute and case law, including but not limited to City of San Jose v Superior Court (2017). If NO such conversations exist for each entry, remember you must state under Govt Code 6253(c) that there are no responsive records.

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K.an electronic copy, in the original electronic format, with all headers, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the most recent 10 conversations (whether individual or group chats) of all PERSONAL account(s) of the following person in [Signal], solely to the extent that such conversations are regarding the public's business and disclosable under relevant statute and case law, including but not limited to City of San Jose v Superior Court (2017). If NO such conversations exist for each entry, remember you must state under Govt Code 6253(c) that there are no responsive records.

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L.an electronic copy, in the original electronic format, with all headers, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the most recent 10 conversations (whether individual or group chats) of all PERSONAL account(s) of the following person in [text/SMS/MMS messaging], solely to the extent that such conversations are regarding the public's business and disclosable under relevant statute and case law, including but not limited to City of San Jose v Superior Court (2017). If NO such conversations exist for each entry, remember you must state under Govt Code 6253(c) that there are no responsive records.

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4. Deputy Chief/Administration
5. Executive Director/Strategic Management
6. Deputy Chief/Field Operations

7. Deputy Chief/Investigations
8. Deputy Chief/Special Operations
9. Deputy Chief/Airport
10. every Commander
11. every Civilian Director

PART 3: all instruments used to inquire of each official as to whether they possess any responsive records above, and all of their responses

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 76435-93915115@requests.muckrock.com

Upload documents directly: [https://avanan.url-protection.com/v1/url?](https://avanan.url-protection.com/v1/url?o=https%3A//accounts.muckrock.com/accounts/login/%3Fnext%3Dhttps%253A%252F%252Fwww.muckrock.com%252Faccounts%252Flogin%252F%253D%25252Faccounts%25252Fagency_login%25252Fsan-francisco-police-department-367%25252Femail-and-electronic-communications-audit-sfpd-76435%25252F%25253Femail%25253Dmichael.andraychak%25252540sf.gov.org%26amp%3Burl_auth_token%3DAAlho6-kUH0n-qq3T6PAL_wX5Q%253A1kuQAB%253AuoOss_QTc6tdqGGjvNt9j_x85g0&g=NDcxZWM1ZTU1NjJhMzFkZA==&h=N2NiOWY3Y2RjNTUzZTFkYmM0YmI5MTA0NGY5YzVmOTMzOTMyNGU5MTEzOTY2Zjk0M2JhYzZlMDMzMjE1MTJlMA==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWJsOmZhOTAxZTJlMzkxODMyMGQ3ZjFIZDM5ZmQ5ZmFhNDJlOnYx)

[o=https%3A//accounts.muckrock.com/accounts/login/%3Fnext%3Dhttps%253A%252F%252Fwww.muckrock.com%252Faccounts%252Flogin%252F%253D%25252Faccounts%25252Fagency_login%25252Fsan-francisco-police-department-367%25252Femail-and-electronic-communications-audit-sfpd-](https://avanan.url-protection.com/v1/url?o=https%3A//accounts.muckrock.com/accounts/login/%3Fnext%3Dhttps%253A%252F%252Fwww.muckrock.com%252Faccounts%252Flogin%252F%253D%25252Faccounts%25252Fagency_login%25252Fsan-francisco-police-department-367%25252Femail-and-electronic-communications-audit-sfpd-76435%25252F%25253Femail%25253Dmichael.andraychak%25252540sf.gov.org%26amp%3Burl_auth_token%3DAAlho6-kUH0n-qq3T6PAL_wX5Q%253A1kuQAB%253AuoOss_QTc6tdqGGjvNt9j_x85g0&g=NDcxZWM1ZTU1NjJhMzFkZA==&h=N2NiOWY3Y2RjNTUzZTFkYmM0YmI5MTA0NGY5YzVmOTMzOTMyNGU5MTEzOTY2Zjk0M2JhYzZlMDMzMjE1MTJlMA==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWJsOmZhOTAxZTJlMzkxODMyMGQ3ZjFIZDM5ZmQ5ZmFhNDJlOnYx)

[76435%25252F%25253Femail%25253Dmichael.andraychak%25252540sf.gov.org%26amp%3Burl_auth_token%3DAAlho6-kUH0n-qq3T6PAL_wX5Q%253A1kuQAB%253AuoOss_QTc6tdqGGjvNt9j_x85g0&g=NDcxZWM1ZTU1NjJhMzFkZA==&h=N2NiOWY3Y2RjNTUzZTFkYmM0YmI5MTA0NGY5YzVmOTMzOTMyNGU5MTEzOTY2Zjk0M2JhYzZlMDMzMjE1MTJlMA==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWJsOmZhOTAxZTJlMzkxODMyMGQ3ZjFIZDM5ZmQ5ZmFhNDJlOnYx](https://avanan.url-protection.com/v1/url?o=https%3A//accounts.muckrock.com/accounts/login/%3Fnext%3Dhttps%253A%252F%252Fwww.muckrock.com%252Faccounts%252Flogin%252F%253D%25252Faccounts%25252Fagency_login%25252Fsan-francisco-police-department-367%25252Femail-and-electronic-communications-audit-sfpd-76435%25252F%25253Femail%25253Dmichael.andraychak%25252540sf.gov.org%26amp%3Burl_auth_token%3DAAlho6-kUH0n-qq3T6PAL_wX5Q%253A1kuQAB%253AuoOss_QTc6tdqGGjvNt9j_x85g0&g=NDcxZWM1ZTU1NjJhMzFkZA==&h=N2NiOWY3Y2RjNTUzZTFkYmM0YmI5MTA0NGY5YzVmOTMzOTMyNGU5MTEzOTY2Zjk0M2JhYzZlMDMzMjE1MTJlMA==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWJsOmZhOTAxZTJlMzkxODMyMGQ3ZjFIZDM5ZmQ5ZmFhNDJlOnYx)

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 76435

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Ng, Wilson \(BOS\)](#)
Subject: FW: 19047 - Demand to produce records
Date: Wednesday, January 6, 2021 2:30:00 PM
Attachments: [RE 19047 - Demand to produce records.msg](#)

-----Original Message-----

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Wednesday, January 6, 2021 12:24 PM
To: Heckel, Hank (MYR) <hank.heckel@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Cc: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; MayorSunshineRequests, MYR (MYR) <mayorsunshinerequests@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Kittler, Sophia (MYR) <sophia.kittler@sfgov.org>; Elsbernd, Sean (MYR) <sean.elsbernd@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; RonenStaff (BOS) <ronenstaff@sfgov.org>
Subject: RE: 19047 - Demand to produce records

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: [Anonymous](#)
To: [Heckel, Hank \(MYR\)](#); [BOS-Legislative Aides](#)
Cc: [Breed, Mayor London \(MYR\)](#); [MayorSunshineRequests, MYR \(MYR\)](#); [SOTF, \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [Kittler, Sophia \(MYR\)](#); [Elsbernd, Sean \(MYR\)](#); [Ronen, Hillary](#); [RonenStaff \(BOS\)](#)
Subject: RE: 19047 - Demand to produce records
Date: Wednesday, January 6, 2021 12:23:58 PM
Attachments: [signature.asc](#)

SOTF:

This is a note that Respondents Breed, Heckel, and Office of the Mayor continue to violate not only the sections you found in Order 19047, but also 67.21(e) which required their compliance 5 days **after the Order issued in October 2019**, and 67.34 for their willful refusal to comply with the law, in refusing to produce the Mayor's "secret" calendar.

Respondents appear to believe that SOTF makes mere suggestions - they have apparently forgotten the terms of 67.21(e) and 67.21(f), by which the law requires Respondents to comply with your OD and endows Superior Court with the jurisdiction to enforce your orders.

Board of Supervisors: Keep this in mind when the Mayor tries to manipulate the Board into altering the Ordinance/SOTF into going easy on the City - this is why.

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Sincerely,

Anonymous

----- Original Message -----

On Thursday, December 31st, 2020 at 5:43 PM, Anonymous
<arecordsrequestor@protonmail.com> wrote:

As Mr. Heckel has now been told directly by DT - Heckel's statements below to SOTF on Dec 21, specifically about me refusing to DT's metadata pilot. An ethical person would retract such statements to SOTF.

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I intend that these communications with the government all be disclosable public records.

Sincerely,

Anonymous

----- Original Message -----

On Monday, December 21st, 2020 at 10:49 PM, Heckel, Hank (MYR)
<hank.heckel@sfgov.org> wrote:

Dear Anonymous,

We understand and respect the rulings of SOTF on these issues. We are continuing to consult with the Department of Technology and the City Attorney's Office regarding the scope of any metadata, including calendar ICS data, that can be safely and efficiently disclosed without jeopardizing the safety, security and integrity of the City and County of San Francisco's computer networks, proprietary and licensed systems, and individual users' accounts. See Cal. Govt. Code § 6253.9(f); 6254.19.

As you are well aware, this task is far from simple. I understand that you have not agreed to a pilot protocol including a metadata field "green list" proposed by the Department of Technology and continue to disagree with the boundaries drawn by the City's technical experts. This reflects the continuing complexity of solving the associated technical and practical challenges of providing all of the information in all of the formats you have sought, without inadvertently disclosing cyber-sensitive information or information traditionally withheld for other reasons such as privilege or privacy, that may be embedded in metadata.

Thus, we are working through additional guidance on these issues from the appropriate City professionals, and will respond further when we have a clearer understanding of our obligations under any applicable authorities or rulings, and a reliable methodology for securely and effectively producing permissibly disclosed information while safeguarding exempt information.

Regards,

Hank Heckel

Compliance Officer

Office of the Mayor

City and County of San Francisco

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Monday, December 21, 2020 7:09 PM
To: Heckel, Hank (MYR) <hank.heckel@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; MayorSunshineRequests, MYR (MYR) <mayorsunshinerequests@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>
Subject: 19047 - Demand to produce records

This is the repeated demand that you produce the ICS files in case 19047.

You used the excuse of the metadata IT hearings to delay your compliance with the SOTF's order; then the SOTF ruled for metadata disclosure in all respects.

You have long passed your timeline to produce records or to appeal the decision.

Please produce the records and comply.

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Sincerely,

Anonymous

Sent from ProtonMail Mobile

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Ng, Wilson \(BOS\)](#)
Subject: FW: SFPD metadata compliance - File 19098
Date: Wednesday, January 6, 2021 2:30:00 PM
Attachments: [Re SFPD metadata compliance - File 19098.msg](#)

-----Original Message-----

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Wednesday, January 6, 2021 1:29 PM
To: Andraychak, Michael (POL) <michael.andraychak@sfgov.org>; Cox, Andrew (POL) <r.andrew.cox@sfgov.org>; Heckel, Hank (MYR) <hank.heckel@sfgov.org>
Cc: SOTF, (BOS) <sotf@sfgov.org>; Scott, William (POL) <william.scott@sfgov.org>; CABRERA, ALICIA (CAT) <Alicia.Cabrera@sfcityatty.org>; Fountain, Christine (POL) <christine.fountain@sfgov.org>; Ethics Commission, (ETH) <ethics.commission@sfgov.org>; Lila LaHood <lilalahood.sotf@gmail.com>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Re: SFPD metadata compliance - File 19098

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: [Anonymous](#)
To: [Andraychak, Michael \(POL\)](#); [Cox, Andrew \(POL\)](#); [Heckel, Hank \(MYR\)](#)
Cc: [SOTF, \(BOS\)](#); [Scott, William \(POL\)](#); [CABRERA, ALICIA \(CAT\)](#); [Fountain, Christine \(POL\)](#); [Ethics Commission, \(ETH\)](#); [Lila LaHood](#); [Board of Supervisors, \(BOS\)](#)
Subject: Re: SFPD metadata compliance - File 19098
Date: Wednesday, January 6, 2021 1:29:18 PM
Attachments: [signature.asc](#)

SOTF and Compliance Chair LaHood:

I request a Compliance hearing for SOTF 19098 v SFPD.

I will prove willful violation by demonstrating SFPD made false statements - originally written by Hank Heckel of the Mayor's Office, transmitted by Heckel to Andraychak after Heckel knew they were false, and copy pasted with reckless disregard for their truth by Sgt. Michael Andraychak - in their refusal to comply.

SFPD refuses to retract their statements even after being informed that they are false.

As you may recall, in SOTF 19112 Lt. Andrew Cox falsely told this tribunal that SFPD would comply with requests for Chief Scott's calendars. Then, Chief Scott's office reneged, disavowing Lt. Cox's statements, *after the SOTF's decision in my favor was made*.

Treatment of Sunshine issues with contempt for the truth to avoid responsibility is now a repeated pattern of behavior by the Police Department and City employees.

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Sincerely,

Anonymous

----- Original Message -----

On Thursday, December 31st, 2020 at 7:07 PM, Anonymous
<arecordsrequestor@protonmail.com> wrote:

+Cox, Cabrera, and Fountain:

You should be aware that Hank Heckel lied to each of you yesterday about my refusal to participate in DT's metadata pilot - I realize now that Heckel sent you those emails too, via a records request to Andraychak. Sgt. Andraychak then copy-pasted Heckel's false statements back to me - I will assume he apparently

did not know any better at the time and was misled by Heckel. Andraychak, however, has yet to retract the statement now that he knows it is false.

Regardless, who knew that the San Francisco Police take their marching orders from Hank Heckel, right?

Not only did I participate in DT's pilot, but DT and I have no outstanding disputes over what was disclosable, as we informed SOTF, in DT's own metadata complaint, SOTF 19119. Ask DT yourself or see the attached email from CIO Linda Gerull to me, Heckel and Andraychak earlier today. I find it curious that on the thread between Heckel and you all, DT was apparently never consulted.

What I am asking is very simple: that SFPD, like DPW, produce at least one responsive received email in this case with metadata manually redacted per DT's most recent guidelines. Are you willing to do this or not? It will take you a few minutes at the absolute maximum. That would then demonstrate the "good faith" SFPD claims to act in, instead of willful non-compliance.

Whether SFPD's citation of my refusal to work with DT was just to avoid your own compliance, or a genuine misunderstanding of the state of the issue caused by Heckel, is now up to you to decide.

DPW not providing email metadata is also false, here is one they recently provided, manually redacted per DT's suggestions: <https://sanfrancisco.nextrequest.com/documents/6046865>

Your dislike of me should not get in the way of your agency complying with the law and acting with integrity.

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Sincerely,

Anonymous

----- Original Message -----

On Thursday, December 31st, 2020 at 2:14 PM, Anonymous <arecordsrequestor@protonmail.com> wrote:

Chief Scott, Sgt. Andraychak, and SFPD:

Your reply to me is about *ICS (calendar)* data, not *email headers*. I didn't even ask SFPD for ICS files or calendars in SOTF 19098 =) Heckel's complaint - not yours - was about ICS files - so its clearly a copy/paste.

You still have a chance to retract your statements here. Consider talking directly to the actual experts - CIO Gerull and CISO Makstman - like I suggested.

Let's start over without Hank Heckel:

Will SFPD produce a *single* responsive SOTF 19098 received (not sent) sfgov.org email record, properly and manually redacted with all the headers, and according to DT's most recent guidance to demonstrate good faith and that they are not *willfully* non-compliant?

David Steinberg of Public Works could figure out how to do it after talking to DT:

<https://sanfrancisco.nextrequest.com/documents/6046865> .

I'm sure SFPD is up to the task.

Just because Heckel uses a bunch of legalese to sound informed doesn't make him right. You don't have to behave like him - you are your own agency.

Happy new years.

City Attorney's Office: The prior IDR to you in this thread is rescinded. The culprit here is apparently the Mayor's Office, not you...

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Sincerely,

Anonymous

----- Original Message -----

On Thursday, December 31st, 2020 at 10:07 AM, Anonymous <arecordsrequestor@protonmail.com> wrote:

Hi Mr. Heckel/Andraychak,

SOTF: *File this for Compliance in Files 19098 and 19047 please.*

Are City employees now copy-pasting each others' lies? Is the copy-paste lie originating from the Mayor's Office or the City Attorney? I will soon find out.

Not only did I agree to DT's pilot, but I recently informed SOTF that at least for their own metadata complaint 19119 there were no remaining disputes - I mostly got everything I wanted (very late, but still at this point complete). CIO Gerull either disclosed or agreed, in writing, to disclose **all** of the additional fields I wanted disclosable. Unlike you, Gerull and CISO Makstman appear to respect the Sunshine Ordinance with the purpose of fulfilling the public's right access, instead of with the intent to hide lawfully disclosable information.

That's fine, both of you can keep on lying, in writing. Better record for future judges, and evidence of willful violations for me. Sgt. Andraychack, as a police officer you cannot engage in dishonesty in your job. Please retract your lies immediately.

Andraychak sent almost exactly what Heckel sent, including the underlined lie:

We understand and respect the rulings of SOTF on these issues. We are continuing to consult with the Department of Technology and the City Attorney's Office regarding the scope of any metadata, including calendar ICS data, that can be safely and efficiently disclosed without jeopardizing the safety, security and integrity of the City and County of San Francisco's computer networks, proprietary and licensed systems, and individual users' accounts. See Cal. Govt. Code ? 6253.9(f); 6254.19.

As you are well aware, this task is far from simple. I understand that **you have not agreed to a pilot protocol including a metadata field "green list" proposed by the Department of Technology** and

continue to disagree with the boundaries drawn by the City's technical experts. This reflects the continuing complexity of solving the associated technical and practical challenges of providing all of the information in all of the formats you have sought, without inadvertently disclosing cyber-sensitive information or information traditionally withheld for other reasons such as privilege or privacy, that may be embedded in metadata.

Thus, we are working through additional guidance on these issues from the appropriate City professionals, and will respond further when we have a clearer understanding of our obligations under any applicable authorities or rulings, and a reliable methodology for securely and effectively producing permissibly disclosed information while safeguarding exempt information.

Sgt. Andraychak: This is an immediate disclosure request for all communications in any form that you have received with the words "We understand and respect the rulings of SOTF on these issues"

Office of the Mayor: This is an immediate disclosure request for all communications in any form that your office has sent or received with the words "We understand and respect the rulings of SOTF on these issues"

Office of the City Attorney: This is an immediate disclosure request for all communications in any form that you have sent with the words "We understand and respect the rulings of SOTF on these issues"

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with the government all be disclosable public records.

Sincerely,

Anonymous

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Ng, Wilson \(BOS\)](#)
Subject: FW: SOTF Rulings on Dec 6 - 19119, 19097, 19128, 19120, 19121
Date: Thursday, January 7, 2021 9:09:00 AM
Attachments: [SOTF Rulings on Dec 6 - 19119 19097 19128 19120 19121.msg](#)

-----Original Message-----

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Thursday, January 7, 2021 2:16 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Records, Supervisor (CAT) <Supervisor.records@sfcityatty.org>; SOTF, (BOS) <sotf@sfgov.org>; Ethics Commission, (ETH) <ethics.commission@sfgov.org>; Cityattorney <Cityattorney@sfcityatty.org>
Subject: SOTF Rulings on Dec 6 - 19119, 19097, 19128, 19120, 19121

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From: [Anonymous](#)
To: [Board of Supervisors, \(BOS\)](#); [Records, Supervisor \(CAT\)](#); [SOTF, \(BOS\)](#); [Ethics Commission, \(ETH\)](#); [Cityattorney](#)
Subject: SOTF Rulings on Dec 6 - 19119, 19097, 19128, 19120, 19121
Date: Thursday, January 7, 2021 2:16:40 AM
Attachments: [signature.asc](#)

Good morning City records staff (BCC),
as a public communication

I'd like to inform the City records staff about various rulings at SOTF on Dec 6, against Dept of Technology, Public Works, City Attorney, Police Department, and Police Commission (in separate cases, listed below).

I am offering every department* *without* a metadata-related SOTF decision against them a chance to voluntarily provide all 3 types of metadata ruled disclosable in the last year (email headers, ICS calendars, text message metadata) within 60 days of this email (the same timeline SOTF ordered Public Works to follow in 19097) and I will dismiss all related SOTF complaints (if there are no other issues). *This offer is not available to the Mayor or the City Attorney whose continuing defiance of SOTF's orders 19044 and 19047 against them for ~1 year and general disregard for SOTF decisions unless and until it suits them has brought the broader City to this point.

Furthermore, as I have now successfully proven - numerous times - most of the transparency ideas I care about it, I will again invite every agency and every elected official I have any complaint *on any other non-metadata issue* to admit in signed writing that their actions violated the Ordinance with a commitment to comply going forward and corrected responses, and I will dismiss the associated SOTF complaint if I think the response is sufficient.

The choice remains yours: you can continue to defy the Sunshine Ordinance, the CPRA and the SOTF's decisions, or alternatively, immediately accept the total breadth and scope of all transparency laws. If any of you want to do this, feel free to email me.

Dec 6 decisions:

SOTF 19119 (vote 7-0 in my favor) - Anonymous v Dept of Technology (metadata)

- SOTF Ruled that Dept of Tech violated SFAC 67.21(b) for untimely production of email headers and calendar ICS data.
- SOTF Commended DT for developing a metadata process, and Requested that DT present the metadata guidelines to other departments and to the SOTF.
- I waived the compliance process (SOTF Rule E1) in light of DT's cooperation on this issue. Like with DT, I am happy to work cooperatively with any other agency who *first* accepts their responsibilities under Sunshine.

SOTF 19097 (vote 7-0 in my favor) - Anonymous v Dept of Public Works, Mohammed Nuru, Jeremy Spitz (email copies, metadata)

- SOTF Ordered DPW to work with DT to disclose all remaining email header records within 60 days.
- SOTF Ruled that DPW violated SFAC 67.26 for withholding hyperlink urls, images, and email addresses in email. DPW's argument that the software tools they used did not

preserve this information in some types of redactions or in some "views" of the information was rejected. The *record* is the underlying computer database, not a particular Outlook view or PDF printout that has only some subset of the information.

SOTF 19120 (vote 7-0 in my favor) - Anonymous v Office of the City Attorney, et al. (justifications, keys)

- SOTF Ruled that CAO violated SFAC 67.26 for not keying all redactions with justifications. CAO argued that they provided explanations for particular redactions after I specifically challenged them, and that I should be required to specifically ask for certain justifications. This was rejected as non-compliant.
- SOTF Ruled that CAO violated SFAC 67.27 for providing an incomplete written justification for withholding. CAO argued that they provided those after the complaint. This was rejected as non-compliant.
- SOTF also rejected CAO's allegations against me that my continued use of the SOTF process to force the City's compliance with the law was somehow improper. Especially for recalcitrant officers, such as the Mayor and City Attorney, I will continue to use the lawful process to force compliance with every provision of the Sunshine Ordinance and CPRA, unless those agencies provide signed commitments to correcting their unlawful processes.
- SOTF did not rule that CAO violated SFAC 67.21(c) for not providing the quantity of specifically attorney-client/work-product privileged records. (no motion was made for either a violation, or for no violation, but it was not included in the ruling)

SOTF 19128 (vote 6-1 in my favor) - Anonymous v Police Department, William Scott, Brian Rodriguez, et al. (email records on other servers)

- SOTF Ordered SFPD to produce the requested email thread. Noted that SFPD previously produced a portion of this thread in another records request, and I argued that this waived any exemption.
- SOTF Ruled that SFPD violated SFAC 67.27 for failing to justify withholding in writing. Note that initially SFPD had not searched for the records on the other govt email account used by Rodriguez, and had not provided a written legal citation for exemption, instead asking me to FOIA the FBI (there is a very good reason to use local Sunshine/CPRA over federal FOIA: FOIA is extremely weak). At the hearing, SFPD for the first time cited an exemption, GC 6254(f), one year after the request.
- SOTF Ruled that SFPD violated some other laws too, which I will have to check the minutes for.
- A separate motion to find that SFPD did not provide a knowledgeable representative in violation of SFAC 67.21(e) failed (4 yes, 3 no, in my favor - but requiring 6 yes).

SOTF 19121 (vote 7-0 in my favor) - Anonymous v Police Commission (justification, keys, email copies)

- Ruled that Police Commission violated SFAC 67.26 for not keying every redaction. Like the CAO, Commission only provided explanations for the specific redactions I challenged after the complaint. Noted that the Commission has gone through retraining.
- Ruled that Police Commission violated SFAC 67.27 for not providing written justifications before the complaint.
- Ruled that Police Commission violated SFAC 67.21(b) for not providing copies of the *original* email records. Police Commission did provide email metadata, but they

provided it for *forwards* of the original email records (which is not the same metadata as the original email).

NOTE: Nothing herein is legal, IT, or professional advice of any kind. The author disclaims all warranties, express or implied, including but not limited to all warranties of merchantability or fitness. In no event shall the author be liable for any special, direct, indirect, consequential, or any other damages whatsoever. The digital signature (signature.asc attachment), if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender. Please do not include any confidential information, as I intend that these communications with the government all be disclosable public records.

Sincerely,

Anonymous

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Ng, Wilson \(BOS\)](#)
Subject: FW: SOTF Rulings on Jan 6 - 19119, 19097, 19128, 19120, 19121 - Corrected
Date: Thursday, January 7, 2021 9:10:00 AM
Attachments: [Re SOTF Rulings on Jan 6 - 19119 19097 19128 19120 19121 - Corrected.msg](#)

-----Original Message-----

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Thursday, January 7, 2021 2:21 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Records, Supervisor (CAT) <Supervisor.records@sfcityatty.org>; SOTF, (BOS) <sotf@sfgov.org>; Ethics Commission, (ETH) <ethics.commission@sfgov.org>; Cityattorney <Cityattorney@sfcityatty.org>
Subject: Re: SOTF Rulings on Jan 6 - 19119, 19097, 19128, 19120, 19121 - Corrected

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: [Anonymous](#)
To: [Board of Supervisors, \(BOS\)](#); [Records, Supervisor \(CAT\)](#); [SOTF, \(BOS\)](#); [Ethics Commission, \(ETH\)](#); [Cityattorney](#)
Subject: Re: SOTF Rulings on Jan 6 - 19119, 19097, 19128, 19120, 19121 - Corrected
Date: Thursday, January 7, 2021 2:21:20 AM
Attachments: [signature.asc](#)

Good morning City records staff (BCC),
as a public communication

I'd like to inform the City records staff about various rulings at SOTF on Jan 6, against Dept of Technology, Public Works, City Attorney, Police Department, and Police Commission (in separate cases, listed below).

I am offering every department* *without* a metadata-related SOTF decision against them a chance to voluntarily provide all 3 types of metadata ruled disclosable in the last year (email headers, ICS calendars, text message metadata) within 60 days of this email (the same timeline SOTF ordered Public Works to follow in 19097) and I will dismiss all related SOTF complaints (if there are no other issues). *This offer is not available to the Mayor or the City Attorney whose continuing defiance of SOTF's orders 19044 and 19047 against them for ~1 year and general disregard for SOTF decisions unless and until it suits them has brought the broader City to this point.

Furthermore, as I have now successfully proven - numerous times - most of the transparency ideas I care about it, I will again invite every agency and every elected official I have any complaint *on any other non-metadata issue* to admit in signed writing that their actions violated the Ordinance with a commitment to comply going forward and corrected responses, and I will dismiss the associated SOTF complaint if I think the response is sufficient.

The choice remains yours: you can continue to defy the Sunshine Ordinance, the CPRA and the SOTF's decisions, or alternatively, immediately accept the total breadth and scope of all transparency laws. If any of you want to do this, feel free to email me.

Dec 6 decisions:

SOTF 19119 (vote 7-0 in my favor) - Anonymous v Dept of Technology (metadata)

- SOTF Ruled that Dept of Tech violated SFAC 67.21(b) for untimely production of email headers and calendar ICS data.
- SOTF Commended DT for developing a metadata process, and Requested that DT present the metadata guidelines to other departments and to the SOTF.
- I waived the compliance process (SOTF Rule E1) in light of DT's cooperation on this issue. Like with DT, I am happy to work cooperatively with any other agency who *first* accepts their responsibilities under Sunshine.

SOTF 19097 (vote 7-0 in my favor) - Anonymous v Dept of Public Works, Mohammed Nuru, Jeremy Spitz (email copies, metadata)

- SOTF Ordered DPW to work with DT to disclose all remaining email header records within 60 days.
- SOTF Ruled that DPW violated SFAC 67.26 for withholding hyperlink urls, images, and email addresses in email. DPW's argument that the software tools they used did not

preserve this information in some types of redactions or in some "views" of the information was rejected. The *record* is the underlying computer database, not a particular Outlook view or PDF printout that has only some subset of the information.

SOTF 19120 (vote 7-0 in my favor) - Anonymous v Office of the City Attorney, et al. (justifications, keys)

- SOTF Ruled that CAO violated SFAC 67.26 for not keying all redactions with justifications. CAO argued that they provided explanations for particular redactions after I specifically challenged them, and that I should be required to specifically ask for certain justifications. This was rejected as non-compliant.
- SOTF Ruled that CAO violated SFAC 67.27 for providing an incomplete written justification for withholding. CAO argued that they provided those after the complaint. This was rejected as non-compliant.
- SOTF also rejected CAO's allegations against me that my continued use of the SOTF process to force the City's compliance with the law was somehow improper. Especially for recalcitrant officers, such as the Mayor and City Attorney, I will continue to use the lawful process to force compliance with every provision of the Sunshine Ordinance and CPRA, unless those agencies provide signed commitments to correcting their unlawful processes.
- SOTF did not rule that CAO violated SFAC 67.21(c) for not providing the quantity of specifically attorney-client/work-product privileged records. (no motion was made for either a violation, or for no violation, but it was not included in the ruling)

SOTF 19128 (vote 6-1 in my favor) - Anonymous v Police Department, William Scott, Brian Rodriguez, et al. (email records on other servers)

- SOTF Ordered SFPD to produce the requested email thread. Noted that SFPD previously produced a portion of this thread in another records request, and I argued that this waived any exemption.
- SOTF Ruled that SFPD violated SFAC 67.27 for failing to justify withholding in writing. Note that initially SFPD had not searched for the records on the other govt email account used by Rodriguez, and had not provided a written legal citation for exemption, instead asking me to FOIA the FBI (there is a very good reason to use local Sunshine/CPRA over federal FOIA: FOIA is extremely weak). At the hearing, SFPD for the first time cited an exemption, GC 6254(f), one year after the request.
- SOTF Ruled that SFPD violated some other laws too, which I will have to check the minutes for.
- A separate motion to find that SFPD did not provide a knowledgeable representative in violation of SFAC 67.21(e) failed (4 yes, 3 no, in my favor - but requiring 6 yes).

SOTF 19121 (vote 7-0 in my favor) - Anonymous v Police Commission (justification, keys, email copies)

- Ruled that Police Commission violated SFAC 67.26 for not keying every redaction. Like the CAO, Commission only provided explanations for the specific redactions I challenged after the complaint. Noted that the Commission has gone through retraining.
- Ruled that Police Commission violated SFAC 67.27 for not providing written justifications before the complaint.
- Ruled that Police Commission violated SFAC 67.21(b) for not providing copies of the *original* email records. Police Commission did provide email metadata, but they

provided it for *forwards* of the original email records (which is not the same metadata as the original email).

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Sincerely,

Anonymous

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Ng, Wilson \(BOS\)](#)
Subject: FW: PUC Harlan Kelly Jr. Text Messages Petition
Date: Thursday, January 7, 2021 1:31:00 PM
Attachments: [Re PUC Harlan Kelly Jr. Text Messages Petition.msg](#)

-----Original Message-----

From: sfrecordsresearch@pm.me <sfrecordsresearch@pm.me>
Sent: Thursday, January 7, 2021 1:27 PM
To: RUSSI, BRAD (CAT) <Brad.Russi@sfcityatty.org>; Records, Supervisor (CAT) <Supervisor.records@sfcityatty.org>; CHIN, HOLLY (CAT) <Holly.Chin@sfcityatty.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; COTE, JOHN (CAT) <John.Cote@sfcityatty.org>
Subject: Re: PUC Harlan Kelly Jr. Text Messages Petition

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: sfrecordsresearch@pm.me
To: [RUSSI, BRAD \(CAT\)](#); [Records, Supervisor \(CAT\)](#); [CHIN, HOLLY \(CAT\)](#); [Board of Supervisors, \(BOS\)](#); [COTE, JOHN \(CAT\)](#)
Subject: Re: PUC Harlan Kelly Jr. Text Messages Petition
Date: Thursday, January 7, 2021 1:26:46 PM
Attachments: [signature.asc](#)

Supervisor of Records Dennis Herrera:
BCC journalists.

Your staff informed me the Sup of Records would respond to my other Dec 10, 2020 petition under 67.21(d) by Jan 15, 2021.

The below 67.21(d) petition regarding texts between Harlan Kelly and Walter Wong has been outstanding since July 9, 2020. It is almost certainly the most important of my petitions outstanding considering the allegedly criminal behavior of a senior City official evidenced in the records withheld.

Is there any date you expect this petition to be replied to?

Mr. Press Secretary Cote:

Is Herrera's plan to refuse to respond to the petition until the story is long forgotten and covered up?
Any comment?

--Anonymous

----- Original Message -----

On Wednesday, December 30th, 2020 at 4:04 PM, sfrecordsresearch@pm.me <sfrecordsresearch@pm.me> wrote:

Ms. Chin-

You informed me Sup of Records would respond to my other Dec 10, 2020 petition under 67.21(d) by Jan 15, 2021.

Please note that the below 67.21(d) petition has been outstanding since July 9, 2020. Is there any date you expect this petition to be replied to?

--Anonymous

On Wed, Dec 30, 2020 at 1:23 AM, sfrecordsresearch@pm.me <sfrecordsresearch@pm.me> wrote:

Dennis Herrera,

Today is day 174 of you refusing to respond to the Kelly-Wong text message petition under SF Admin Code 67.21(d), and thus also day 174 of you helping PUC and Harlan Kelly, Jr. to hide these records of communications between Kelly and a City contractor who has pled guilty to crimes related to City corruption.

As City Attorney, you have a legal duty to protect public access to information.

Why do you refuse to respond to my July 9, 2020 Supervisor of Records petition for the Kelly-Wong text messages?

What happened to the supposed unparalleled independence of your Office that Mr. Cote touts to the press?

PUC possesses the unredacted original whether or not Kelly is a city employee - all you have to do is order one or more parts of it disclosed.

Sincerely,
Anonymous

On Tue, Dec 1, 2020 at 2:24 PM, sfrecordsresearch@pm.me <sfrecordsresearch@pm.me> wrote:

Dennis Herrera,

Set aside your opinion of me and my other petitions - this is a case where your office must agree that the public interest is served by immediately reviewing my attached Supervisor of Records petition and ordering the disclosure of these records. **This is of the highest urgency and it is your duty to issue a written determination against PUC and order disclosure.**

You claim to have unparalleled independence. Do not let PUC hide communications of allegedly corrupt behavior. The criminal complaint by the United States against Mr. Kelly references topics *related to various messages partially withheld by the PUC from me re: travel, insurance payments, and more that were, at first, disclosed.* If nothing else, your office must review the unredacted versions of those text messages. I have no idea whether Mr. Kelly is guilty or not of any crime, but the public deserves to know the exact conduct that took place between Kelly and Wong.

At first PUC gave me nearly all of the text messages between Wong and Kelly, when I voluntarily informed that they had left readable someone's lockbox code, they then requested I delete the entire PDF, including many other messages not related to such sensitive private info. Note that the public hyperlinks to this PDF were published by PUC online.

While I did delete my own copy of the specific PDF, voluntarily, and without conceding any legal authority of the PUC to command me to do anything at all, the government cannot essentially erase my brain.

I informed PUC:

You appear to have partially obscured some of the text messages between Harlan Kelly Jr. and Walter Wong, but the text of some of those records is still visible in "Walter redacted final.pdf". It's unclear why these communications - regarding meetings, contracting, and travel between the two persons, have been partially obscured - they are neither completely redacted nor plainly visible as they have black rectangles on top of them, but they remain part of the record.

Therefore, below are new Immediate Disclosure Requests (SF Admin Code 67.25(a)) directed to SFPUC and Harlan Kelly Jr. Your response is required by July 8, 2020. Rolling records responses are requested (SFAC 67.25(d)) if you are unable to immediately produce records. Exact copies of every responsive record are requested (Gov Code 6253(b)) - do not: provide mere URLs, print and scan electronic records, convert native files to PDFs, or provide black and white versions of any color images. Provide only copies of records not requiring fees and in-person inspection of all other records (GC 6253).

- 1. All calendar entries of any kind, with all details, invitee lists, attachments, and metadata, for Harlan Kelly Jr. for any meetings or travel with Walter Wong (including but not limited to jaidin@pacbell.net, jdngrp@pacbell.net, or any email address ending with jaidin.net) (you must search personal accounts pursuant to City of San Jose v Superior Court (2017)); see also SOTF 19047 Anonymous v. Breed*
- 2. All payments made by Harlan Kelly Jr. to Walter Wong/Jaidin Consulting Group/Jaidin Associates/affiliated companies (you must search personal accounts pursuant to City of San Jose v Superior Court (2017))*
- 3. All payments made by Walter Wong/Jaidin Consulting Group/Jaidin Associates/affiliated companies to Harlan Kelly Jr. (you must search personal accounts pursuant to City of San Jose v Superior Court (2017))*
- 4. All contracts between Walter Wong/Jaidin Consulting Group/Jaidin Associates/affiliated companies and Harlan Kelly Jr. (you must search personal accounts pursuant to City of San Jose v Superior Court (2017))*

----- Original Message -----

On Tuesday, December 1st, 2020 at 1:00 PM, sfrecordsresearch@pm.me
<sfrecordsresearch@pm.me> wrote:

Wow! I should pay more attention to the news...
Many of the messages unlawfully withheld, and asked to be deleted by
me, by PUC in this case are *directly* related to the allegations made by the
federal government in United States v.
Kelly, [https://www.justice.gov/usao-ndca/press-
release/file/1341026/download](https://www.justice.gov/usao-ndca/press-release/file/1341026/download) ; [https://www.justice.gov/usao-
ndca/pr/general-manager-san-francisco-public-utilities-commission-
charged-honest-services-wire](https://www.justice.gov/usao-ndca/pr/general-manager-san-francisco-public-utilities-commission-charged-honest-services-wire)

Both the Supervisor of Records and SOTF must order their immediate
disclosure.

----- Original Message -----

On Thursday, July 9th, 2020 at 12:11 PM, sfrecordsresearch@pm.me
<sfrecordsresearch@pm.me> wrote:

Supervisor of Records Herrera,

Attached is an SFAC 67.21(d) petition against Harlan Kelly,
Jr. and PUC regarding, *inter alia*, text messages between
Kelly and Walter Wong.

Thanks!

----- Original Message -----

On Thursday, July 9, 2020 4:42 AM,
sfrecordsresearch@pm.me <sfrecordsresearch@pm.me>
wrote:

PUC - Without waiving any rights or conceding
that you have the right to demand that I do so, I
have voluntarily deleted my own copy of the file
`Walter redacted final.pdf` having SHA256
checksum 8254cbe0fcdb6a8a2548d3464171ccab0d386439c888959707db07fbd5f54453
- I am also filing an SOTF/Ethics/Supervisor of
Records complaint against Mr. Kelly and PUC
for disclosure of some or all of these messages.

SOTF:

Please file attached complaint, and provide
formal notice: Anonymous ([94992-
15550486@requests.muckrock.com](mailto:94992-15550486@requests.muckrock.com)) v. Harlan
Kelly, Jr and Public Utilities Commission - your
webform will be filled out.

Allegations: SFAC 67.21(b), 67.26, 67.27,
67.29-7(a); Gov Code 6253(b; c; d(3))

----- Original Message -----

On Wednesday, July 8, 2020 7:03 PM,
sfrecordsresearch@pm.me

<sfrecordsresearch@pm.me> wrote:

I'm unsure why you are claiming attorney client privilege in this email. You are not my attorney nor am I your's; perhaps you bcc-ed Herrera's office or something.

Regardless, I'm not MuckRock, I'm just one of their many users.

Please contact MuckRock Foundation directly if you need to give their entity some sort of specific demand. I've let them know to expect your request. The request to reference is

<https://www.muckrock.com/foi/san-francisco-141/inter-agency-text-messages-immediate-disclosure-request-sf-puc-94992/#comm-911729>

Info@muckrock.com is their support email but I cannot represent that it is the proper avenue for such a request.

Again, *please* do inform whoever that lockbox code is about that you released it accidentally - even if MuckRock agrees now to take any copies down that it has (if any), your sharefile link was in fact accessible in the past, publicly.

Also don't forget that there are still outstanding records requests to you on the original requests.muckrock.com thread.

----- Original Message -----

On Jul 8, 2020, 5:12 PM, Public Records <

PublicRecords@sfgov.org> wrote:

Dear MuckRock,

Thank you for bringing to our attention an inadvertent error in the redactions we performed for the text messages we provided you on July 6, 2020 labeled Bates numbers PUC 000175 through PUC 000219. As

explained in our July 3rd email to you, we redacted from these records messages containing personal and private information that did not constitute a “public record.” Although the legal basis for these redactions was proper, we now realize that the technical method we used to black out the private material did not in fact protect the private information from disclosure. That was not our intent and was an inadvertent error. The material we intended to redact contains sensitive personal information that is protected from disclosure by Cal. Constitution Art. I, Sec. I and Section 6254(c) of the Public Records Act.

In such cases of accidental, inadvertent disclosure of private or confidential information in response to a Public Records Act request, the documents must be returned and copies destroyed if the City notifies those who have received an inadvertently disclosed record. (See *Ardon v. City of Los Angeles* (2016) 62 Cal.4th 1176). The SFPUC hereby requests that MuckRock immediately destroy all copies of Bates numbers PUC 000175 through PUC 000219 in its possession and remove them from all publicly accessible locations, including the MuckRock.com website.

Please note that the

version of this text exchange that we shared with you on July 6, 2020 has been removed from the Sharefile weblink and that we will be providing you with a new redacted version of this text exchange, which should be available at the following link by the end of today:
<https://sfpuc.sharefile.com/d-sabd81b687ef4187b>.

Please respond on or before Thursday July 9 at 5 pm confirming that you have destroyed and/or removed these records. Thank you for your anticipated cooperation.

SFPUC Public Records

From:
sfrecordsresearch@pm.me
<sfrecordsresearch@pm.me>

Sent: Tuesday, July 7, 2020 12:37 AM
To: Public Records
<PublicRecords@sfwater.org>

Subject: Released info
- please check!

CAUTION: This email originated from **outside** of the organization. Do not click links or open attachments unless you recognize the

sender and know the
content is safe.

Hi PUC,

You released to my
MuckRock request 94992 a
file called "Walter redacted
final.pdf"
at [https://sfpuc.sharefile.com/d-
sfaf513caac747dcb](https://sfpuc.sharefile.com/d-sfaf513caac747dcb)

In that file you had some
partially obscured texts (i.e.
the text messages are still
visible but just have extra
black rectangles on them).
One of them says:

"1/19/17, 11:14 AM

The door at garage is lock
can enter in house , when you
open let us know we can
check repair

There is a key in the
lock box

The code is XXXX" (but the
real number is the document)

Given that you've already
released this document
publicly on the Internet and
on MuckRock, **please do
make sure whoever this
message is about is
informed to ensure the lock
box code isn't still being
used.**

It is unclear whether any
other especially sensitive
information was in the PDF.

(I'm contacting you via this
email instead of MuckRock
regarding this specific issue
since the messages on

MuckRock are public).

Thanks!

From: [Board of Supervisors. \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Ongoing Disparate Treatment of Black Employees at the SFMTA
Date: Thursday, December 31, 2020 8:39:00 AM
Attachments: [image005.png](#)

From: Black Employees Alliance <blackemployeesalliance@outlook.com>
Sent: Wednesday, December 30, 2020 1:54 PM
To: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; sean.elbernd@sfgov.org <sean.elbernd@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; melgarsf@gmail.com <melgarsf@gmail.com>; CivilService, Civil (CSC) <civilservice@sfgov.org>; MTABoard@sfmta.com
Cc: blackemployeealliance@gmail.com; blackemployeealliance@gmail.com
Subject: FW: Ongoing Disparate Treatment of Black Employees at the SFMTA

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good afternoon Mayor Breed and Board of Supervisors –

The Black Employees Alliance submitted a request for information the SFMTA, and we did not receive the information requested. Instead, Director Tumlin reached-out and offered to meet with us. Based upon the persisting issues faced by SFMTA, we think it would be most prudent for Director Tumlin to do his job, leading the agency, rather than hosting a superfluous meeting that will serve as yet another performative act to circumvent responsibility and accountability.

To that end, we would like the SFMTA to respond, in writing, to the questions we presented below to them. Several other departments responded to this request and it is unacceptable that the SFMTA refused to respond. This information can be released/produced under the Freedom of Information Act, and we expect a response by Friday, January 8th.

If we have not heard from the SFMTA, we will consider the non-response a violation of the Freedom of Information Act.

Thank you!

BEA

Sent from [Mail](#) for Windows 10

From: /o=First Organization/ou=Exchange Administrative Group(FYDIBOHF23SPDLT)/cn=Recipients/cn=0003BFFD34B41B85
Sent: Thursday, November 19, 2020 12:52 PM
To: blackemployeealliance@gmail.com
Subject: FW: Ongoing Disparate Treatment of Black Employees at the SFMTA

From: Tumlin, Jeffrey <Jeffrey.Tumlin@sfmta.com>
Sent: Wednesday, November 18, 2020 5:27 PM
To: Black Employees Alliance <blackemployeesalliance@outlook.com>
Cc: mayorlondonbreed@sfgov.org; Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Ackerman, Kimberly <Kimberly.Ackerman@sfmta.com>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Ronen, Hillary (BOS) <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Paine, Carli <Carli.Paine@sfmta.com>; Harmon, Virginia <Virginia.Harmon@sfmta.com>; Yee, Norman (BOS) <norman.yee@sfgov.org>; CivilService, Civil (CSC) <civilservice@sfgov.org>; District Attorney, (DAT) <districtattorney@sfgov.org>; Simley, Shakirah (HRC) <shakirah.simley@sfgov.org>; Davis, Sheryl (HRC) <sheryl.davis@sfgov.org>; Chicuata, Brittni (HRC) <brittni.chicuata@sfgov.org>; jdoherty@ibew6.org; cityworker@sfcwu.org; clavery@oe3.org; mbrito@oe3.org; tneep@oe3.org; Osha Ashworth <oashworth@ibew6.org>; debra.grabelle@ifpte21.org; kgeneral@ifpte21.org; jbeard@ifpte21.org; tmathews@ifpte21.org; varaullo@ifpte21.org; ewallace@ifpte21.org; aflores@ifpte21.org; smcgarry@nccrc.org; larryjr@ualocal38.org; jchiarenza@ualocal38.org; SEichenberger@local39.org; Richard Koenig <richardk@smw104.org>; anthonyu@smw104.org; Charles, Jasmin <Jasmin.Charles@sfmta.com>; twulocal200@sbcglobal.net; roger marenco <rmarenco@twusf.org>; pwilson@twusf.org; laborers261@gmail.com; bart@dc16.us; dharrington@teamster853.org; MLeach@ibt856.org; jason.klumb@seiu1021.org; theresa.rutherford@seiu1021.org; XiuMin.Li@seiu1021.org; Hector Cardenas <Hector.Cardenas@seiu1021.org>; pmendeziamaw@comcast.net; mjayne@iam1414.org; contact <raquel@sfmea.com>; christina@sfmea.com; criss@sfmea.com; rudysflaborcouncil.org; l200twu@gmail.com; local200twu <local200twu@sbcglobal.net>; lkuhls@teamsters853.org; staff@sfmea.com; president@sanfranciscodsa.com; SFDOA@icloud.com; sfbia14@gmail.com; ibew6@ibew6.org; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; CivilService, Civil (CSC) <civilservice@sfgov.org>; District Attorney, (DAT) <districtattorney@sfgov.org>; Simley, Shakirah (HRC) <shakirah.simley@sfgov.org>; Davis, Sheryl (HRC) <sheryl.davis@sfgov.org>; Chicuata, Brittni (HRC) <brittni.chicuata@sfgov.org>; jdoherty@ibew6.org; cityworker@sfcwu.org; clavery@oe3.org; mbrito@oe3.org; tneep@oe3.org; Osha Ashworth <oashworth@ibew6.org>; debra.grabelle@ifpte21.org; kgeneral@ifpte21.org; jbeard@ifpte21.org; tmathews@ifpte21.org; varaullo@ifpte21.org; ewallace@ifpte21.org; aflores@ifpte21.org; smcgarry@nccrc.org; larryjr@ualocal38.org; jchiarenza@ualocal38.org; SEichenberger@local39.org; Richard Koenig <richardk@smw104.org>; anthonyu@smw104.org;

Charles, Jasmin <Jasmin.Charles@sfmta.com>; twulocal200@sbcglobal.net; roger marenco <rmarenco@twusf.org>; pwilson@twusf.org; laborers261@gmail.com; bart@dc16.us; dharrington@teamster853.org; MLeach@ibt856.org; jason.klumb@seiu1021.org; theresa.rutherford@seiu1021.org; XiuMin.Li@seiu1021.org; Hector Cardenas <Hector.Cardenas@seiu1021.org>; pmendeziamaw@comcast.net; mjayne@iam1414.org; contact <raquel@sfmea.com>; christina@sfmea.com; criss@sfmea.com; rudy@sflaborcouncil.org; l200twu@gmail.com; local200twu <local200twu@sbcglobal.net>; lkuhls@teamsters853.org; staff@sfmea.com; president@sanfranciscodsa.com; SFDPOA@icloud.com; sfbia14@gmail.com; ibew6@ibew6.org

Subject: RE: Ongoing Disparate Treatment of Black Employees at the SFMTA

Black Employees Alliance and Coalition Against Anti-Blackness,
You continue to raise excellent and hard questions. I am committed to answering these questions. I also want to build a relationship with you so that I and my team can be better partners in the work to go beyond describing the problems to implementing true solutions. To these ends, I respectfully request to meet with you, and especially want to meet with the SFMTA members of the group. Please let Sophia Simpliciano know who to coordinate scheduling this with, and let Carli Paine know who to work with to coordinate an agenda.

Yours in solidarity,
Jeff

Jeffrey Tumlin

Director of Transportation
(he/him/his)

Sophia Simpliciano

Executive Assistant

jeffrey.tumlin@sfmta.com

sophia.simpliciano@sfmta.com

dot 415.646.2522 | [sfmta reception](mailto:sfmta_reception@sfmta.com) 415.701.5600



San Francisco Municipal Transportation Agency
1 South Van Ness Avenue, 7th floor
San Francisco, CA 94103



From: Black Employees Alliance <blackemployeesalliance@outlook.com>

Sent: Monday, November 16, 2020 10:00 PM

To: Ackerman, Kimberly <Kimberly.Ackerman@sfmta.com>; Tumlin, Jeffrey <Jeffrey.Tumlin@sfmta.com>; Tumlin, Jeffrey <Jeffrey.Tumlin@sfmta.com>

Cc: mayorlondonbreed@sfgov.org; Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Ronen, Hillary (BOS) <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; CivilService, Civil (CSC) <civilservice@sfgov.org>; District Attorney, (DAT) <districtattorney@sfgov.org>; Simley, Shakirah (HRC) <shakirah.simley@sfgov.org>; Davis, Sheryl (HRC) <sheryl.davis@sfgov.org>; Chicuata, Brittni (HRC) <brittni.chicuata@sfgov.org>; jdoherty@ibew6.org; cityworker@sfcwu.org; clavery@oe3.org; mbrito@oe3.org; tneep@oe3.org; Osha Ashworth <oashworth@ibew6.org>; debra.grabelle@ifpte21.org; kgeneral@ifpte21.org; jbeard@ifpte21.org; tmathews@ifpte21.org; varaullo@ifpte21.org; ewallace@ifpte21.org; aflores@ifpte21.org; smcgarry@nccrc.org; larryjr@ualocal38.org; jchiarenza@ualocal38.org; SEichenberger@local39.org; Richard Koenig <richardk@smw104.org>; anthonyu@smw104.org; Charles, Jasmin <Jasmin.Charles@sfmta.com>; twulocal200@sbcglobal.net; roger marenco <rmarenco@twusf.org>; pwilson@twusf.org; laborers261@gmail.com; bart@dc16.us; dharrington@teamster853.org; MLeach@ibt856.org; jason.klumb@seiu1021.org; theresa.rutherford@seiu1021.org; XiuMin.Li@seiu1021.org; Hector Cardenas <Hector.Cardenas@seiu1021.org>; pmendeziamaw@comcast.net; mjayne@iam1414.org; contact <raquel@sfmea.com>; christina@sfmea.com; criss@sfmea.com; rudy@sflaborcouncil.org; l200twu@gmail.com; local200twu <local200twu@sbcglobal.net>; lkuhls@teamsters853.org; staff@sfmea.com; president@sanfranciscodsa.com; SFPOA@icloud.com; sfbia14@gmail.com; ibew6@ibew6.org; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; CivilService, Civil (CSC) <civilservice@sfgov.org>; District Attorney, (DAT) <districtattorney@sfgov.org>; Simley, Shakirah (HRC) <shakirah.simley@sfgov.org>; Davis, Sheryl (HRC) <sheryl.davis@sfgov.org>; Chicuata, Brittni (HRC) <brittni.chicuata@sfgov.org>; jdoherty@ibew6.org; cityworker@sfcwu.org; clavery@oe3.org; mbrito@oe3.org; tneep@oe3.org; Osha Ashworth <oashworth@ibew6.org>; debra.grabelle@ifpte21.org; kgeneral@ifpte21.org; jbeard@ifpte21.org; tmathews@ifpte21.org; varaullo@ifpte21.org; ewallace@ifpte21.org; aflores@ifpte21.org; smcgarry@nccrc.org; larryjr@ualocal38.org; jchiarenza@ualocal38.org; SEichenberger@local39.org; Richard Koenig <richardk@smw104.org>; anthonyu@smw104.org; Charles, Jasmin <Jasmin.Charles@sfmta.com>; twulocal200@sbcglobal.net; roger marenco <rmarenco@twusf.org>; pwilson@twusf.org; laborers261@gmail.com; bart@dc16.us; dharrington@teamster853.org; MLeach@ibt856.org; jason.klumb@seiu1021.org; theresa.rutherford@seiu1021.org; XiuMin.Li@seiu1021.org; Hector Cardenas <Hector.Cardenas@seiu1021.org>; pmendeziamaw@comcast.net; mjayne@iam1414.org; contact <raquel@sfmea.com>; christina@sfmea.com; criss@sfmea.com; rudy@sflaborcouncil.org; l200twu@gmail.com; local200twu <local200twu@sbcglobal.net>; lkuhls@teamsters853.org; staff@sfmea.com; president@sanfranciscodsa.com; SFPOA@icloud.com; sfbia14@gmail.com; ibew6@ibew6.org

Subject: Ongoing Disparate Treatment of Black Employees at the SFMTA

Good afternoon Jeffrey Tumlin, Director of Transportation, and Kimberly Ackerman, SFMTA Human Resources Director -

Thank you for the response you provided to the message we sent a few weeks ago.

A faction of our members, SFMTA employees, continue to express concerns about ongoing harms happening to Black SFMTA employees who previously and recently filed discrimination and harassment complaints. Certain cases have either not been investigated or they are being closed without adequate engagement or investigation. As a result, we have referred (and will continue to refer) said employees to the Department of Fair Employment and Housing, EEOC, and other complaint resolution resources as needed. While many Black employees are seeking legal routes to resolve such issues, we are confident you would agree that the strife caused to these human beings personally, as well as the continuous light it shines on "anti-Black San Francisco government" is not beneficial for the employees, nor is it beneficial for the City.

Many Black SFMTA employees have also complained recently that they, and other Black employees, are **continuing to be disciplined at rates substantially higher than non-Black employees at your agency, under your leadership.** These members have voiced concerns about higher degrees of scrutiny they are facing in comparison to their non-Black colleagues (i.e. similar offenses reviewed and handled differently, over-enforcement, etc.). It is widely known that the SFMTA disciplines Black people substantially higher than any other City agency as noted in recent information shared by the Department of Human Resources (disciplinary and corrective actions at SFMTA making up more than 50% of the actions rendered across more than 60 departments with more than 35,000 employees).

These employees have complained that there appears to be refusal on yours and your leadership's behalf - to recognize and address the persisting abuses and harms you are enabling and allowing against the Black population of staff. Instead, you, the HR Director Kimberly Ackerman, and other members of leadership are placating the issues by attempting to make excuses, explain away, rationalize, and in some cases defend conditions and experiences should be embarrassed about. It is highly unlikely that you would be disengaged or exhibit similar conduct if these same conditions and outcomes were representative of yours and other White employees in your agency. You would most likely be dismayed, disgruntled, and very eager to correct the situation.

While the SFMTA was previously positioned by Mayor Breed to make improvements in these areas prior to your arrival (through the appointment of an Ombudsperson, and changes in leadership), the absence of engaged leadership since your arrival (approximately one year ago) towards these issues have led to worsened conditions and experiences for Black employees. The conditions are worse than they were under the previous leadership of Edward Reiskin (former Director of Transportation) and Donald Ellison (former Human Resources Director). Members of SFMTA's Black and African American Affinity Group recently noted the following statistics in a letter to the SFMTA Board of Directors:

1. While African Americans and Black people make-up 27.9% of the employee population at the SFMTA, African Americans and Black people represent more than 50% of

disciplinary charged offenses and resolved actions (370 out of 735) of all disciplinary actions issued across the agency. Disciplinary charges and actions for Hispanic and Asian employees were proportional; and for White staff favorably disproportional (as noted below).

2. Out of 167 disciplinary actions issued against all female employees across the agency, 147 disciplinary actions were issued against Black females (88%); 7 issued against Asian females; and 13 issued against Hispanic females. **No disciplinary actions were issued against White females during the 2019-2020 fiscal year.**

3. Out of 94 Written Warnings issued against females, 83 were issued against Black females (88%); 6 were issued against Asian females; and 5 issued against Hispanic females. **No Written Warnings were issued against White females during the 2019-2020 fiscal year.**

4. Out of 61 suspensions issued to females across the agency, 55 (90%) were issued against Black females; 1 suspension was issued against an Asian female; 6 were issued against Hispanic females. **No suspensions were issued against White females during the 2019-2020 fiscal year.**

5. While African American men make-up 21% of the SFMTA's total male population (996 out of 4,496), they represent 40% of all disciplinary actions issued to all men across the agency.

6. There were **no disciplinary charges or actions issued against White females in 2019-20, across the board (179 in total); White females make up 12% of all females in the agency (179 in total). White males make-up 15% of all men across the agency (679 in total), but represent only 7% of all disciplinary actions issued to males across the agency (40 out of 568).**

7. While Black females represent 40% of all females across the agency (712), they represent 85-90% of all disciplinary actions issued to all females.

8. Out of 12 dismissals, 7 were African American (3 females, two of which were Black; 9 males; 5 of which were Black).

Race/Ethnicity	Total		Female		Male	
	Cases	Percent	Cases	Percent	Cases	Percent
Black	371	50.3 %	147	20.0 %	224	30.4 %
Asian	225	30.5 %	7	1.0 %	218	29.6 %
Hispanic	92	12.5 %	13	1.8 %	79	10.7 %
White	40	5.4 %	-	-	40	5.4 %
American Indian/Alaskan Native	7	1.0 %	-	-	7	1.0 %
Multiracial	2	0.3 %	-	-	2	0.3 %
Total	737	100 %	167	22.7 %	570	77.3 %

If these numbers are true, then part of the agency's costs savings are coming at the expense of Black employees; and the suffering of their children and families (i.e. taking

food off their tables, instability of incomes impacting housing, resources for Black children, etc.). This means that while the City's Human Rights Commission is attempting to support efforts reallocating funds towards San Francisco's Black population and community, SFMTA is taking money away from Black communities, people, and our children. The SFMTA employee discipline statistics present a striking resemblance to recent statistics highlighted about San Francisco's County Jail, and recent SFPD detainment, traffic, and arrest statistics as Black people are disproportionately overrepresented in those cases also. The same anti-Black racism being directed at Black people throughout San Francisco is vividly rampant at the SFMTA, and it is clear that the leadership of the agency does not care and has no commitment to changing the conditions for Black employees, or the overall environment there.

Racial discrimination and harassment complaints at the SFMTA are being watered-down and dismissed and/or handled improperly or unethically (i.e. Kathy Broussard, Whitney Smith, Irella Blackwood, and many others), in attempts to try and minimize the urgency and severity of disparate and disproportionate treatment of Black staff. There is an abundance of clear examples to support details provided here and you and your leadership have been made aware of many of them. The EEO process has remained the same with no changes, even after hundreds of SFMTA employees expressed discontent and dismay about confirmed fraud perpetrated onto one of their colleagues Kathy Broussard, and the lack of checks and balances which currently exists in the DHR-EEO Complaint process - which led to the mishandling and malfeasance of many complaints submitted by SFMTA employees.

It is clear that the SFMTA is in trouble, **Black SFMTA employees are in danger under the current leadership**, and that nothing has changed or will change; although it has been observed that narratives developed by you and your leadership team have attempted to convey otherwise over the past year. While many Black employees are aware that there are plans to recruit and hire an Equity Manager and an Ombudsperson, they lack confidence that adequate changes will happen due to constraints and resistance the person will likely face by you and other leaders within the agency. The agency has had two different Ombudspersons, since October 2018, one which was appointed by Mayor Breed, and the other person who reported directly to your predecessor, and subsequently you. The only changes that have occurred is that the harms being caused to Black people have worsened in your agency; and there is no belief that you or anyone within the agency knows what to do to respond to the pervasive and rampant anti-Black racism occurring there.

The Black Employees Alliance and Coalition Against Anti-Blackness feels strongly about the importance of lifting-up the voices of Black employees across all departments about these and other issues - to ensure they are magnified and escalated to the top levels in the City (i.e. Mayor's Office, Board of Supervisors, Transportation Commission, and other City leadership) - so that everyone understands the current and future state of racial injustices happening throughout the City. It is our duty and obligation to highlight concerns of our members who are continuing to be harmed by their respective departments.

Lastly, the Black Employees Alliance and Coalition Against Anti-Blackness thanks you once again for responding to the previous request. In addition to the request below, we would also like for you to answer the following questions:

1. In cases where it has been determined that harassment and/or discrimination has

occurred - either through the City's EEO Complaint process, Federal Equal Employment Opportunity Commission (EEOC), the Department of Fair Employment and Housing (DFEH), or a judgement by the courts (local, state, federal) - what are SFMTA's policies and protocols to ensure perpetrators of discrimination and harassment are not provided with opportunities to inflict the same harms onto the same or other employees?

2. Are employees expected to return to environments with perpetrators of discriminatory/harassing behaviors? If so, how, and why would the SFMTA choose to return employees back to working for supervisors and managers who perpetrated discrimination or harassment? Please share examples of hypothetical circumstances where it might be necessary to return employees to environments where they have been harassed or discriminated against by a supervisor/manager/co-worker(s)?
3. What mechanisms are in place to ensure employees will not be subjected to further discrimination, harassment, or retaliation; and/or mistreatment which might arise from employees making claims?
4. Please provide the BEA with Standard Operating Procedures (SOP's) about the SFMTA's processes and practices handling and addressing findings of discrimination and/or harassment - as it pertains to the three questions above (i.e. are supervisors and managers typically allowed to remain in their positions?; are they typically reassigned?; etc.)

Questions for you and the HR Director: What specific ownership and responsibility are you taking in your role as Director, to halt the mistreatment and targeting of Black people at the SFMTA? What has been outlined, and currently exists in your performance plan in terms of closing gaps on racial disparities and disproportionate outcomes for Black and Brown staff (i.e. specific measurable objectives)? Please provide an attachment with specific commitments you and your leadership team have made as a result of the anti-Black, racist, and discriminatory outcomes at your agency (**please do not include any information required by the Office of Racial Equity's Racial Equity Action Plan framework**).

We would like and are expecting a response to our inquiries by the end of next week.

Thank you in advance for your attention to these matters. We look forward to hearing from you soon!

Best,

Black Employees Alliance and Coalition Against Anti-Blackness

This message is from outside of the SFMTA email system. Please review the email carefully before responding, clicking links, or opening attachments.

From: [Board of Supervisors. \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Letter to Civil Service Commission/Call to Action for BEA Members
Date: Monday, January 4, 2021 9:01:00 AM
Attachments: [Civil Service Commission Meeting - Call to Action.pdf](#)

From: Black Employee Alliance <blackemployeealliance@gmail.com>

Sent: Friday, January 1, 2021 3:18 PM

To: CivilService, Civil (CSC) <civilservice@sfgov.org>; Eng, Sandra (CSC) <sandra.eng@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Myrna Melgar <melgarsf@gmail.com>

Cc: rudy@sflaborcouncil.org; kim@sflaborcouncil.org; sflc@sflaborcouncil.org; John Doherty <jdoherty@ibew6.org>; cityworker@sfcwu.org; clavery@oe3.org; mbrito@oe3.org; tneep@oe3.org; oashworth@ibew6.org; debra.grabelle@ifpte21.org; kgeneral@ifpte21.org; Jessica Beard <jbeard@ifpte21.org>; tmathews@ifpte21.org; varaullo@ifpte21.org; ewallace@ifpte21.org; aflores@ifpte21.org; smcgarry@nccrc.org; larryjr@ualocal38.org; jchiarenza@ualocal38.org; SEichenberger@local39.org; Richard Koenig <richardk@smw104.org>; anthonyu@smw104.org; Charles, Jasmin (MTA) <Jasmin.Charles@sfmta.com>; twulocal200@sbcglobal.net; roger marengo <rmarengo@twusf.org>; pwilson@twusf.org; Theresa Foglio <laborers261@gmail.com>; bart@dc16.us; dharrington@teamster853.org; MLeach@ibt856.org; jason.klumb@seiu1021.org; theresa.rutherford@seiu1021.org; XiuMin.Li@seiu1021.org; Hector Cardenas <Hector.Cardenas@seiu1021.org>; pmendeziamaw@comcast.net; mjayne@iam1414.org; raquel@sfmea.com (contact) <raquel@sfmea.com>; christina@sfmea.com; criss@sfmea.com; l200twu@gmail.com; Local Twu <local200twu@sbcglobal.net>; lkuhls@teamsters853.org; staff@sfmea.com; president@sanfranciscodsa.com; SFDPOA@icloud.com; sfbia14@gmail.com; ibew6@ibew6.org; Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; sean.elbernd@sfgov.org

Subject: Letter to Civil Service Commission/Call to Action for BEA Members

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good afternoon Civil Service Commission, Mayor London Breed, and Members of the Board of Supervisors -

Please see attached letter concerning the appointment process for the future DHR-HR Director.

Dear Members of the BEA -

If you have not had an opportunity to participate in the public comments process, to respond to the

way in which the San Francisco Civil Service Commission is maneuvering the process for the DHR-HR Director appointment, please do so immediately! It is concerning that the CSC would facilitate this process during the holiday season when most people are either on vacation or away from work. Nevertheless, we must continue to be prudent and relentless in our efforts to ensure transparency, accountability, and change.

If you have any questions or concerns, please let us know and we will respond as soon as possible.
Happy 2021!!

Black Employees Alliance and Coalition Against Anti-Blackness



STATEMENT TO CIVIL SERVICE COMMISSION REGARDING THE APPOINTMENT PROCESS FOR THE FUTURE DHR-HR DIRECTOR

AND

**SAN FRANCISCO
BLACK EMPLOYEE
ALLIANCE(BEA)**

CALL TO ACTION FOR MEMBERS OF THE BLACK EMPLOYEES ALLIANCE.

Leadership Team

Jumoke Akin-Taylor
Alisha Willis
Irella Blackwood
Kathy Broussard
Jessica Brown
Brenda Barros
Betsy Grand
Dante King
Madeline McMillian
Nikki Mixon

Dear Members and Allies of the San Francisco Black Employee Alliance and Coalition Against Anti-Blackness, as discussed in our last meeting – on January 4th at 11am, the Civil Service Commission will vote on whether to hold a closed-door session pursuant to code 67.10 on the Public Employee Appointment, concerning the future DHR Director (who would replace former Director Micki Callahan, who resigned in October 2020). This is a special meeting preceding the regular Civil Service Commission meeting scheduled for the same day January 4th, at 2pm (three hours after the special session. The regular meeting is open to the public.

We are concerned about the speediness and closed-door nature of the special session vote. These factors give the appearance of a lack of transparency in the process and the Commission's desire to maintain the status quo of government in San Francisco (favoritism, nepotism, and cronyism). This process by the Commissioners continues to support and enable the current structural system of inequities and injustice to the socio-economic detriment of Black and Brown employees at the City and County of San Francisco, further depriving and taking away from our communities also.

We the members of the Black Employee Alliance and Coalition Against Anti-Blackness, strongly object to this process and practice of hiring the next DHR-HR Director behind closed doors, and potentially choosing to not share information from that closed-door session. Furthermore, we believe the next DHR-HR Director needs to be an external candidate with a proven track record of instituting and managing equitable employee processes. The new DHR-Director should not be any person who was present during the reign of the former DHR-HR Director, complicit in the participation of systemic employment practices that led to the existing disparities we see between employees across race. The new DHR-Director needs to have a specific background in both Public and Business Administration, preferably someone with a legal background, and prudent experience designing and implementing systemic HR solutions and employment practices that have led to balanced outcomes in employee experiences in the following areas:

- ✓ Recruitment and Hiring
- ✓ Pay and Promotions
- ✓ Employee Performance, Experience, and Engagement
- ✓ Professional Development

- ✓ Discipline and Corrective Actions
- ✓ Retention

We implore the Civil Service Commission, SF Board of Supervisors, and the Mayor Breed – to demonstrate your commitment to racial equity and justice in this particular appointment, by selecting a highly qualified candidate of color – preferably someone who is **African-American/Afro-Latinx, Indigenous (Native American), or Latinx/Hispanic (with an understanding of historical and perpetual White racism, privilege, and power; Anti-Blackness, and the perpetual far reach of White supremacy in employment/organizational practices and outcomes)**. The last two DHR Directors, spanning the last 20-years or so, have been White (Micki Callahan, Phillip Ginsburg). In addition, most of the Mayoral and BOS appointments of City Department Heads of the largest, and most significant departments, which actually have the largest budgets, – have also been White (i.e. Director Grant Colfax – Department of Public Health; Jeffrey Tumlin – SFMTA)

A Call to Action: We urge all members and allies of the Black Employees Alliance and Coalition Against Anti-Blackness, to register your concerns by doing one of the following: 1) emailing concerns to civilservice@sfgov.org, 2) leave a voicemail in the CSC office main line **628 652-1100**; Or 3) using the civil service commission’s dedicated public comment line **415 655-0001** access code **1469429809**.

Please be aware that only public comments submitted through the public comment line by 5:00pm January 1st, 2021 will be included in the records.

We are also submitting this communication as a letter to the Civil Service Commission to ensure our position is on record/file with the Commission, Board of Supervisors, and the Mayor’s Office.

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: The Protection of White Employees" Failure vs. The Demise of Black Employees Careers and Lives When We Fail: "Acting CFO/FIT Division Director Opportunity" - PUBLIC RECORDS REQUEST
Date: Monday, January 4, 2021 9:07:00 AM
Attachments: [image002.png](#)

From: Black Employee Alliance <blackemployeealliance@gmail.com>

Sent: Sunday, January 3, 2021 12:37 PM

To: president@sanfranciscodsa.com; Isen, Carol (HRD) <carol.isen@sfgov.org>; Ponder, Steve (HRD) <steve.ponder@sfgov.org>

Cc: Mrs. Nikcole Cunningham <mrs.nikcolecunningham@gmail.com>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; sean.elbernd@sfgov.org; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>; Airport Commission Secretary (AIR) <airportcommissionsecretary@flysf.com>; Commission, Fire (FIR) <fire.commission@sfgov.org>; DPH, Health Commission (DPH) <HealthCommission.DPH@sfdph.org>; MTABoard@sfmta.com; info@sfwater.org; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Chan, Deland (CPC) <deland.chan@sfgov.org>; Diamond, Susan (CPC) <sue.diamond@sfgov.org>; Fung, Frank (CPC) <frank.fung@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>; CivilService, Civil (CSC) <civilservice@sfgov.org>; rudy@sflaborcouncil.org; kim@sflaborcouncil.org; sflc@sflaborcouncil.org; John Doherty <jdoherty@ibew6.org>; cityworker@sfcwu.org; clavery@oe3.org; mbrito@oe3.org; tneep@oe3.org; oashworth@ibew6.org; debra.grabelle@ifpte21.org; kgeneral@ifpte21.org; Jessica Beard <jbeard@ifpte21.org>; tmathews@ifpte21.org; varaullo@ifpte21.org; ewallace@ifpte21.org; aflores@ifpte21.org; smcgarry@nccrc.org; larryjr@ualocal38.org; jchiarenza@ualocal38.org; SEichenberger@local39.org; Richard Koenig <richardk@smw104.org>; anthonyu@smw104.org; Charles, Jasmin (MTA) <Jasmin.Charles@sfmta.com>; twulocal200@sbcglobal.net; roger marenco <rmarenco@twusf.org>; pwilson@twusf.org; Theresa Foglio <laborers261@gmail.com>; bart@dc16.us; dharrington@teamster853.org; MLeach@ibt856.org; jason.klumb@seiu1021.org; theresa.rutherford@seiu1021.org; XiuMin.Li@seiu1021.org; Hector Cardenas <Hector.Cardenas@seiu1021.org>; pmendeziamaw@comcast.net; mjayne@iam1414.org; raquel@sfmea.com (contact) <raquel@sfmea.com>; christina@sfmea.com; criss@sfmea.com; l200twu@gmail.com; Local Twu <local200twu@sbcglobal.net>; lkuhls@teamsters853.org; staff@sfmea.com; SFDPOA@icloud.com; sfbia14@gmail.com; ibew6@ibew6.org; my1reed@hotmail.com

Subject: Re: The Protection of White Employees' Failure vs. The Demise of Black Employees Careers and Lives When We Fail: "Acting CFO/FIT Division Director Opportunity" - PUBLIC RECORDS REQUEST

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Good afternoon -

Thank you very much for sending this message.

Department leaders very much receive bonuses. While the structure is unclear for department heads, we will defer to the Mayor's Office to provide clarity on this question. However, all other leaders (i.e. Managing Deputy Directors, HR Directors, senior/executive-level managers, etc.) receive bonuses that are tied to the MEA MOU. It registers as M CCP, and to our knowledge, these bonuses have not been forgone in recent years. These bonuses are typically recommended at the discretion of management (very biased). The M CCP bonus distribution has also been administered systematically and routinely to White management and executive level directors, while non-White managers and Directors have gone unrecommended for these bonus opportunities. Please [click here](#) to see statistics.

Thank you very much Ken, for your inquiry and attention to this matter.

If you have any additional questions, please let us know.

In solidarity!

Good afternoon Director Carol Isen and Steven Ponder

The Black Employees Alliance would like to submit a public records request for aggregated totals of M CCP Bonuses paid to management (by race), for fiscal years 2015-16; 2016-17; 2017-18; 2018-19. To be clear, we are not requesting individual breakdowns for each employee. We would like group totals by \$\$ for the total amount of bonuses paid to Asian, Black, Filipino, Hispanic, and White executives and managers. We look forward to receiving this information from you by Friday, January 22nd.

Thank you!

Black Employees Alliance and Coalition Against Anti-Blackness

On Sat, Dec 19, 2020 at 3:56 PM President <PRESIDENT@sanfranciscodsa.com> wrote:

Hi Everyone,

I have been reading and monitoring your emails. Thank you for the information.

Since, you have many union leaders, community leaders, and city leaders on this email thread, I have a question for all of you in regards to a yearly problem which this year has

been amplified in our department.

It is in regards to cost saving (aka salary savings, attrition savings).

Seems like our members suffer a heavy and unfair burden by our department due to intentional cost savings.

My questions is, do department leaders get bonuses? Do they get any type of bonus whether its a goal bonus or a savings bonus?

We will be posting our labor legal actions on our webpage, if you would like to read them you will find them at <http://SanFranciscoDSA.com> We have a current PERB case posted with more to come.

Best regards,

Ken Lomba
SFDSA President
415-513-8973



From: Mrs. Nikcole Cunningham <mrs.nikcolecunningham@gmail.com>

Sent: Saturday, December 19, 2020 8:34 AM

To: Black Employee Alliance <BlackEmployeeAlliance@gmail.com>

Cc: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; sean.elbernd@sfgov.org <sean.elbernd@sfgov.org>; Board of Supervisors, (BOS) <Board.of.Supervisors@sfgov.org>; Haney, Matt (BOS) <Matt.Haney@sfgov.org>; MandelmanStaff, [BOS] <MandelmanStaff@sfgov.org>; Mar, Gordon (BOS) <Gordon.Mar@sfgov.org>; Peskin, Aaron (BOS) <Aaron.Peskin@sfgov.org>; Preston, Dean (BOS) <Dean.Preston@sfgov.org>; Fewer, Sandra (BOS) <Sandra.Fewer@sfgov.org>; Ronen, Hillary <Hillary.Ronen@sfgov.org>; Safai, Ahsha (BOS) <Ahsha.Safai@sfgov.org>; Stefani, Catherine (BOS) <Catherine.Stefani@sfgov.org>; Shamann (BOS) <Shamann.Walton@sfgov.org>; Yee, Norman (BOS) <Norman.Yee@sfgov.org>; SFPD, Commission (POL) <sfpd.commission@sfgov.org>; Airport Commission Secretary (AIR) <AirportCommissionSecretary@flysfo.com>; Commission, Fire (FIR) <Fire.Commission@sfgov.org>; DPH, Health Commission (DPH) <healthcommission.dph@sfdph.org>; MTABoard@sfmta.com <MTABoard@sfmta.com>; info@sfwater.org <info@sfwater.org>; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore,

Kathrin (CPC) <kathrin.moore@sfgov.org>; Chan, Deland (CPC) <deland.chan@sfgov.org>; Diamond, Susan (CPC) <sue.diamond@sfgov.org>; Fung, Frank (CPC) <frank.fung@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>; CivilService, Civil (CSC) <civilservice@sfgov.org>; rudy@sflaborcouncil.org <rudy@sflaborcouncil.org>; kim@sflaborcouncil.org <kim@sflaborcouncil.org>; sflc@sflaborcouncil.org <sflc@sflaborcouncil.org>; John Doherty <jdoherty@ibew6.org>; cityworker@sfcwu.org <cityworker@sfcwu.org>; clavery@oe3.org <clavery@oe3.org>; mbrito@oe3.org <mbrito@oe3.org>; tneep@oe3.org <tneep@oe3.org>; oashworth@ibew6.org <oashworth@ibew6.org>; debra.grabelle@ifpte21.org <debra.grabelle@ifpte21.org>; kgeneral@ifpte21.org <kgeneral@ifpte21.org>; jbeard@ifpte21.org <jbeard@ifpte21.org>; tmathews@ifpte21.org <tmathews@ifpte21.org>; varaullo@ifpte21.org <varaullo@ifpte21.org>; ewallace@ifpte21.org <ewallace@ifpte21.org>; aflores@ifpte21.org <aflores@ifpte21.org>; smcgarry@nccrc.org <smcgarry@nccrc.org>; larryjr@ualocal38.org <larryjr@ualocal38.org>; jchiarenza@ualocal38.org <jchiarenza@ualocal38.org>; SEichenberger@local39.org <SEichenberger@local39.org>; Richard Koenig <richardk@smw104.org>; anthonyu@smw104.org <anthonyu@smw104.org>; Charles, Jasmin (MTA) <Jasmin.Charles@sfmta.com>; twulocal200@sbcglobal.net <twulocal200@sbcglobal.net>; roger marenco <rmarenco@twusf.org>; pwilson@twusf.org <pwilson@twusf.org>; Theresa Foglio <laborers261@gmail.com>; bart@dc16.us <bart@dc16.us>; dharrington@teamster853.org <dharrington@teamster853.org>; MLeach@ibt856.org <MLeach@ibt856.org>; jason.klumb@seiu1021.org <jason.klumb@seiu1021.org>; theresa.rutherford@seiu1021.org <theresa.rutherford@seiu1021.org>; XiuMin.Li@seiu1021.org <XiuMin.Li@seiu1021.org>; Hector Cardenas <Hector.Cardenas@seiu1021.org>; pmendeziamaw@comcast.net <pmendeziamaw@comcast.net>; mjayne@iam1414.org <mjayne@iam1414.org>; raquel@sfmea.com (contact) <raquel@sfmea.com>; christina@sfmea.com <christina@sfmea.com>; criss@sfmea.com <criss@sfmea.com>; l200twu@gmail.com <l200twu@gmail.com>; Local Twu <local200twu@sbcglobal.net>; lkuhls@teamsters853.org <lkuhls@teamsters853.org>; staff@sfmea.com <staff@sfmea.com>; President <PRESIDENT@sanfranciscodsa.com>; SFDPOA@icloud.com <SFDPOA@icloud.com>; sfbia14@gmail.com <sfbia14@gmail.com>; ibew6@ibew6.org <ibew6@ibew6.org>

Subject: Re: The Protection of White Employees' Failure vs. The Demise of Black Employees Careers and Lives When We Fail: "Acting CFO/FIT Division Director Opportunity"

Happy Holidays everyone,

I'd like to take this time to thank the Black Employee Alliance for their relentless and tireless efforts to ensure Black employees are afforded the **same** treatments and **privileges** as white employees, and until then, the saga continues.

Next, if the position enclosed in this email is indeed a Disaster Service Worker position then the answers to the below questions should be simple, honest and within the legal policy and procedures of the City and County of San Francisco and MOU.

As always, I have to plug Mayor London Breed for doing an AMAZING job in her efforts to ensure Black PEOPLE throughout San Francisco including Black employees are being heard and equitable change IS on the horizon. With that said, BEA continue to make our mayor aware of the decades long disparities amongst black employees and the promotion of racist and abusive employees throughout the City and County of San Francisco, this corruption needs to be dismantled "any

means **NECESSARY!**" 🙏

Enjoy!

Nikcole

Racist status: Not-Racist, You?

Preferred Pronouns: She/Her

"You have to find the blessings within the hell you're in!" Nikcole

On Mon, Dec 14, 2020, 12:40 PM Black Employee Alliance <blackemployeealliance@gmail.com> wrote:

Good morning Mayor Breed and Member of the Board of Supervisors,

We hope this message finds you well. The reason for our message to you today is to underscore a very prominent practice at the City and County of San Francisco:

- Protections for the failures of White employees, and the Demise for failure of Black employees

The following message below was forwarded to the Black Employees Alliance and Coalition Against Anti-Blackness. The message sent below, issued by the SFMTA Director, Jeffrey Tumlin, highlights the transition of the CFO/Director of Finance, Information, and Technology, who will be transitioning to a "DSW assignment" at the Department of Homelessness and Supportive Housing (HSH). Please note that the Department of Homelessness and Supportive Housing is 2.5% the size of the SFMTA; consisting of 120-150 employees, vs. the SFMTA's almost 6,000 employees.

It is the impression of many SFMTA employees (across racial/ethnic groups) that the transition of the CFO is due to performance deficiency, rather than the "urgent" or "critical" need to reassign the CFO to a DSW assignment at Homelessness and Supportive Housing. This CFO position at the SFMTA is ranked 3rd or 4th within the scale of the organization (both in rank and pay). How is it possible that Director Tumlin would allow the person in charge of all finance within the SFMTA, to take a Disaster Service Worker "budget assignment" in the midst of SFMTA's own budget crisis? This does not make sense, and it is indicative of the cronyism and corruption that the City has long dealt with, and that we are continuing to see at this moment. It is either very bad judgement on Director Tumlin's part, or Director Tumlin has chosen to exhibit a lack of honesty about why the person in one of the most vital and critical roles at that agency is transitioning suddenly during the midst of what Director Tumlin has referred to as the "demise" of the Transportation agency in San Francisco; not to mention the proclamation of cutting 20% of the agency (900-1,200 potential layoffs)? Something does not add-up here.

Most notably, the person implicated in Director Tumlin's email made \$260,000 in salary only -

in 2019 (roughly \$314,000 including benefits), for occupying a Director II level position at the SFMTA, the City's second largest agency, which has a budget of approximately \$1.2-billion. HSH has an annual budget of \$42.9-million. Does this mean that because this City leader is in essence "being demoted" by Director Tumlin, that the salary for this individual will change, and reflect a level that is in alignment and more appropriate for someone in a department that that has 97% less employees; whose budget is 96% smaller than the budget at the SFMTA (also noting that the decrease in overall direct and indirect reporting is significant)? There are many questions to be answered here.

The fact that Director Tumlin has chosen this narrative to accompany the transition of this person, who almost assuredly will not be returning due to recent in-fighting and problematic behavior that has unfolded over the course of the last several years, is not only alarming and disingenuous; but it speaks to the ways in which City resources are continuously manipulated to support the facade of "need", which is actually a cover for someone who has failed miserably in their position. Most notably for the Black Employees Alliance, is that this person is a White male; and that Black employees at the SFMTA have been involuntarily released at disproportionately alarming rates vs White employees (over the past several years), and specifically in instances where White employees should also have been terminated.

This component is important to underscore, because there have been multiple distinct cases and situations over the last 3-4 years where it has been observed that several White employees, who were demoted, have been able to maintain their position classifications and corresponding salaries; even though their responsibilities have changed drastically. We see the trend across the City that **when Black employees "do not succeed" in our employment experiences, the City's practice is to terminate.** However, we see here (and as we have noted in several other cases), **when White employees (both male and female) are deficient and/or are unsuccessful, the City practice is to create space and opportunities for such employees to transition into roles with significantly less responsibility, yet sustain their pay and potentially their classification - at the expense of taxpayer dollars.** This was true for the former DHR-Employee Relations Director in 2016 (who racially harassed a former Black DHR employee), who was reassigned to an alternate assignment (allowed to maintain the same pay), while he looked for work outside of the City system. The BEA has several more instances we are prepared to share.

We would like for the Mayor's Office (**not anyone at the SFMTA because it appears that stories and narratives are embellished by the leadership there**) to provide answers to the following questions:

- What is the full scale and scope of the new DSW assignment for this employee?
- Will the employee be allowed to maintain the salary of roughly \$260k-\$270k?
- Will this remain on the SFMTA payroll or is it being paid by a central fund and/or HSH?
- How long is this assignment for and when will the employee be returning to their role as the CFO/Director of Finance, Information, and Technology at the SFMTA?
- If the employee is not returning, then Why would Director Tumlin present the situation as though it is temporary?

Will there be a Classification and Compensation analysis for this new assignment to potentially scale the salary and benefits accordingly?

- Have DHR Director Carol Isen, and SFMTA HR Director Kimberly Ackerman, and DHR Director of Finance Steve Ponder approved the sustained classification and pay, for the DSW assignment role that has significantly less responsibility?

In addition, Black employees know and are very aware of the disparate treatment we receive daily. It is important that moments like this are amplified for all to see and take notice; especially in the midst of Black employees who are choosing to take action against the City to root-out such actions and behaviors.

We are calling on you once again to hold City department heads (which report directly to you) accountable for discriminatory behavior (favors and favorable treatment towards White and East Asian employees vs. unfavorable treatment towards Black employees). Unfortunately, this is a reflection on your leadership, and while we support you, it is incumbent upon you to take action.

Best Regards,

Black Employees Alliance and Coalition Against Anti-Blackness

From: Tumlin, Jeffrey <Jeffrey.Tumlin@sfmta.com>

Sent: Friday, December 11, 2020 4:09:32 PM

To: ExecutiveTeam <ExecutiveTeam@sfmta.com>; SeniorManagementTeam <SeniorManagementTeam@sfmta.com>

Subject: Acting CFO/FIT Division Director Opportunity

Colleagues,

NAME OF EMPLOYEE HAS BEEN REDACTED, CFO and Director of our Finance, Information and Technology (FIT) Division, has taken a DSW assignment with San Francisco's Department of Homelessness and Supportive Housing. I will be appointing someone to serve as the Acting Division Director and CFO. An acting position is a wonderful way to gain additional leadership experience and I am hopeful that there will be broad interest in this opportunity. If this position is not a good fit for you, please consider whether there is a superstar on your team whose skills and interests align with this role and send it to them.

The original CFO/Division Director job description is [here](#). The role and responsibilities remain substantially the same as what is outlined in the job description- to serve as the agency's top financial and operational administration advisor to the Director of Transportation; however, specific upcoming priorities include:

- Manage budget revision process

- Support development of new revenue measure proposals
- Reprioritize capital projects based on available funding, in collaboration with Divisions
- Lead upcoming financing including refunding of existing debt and potentially a new bond issuance
- Oversee and guide business process improvements to align FIT operations and practices in support of our cash flow needs and overall agency functioning
- Guide year-end financial audit including grant billings, work with funding agencies to bring funding in
- Serve as a member of the agency's leadership team, advancing collaboration and support across business units and leading with integrity, transparency, and respect
- Develop five-year financial plan
- Exercise tact, political acumen, and compassion in representing the agency internally and externally
- Provide policy direction for finance, contracts, and administrative operations decisions
- Manage and support day-to-day operations of FIT business support units
- Advance a culture of collaboration, communication, timeliness, and accountability within the FIT Division
- Manage direct reports, including Performance Plans and appraisals

Desirable Experience and Skills

Ten years of management experience, policy development experience, excellent communication skills, demonstrated skills in collaboration and delegation, demonstrated commitment to racial equity.

Selection Process and Timeline

Interested candidates submit an updated resume demonstrating experience and an email, not to exceed 500 words, expressing their interest. The email should contain an explanation of why the candidate is interested in this assignment and how it would support their professional development goals.

- Please submit the email by **5pm, December 16** to Sophia Simpliciano

(sophia.simpliciano@sfmta.com) with the subject heading: *Acting CFO Statement of Interest*

- After review of the submissions, I will meet with the top candidates and select one to appoint to this interim position.
- I hope to announce the Acting Division Director/CFO the first week of January.

Until the announcement is made, please continue to contact Leo's delegate, Jonathan Rewers (jonathan.rewers@sfmta.com), with matters normally managed by the CFO/Division Director.

Thank you,

Jeff

Jeffrey Tumlin

Director of Transportation

(he/him/his)

Sophia Simpliciano

Executive Assistant

jeffrey.tumlin@sfmta.com

sophia.simpliciano@sfmta.com

dot 415.646.2522 | [sfmta reception](#) 415.701.5600



San Francisco Municipal Transportation Agency

1 South Van Ness Avenue, 7th floor

San Francisco, CA 94103

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From: [Board of Supervisors. \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Persisting Unfair and Discriminatory Employment Practices at the City and County of San Francisco's SFMTA
Date: Tuesday, January 5, 2021 9:07:00 AM
Attachments: [Outlook-Descriptio.png](#)
[Outlook-n4l1f1wf.png](#)
[Outlook-eh4tp3za.png](#)
[Outlook-d2xr2wh3.png](#)
[Outlook-3pb0tpdj.png](#)
[BIASED AND DISCRIMINATORY EMPLOYMENT PRACTICES.pdf](#)
[image001.png](#)

From: Black Employee Alliance <blackemployeealliance@gmail.com>

Sent: Monday, January 4, 2021 4:52 PM

To: Sweet, Alexandra C. (MYR) <alexandra.c.sweet@sfgov.org>

Cc: Isen, Carol (HRD) <carol.isen@sfgov.org>; Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; Power, Andres (MYR) <andres.power@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; sean.elbernd@sfgov.org; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>; Airport Commission Secretary (AIR) <airportcommissionsecretary@flysfo.com>; Commission, Fire (FIR) <fire.commission@sfgov.org>; DPH, Health Commission (DPH) <HealthCommission.DPH@sfdph.org>; MTABoard@sfmta.com; info@sflower.org; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Chan, Deland (CPC) <deland.chan@sfgov.org>; Diamond, Susan (CPC) <sue.diamond@sfgov.org>; Fung, Frank (CPC) <frank.fung@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>; John Doherty <jdoherty@ibew6.org>; cityworker@sfcwu.org; clavery@oe3.org; mbrito@oe3.org; tneep@oe3.org; oashworth@ibew6.org; debra.grabelle@ifpte21.org; kgeneral@ifpte21.org; Jessica Beard <jbeard@ifpte21.org>; tmathews@ifpte21.org; varaullo@ifpte21.org; ewallace@ifpte21.org; aflores@ifpte21.org; smcgarry@nccrc.org; larryjr@ualocal38.org; jchiarenza@ualocal38.org; SEichenberger@local39.org; Richard Koenig <richardk@smw104.org>; anthonyu@smw104.org; Charles, Jasmin (MTA) <Jasmin.Charles@sfmta.com>; twulocal200@sbcglobal.net; roger marenco <rmarenco@twusf.org>; pwilson@twusf.org; Theresa Foglio <laborers261@gmail.com>; bart@dc16.us; dharrington@teamster853.org; MLeach@ibt856.org; jason.klumb@seiu1021.org; theresa.rutherford@seiu1021.org; XiuMin.Li@seiu1021.org; Hector Cardenas <Hector.Cardenas@seiu1021.org>; pmendeziamaw@comcast.net; mjayne@iam1414.org; raquel@sfmea.com (contact) <raquel@sfmea.com>; christina@sfmea.com; criss@sfmea.com; rudy@sflaborcouncil.org; l200twu@gmail.com; Local Twu <local200twu@sbcglobal.net>; lkuhls@teamsters853.org; staff@sfmea.com; president@sanfranciscodsa.com; SFDPOA@icloud.com; sfbia14@gmail.com; ibew6@ibew6.org; naacpsfbr@att.net

Subject: Persisting Unfair and Discriminatory Employment Practices at the City and County of San Francisco's SFMTA

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good afternoon Ms. Sweet, Mayor London Breed, Members of the Board of Supervisors, Labor Partners and City Leaders -

We hope this message finds you well. Several weeks ago, we emailed the Mayor's Office and City leadership to expose the corruption of Leo Levenson, SFMTA Finance and IT Director being moved into a DSW assignment to **cover-up the fact that he was being removed** from his role. We received a message from Alexandra Sweet, on behalf of the Mayor's Office with a pivot about the structure and function of DSW assignments. The response served as an attempt to distract from the issue at hand.

As we articulated very clearly, special circumstances were enacted by the SFMTA, for Mr. Levenson, who had not performed well in his role as Finance Director. It was clear that Mr. Levenson would not be returning to his role due to SFMTA Director Jeff Tumlin's simultaneous hurried attempt at recruiting for Mr. Levenson's role. As you can see by the screenshot of the **attached message from Mr. Levenson, he will not be returning to his role after the DSW assignment.**

While this example does not compare to the scale of the unethical practices and behaviors uncovered at the City and County of San Francisco in 2020 (scandals at DHR, PUC, and DPW), it is in fact unethical and symbolic of continual corruption. The **City's Disaster Service Worker process was used to facilitate an involuntary resignation (forced resignation), enabling Mr. Levenson to continue earning and maintaining full salary and benefits while on assignment.** This process was utilized to ensure Mr. Levenson would be able to procure optimal retirement benefits. By remaining in the Director role and completing a full two years at the SFMTA Director II salary level (December 2020 was Mr. Levenson's two-year anniversary), this enables him to collect retirement benefits based on his highest years of salary at the SFMTA.

It is widely known throughout the agency that Mr. Levenson had not performed well in his role for some time. Not only was he ineffective in running the full-scaled operation of Finance and IT, but he also **taunted, isolated, and pursued Black employees in very vivid ways that reported to HR and EEO, and the SFMTA Human Resources Director allowed it to happen.** The reality of this situation underscores the ways in which White supremacy, White male privilege, and White power work to continue advantaging White employees at the City and County in San Francisco, especially those in management and executive level positions.

This type of maneuvering in biased employment practices is unacceptable. As observed through HR data produced by the City, Black employees are disproportionately **involuntarily terminated, released from probation, and released** from exempt positions. Black employees are not afforded the type of opportunities that the City and SFMTA affords to White employees; and specifically, the opportunity afforded to Leo Levenson in this situation, also afforded to Martin Gran several years ago, along with several other White SFMTA management staff whose jobs have been sustained even when they have underperformed significantly. Discipline and corrective actions look differently for White employees at the City and County of San Francisco, and these examples are representative of that difference.

Members of Black Employees Alliance and SFMTA's Black and African American Affinity Group believe that it is highly likely that if Mr. Levenson were Black, he would have been terminated from the City and County of San Francisco, rather than deployed to a Disaster Service Worker assignment. We believe this because the former HR Director - Donald Ellison, who allegedly underperformed in his role during his time with the agency. It should be noted that Mr. Levenson and Mr. Ellison were peers. Donald Ellison is Black, and he was fired. There were no special accommodations made for Mr. Ellison to transition into another role, that temporarily maintained his salary and benefits structure, or reputation.

If these types of compassionate approaches are enacted by the SFMTA and City and County of San Francisco, for White people, like Mr. Levenson, Martin Gran (and other White leaders and managers), the City needs also to ensure similar employment practices are afforded to Black, Brown, and other employees who are typically not afforded second chances, embarrassment, humiliation, and reputation salvaging. Otherwise, racial bias will continue to inform the City's employment practices, leading to the persisting and perpetual outcomes we see today. Of course, **a simpler and sound solution would be to hold everyone accountable; not Black people mostly or only.**

Lastly, the Black Employees Alliance would like to request the full scope and scale of Mr. Levenson's DSW Assignment - (length of time, number of direct reports reporting to him, duties, span, and range of projects, etc.). We are hoping to receive this information by Friday, January 22nd. Thank you in advance.

Black Employees Alliance and Coalition Against Anti-Blackness

On Fri, Dec 18, 2020 at 11:29 AM Sweet, Alexandra C. (MYR) <alexandra.c.sweet@sfgov.org> wrote:

Good Morning Black Employees Alliance and Coalition Against Anti-Blackness,

Your message was forwarded to me from the SFMTA. We are not able to discuss the employment details of individual employees. However, we can advise that during this pandemic, DSW assignments are routine and temporary. During DSW assignments, employees remain in their current classification with no change to their salary and benefits. In the event that a DSW assignment turns into a permanent role, position classification and associated salary are revisited consistent with the City's existing class and compensation structure.

Regards,
Alex Sweet

Alex Sweet | Transportation Advisor
Office of Mayor London N. Breed
City and County of San Francisco
Mobile: 630-947-2624
she/hers

From: Black Employee Alliance <blackemployeealliance@gmail.com>
Sent: Monday, December 14, 2020 12:40 PM
To: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; sean.elbernd@sfgov.org; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Ronen, Hillary (BOS) <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>
Cc: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>; Airport Commission Secretary (AIR) <airportcommissionsecretary@flysfo.com>; Commission, Fire (FIR) <fire.commission@sfgov.org>; DPH, Health Commission (DPH) <HealthCommission.DPH@sfdph.org>; MTABoard <MTABoard@sfmta.com>; info@sfwater.org; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Chan, Deland (CPC) <deland.chan@sfgov.org>; Diamond, Susan (CPC) <sue.diamond@sfgov.org>; Fung, Frank (CPC) <frank.fung@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>; CivilService, Civil (CSC) <civilservice@sfgov.org>; rudy@sflaborcouncil.org; kim@sflaborcouncil.org; sflc@sflaborcouncil.org; John Doherty <jdoherty@ibew6.org>; cityworker@sfewu.org; clavery@oe3.org; mbrito@oe3.org; tneep@oe3.org; Osha Ashworth <oashworth@ibew6.org>; debra.grabelle@ifpte21.org; kgeneral@ifpte21.org; jbeard@ifpte21.org; tmathews@ifpte21.org; varaullo@ifpte21.org; ewallace@ifpte21.org; aflores@ifpte21.org; smcgarry@nccrc.org; larryjr@ualocal38.org; jchiarenza@ualocal38.org; SEichenberger@local39.org; Richard Koenig <richardk@smw104.org>; anthonyu@smw104.org; Charles, Jasmin <Jasmin.Charles@sfmta.com>; twulocal200@sbcglobal.net; roger marenco <rmarenco@twusf.org>; pwilson@twusf.org; Theresa Foglio <laborers261@gmail.com>; bart@dc16.us; dharrington@teamster853.org; MLEach@ibt856.org; jason.klumb@seiu1021.org; theresa.rutherford@seiu1021.org; XiuMin.Li@seiu1021.org; Hector Cardenas <Hector.Cardenas@seiu1021.org>; pmendeziamaw@comcast.net; mjayne@iam1414.org; raquel@sfmea.com (contact) <raquel@sfmea.com>; christina@sfmea.com; criss@sfmea.com; l200twu@gmail.com; local200twu <local200twu@sbcglobal.net>; lkuhls@teamsters853.org; staff@sfmea.com; president@sanfranciscodsa.com; SFDPOA@icloud.com; sfbia14@gmail.com; ibew6@ibew6.org
Subject: The Protection of White Employees' Failure vs. The Demise of Black Employees Careers and Lives When We Fail: "Acting CFO/FIT Division Director Opportunity"

Good morning Mayor Breed and Member of the Board of Supervisors,

We hope this message finds you well. The reason for our message to you today is to underscore a very prominent practice at the City and County of San Francisco:

- Protections for the failures of White employees, and the Demise for failure of Black employees

The following message below was forwarded to the Black Employees Alliance and Coalition Against Anti-Blackness. The message sent below, issued by the SFMTA Director, Jeffrey Tumlin, highlights the transition of the CFO/Director of Finance, Information, and Technology, who will be transitioning to a "DSW assignment" at the Department of Homelessness and Supportive Housing (HSH). Please note that the Department of Homelessness and Supportive Housing is 2.5% the size of the SFMTA; consisting of 120-150 employees, vs. the SFMTA's almost 6,000 employees.

It is the impression of many SFMTA employees (across racial/ethnic groups) that the transition of the CFO is due to performance deficiency, rather than the "urgent" or "critical" need to reassign the CFO to a DSW assignment at Homelessness and Supportive Housing. This CFO position at the SFMTA is ranked 3rd or 4th within the scale of the organization (both in rank and pay). How is it possible that Director Tumlin would allow the person in charge of all finance within the SFMTA, to take a Disaster Service Worker "budget assignment" in the midst of SFMTA's own budget crisis? This does not make sense, and it is indicative of the cronyism and corruption that the City has long dealt with, and that we are continuing to see at this moment. It is either very bad judgement on Director Tumlin's part, or Director Tumlin has chosen to exhibit a lack of honesty about why the person in one of the most vital and critical roles at that agency is transitioning suddenly during the midst of what Director Tumlin has referred to as the "demise" of the Transportation agency in San Francisco; not to mention the proclamation of cutting 20% of the agency (900-1,200 potential layoffs)? Something does not add-up here.

Most notably, the person implicated in Director Tumlin's email made \$260,000 in salary only - in 2019 (roughly \$314,000 including benefits), for occupying a Director II level position at the SFMTA, the City's second largest agency, which has a budget of approximately \$1.2-billion. HSH has an annual budget of \$42.9-million. Does this mean that because this City leader is in essence "being demoted" by Director Tumlin, that the salary for this individual will change, and reflect a level that is in alignment and more appropriate for someone in a department that has 97% less employees; whose budget is 96% smaller than the budget at the SFMTA (also noting that the decrease in overall direct and indirect reporting is significant)? There are many questions to be answered here.

The fact that Director Tumlin has chosen this narrative to accompany the transition of this person, who almost assuredly will not be returning due to recent in-fighting and problematic behavior that has unfolded over the course of the last several years, is not only alarming and disingenuous; but it speaks to

the ways in which City resources are continuously manipulated to support the facade of "need", which is actually a cover for someone who has failed miserably in their position. Most notably for the Black Employees Alliance, is that this person is a White male; and that Black employees at the SFMTA have been involuntarily released at disproportionately alarming rates vs White employees (over the past several years), and specifically in instances where White employees should also have been terminated.

This component is important to underscore, because there have been multiple distinct cases and situations over the last 3-4 years where it has been observed that several White employees, who were demoted, have been able to maintain their position classifications and corresponding salaries; even though their responsibilities have changed drastically. We see the trend across the City that **when Black employees "do not succeed" in our employment experiences, the City's practice is to terminate.** However, we see here (and as we have noted in several other cases), **when White employees (both male and female) are deficient and/or are unsuccessful, the City practice is to create space and opportunities for such employees to transition into roles with significantly less responsibility, yet sustain their pay and potentially their classification - at the expense of taxpayer dollars.** This was true for the former DHR-Employee Relations Director in 2016 (who racially harassed a former Black DHR employee), who was reassigned to an alternate assignment (allowed to maintain the same pay), while he looked for work outside of the City system. The BEA has several more instances we are prepared to share.

We would like for the Mayor's Office (**not anyone at the SFMTA because it appears that stories and narratives are embellished by the leadership there**) to provide answers to the following questions:

- What is the full scale and scope of the new DSW assignment for this employee?
- Will the employee be allowed to maintain the salary of roughly \$260k-\$270k?
- Will this remain on the SFMTA payroll or is it being paid by a central fund and/or HSH?
- How long is this assignment for and when will the employee be returning to their role as the CFO/Director of Finance, Information, and Technology at the SFMTA?
- If the employee is not returning, then Why would Director Tumlin present the situation as though it is temporary?
- Will there be a Classification and Compensation analysis for this new assignment to potentially scale the salary and benefits accordingly?
- Have DHR Director Carol Isen, and SFMTA HR Director Kimberly Ackerman, and DHR Director of Finance Steve Ponder approved the sustained classification and pay, for the DSW assignment role that has significantly less responsibility?

In addition, Black employees know and are very aware of the disparate treatment we receive daily. It is important that moments like this are amplified for all to see and take notice; especially in the midst of Black employees who are choosing to take action against the City to root-out such actions and

behaviors.

We are calling on you once again to hold City department heads (which report directly to you) accountable for discriminatory behavior (favors and favorable treatment towards White and East Asian employees vs. unfavorable treatment towards Black employees). Unfortunately, this is a reflection on your leadership, and while we support you, it is incumbent upon you to take action.

Best Regards,

Black Employees Alliance and Coalition Against Anti-Blackness

From: Tumlin, Jeffrey <Jeffrey.Tumlin@sfmta.com>

Sent: Friday, December 11, 2020 4:09:32 PM

To: ExecutiveTeam <ExecutiveTeam@sfmta.com>; SeniorManagementTeam <SeniorManagementTeam@sfmta.com>

Subject: Acting CFO/FIT Division Director Opportunity

Colleagues,

NAME OF EMPLOYEE HAS BEEN REDACTED, CFO and Director of our Finance, Information and Technology (FIT) Division, has taken a DSW assignment with San Francisco's Department of Homelessness and Supportive Housing. I will be appointing someone to serve as the Acting Division Director and CFO. An acting position is a wonderful way to gain additional leadership experience and I am hopeful that there will be broad interest in this opportunity. If this position is not a good fit for you, please consider whether there is a superstar on your team whose skills and interests align with this role and send it to them.

The original CFO/Division Director job description is [here](#). The role and responsibilities remain substantially the same as what is outlined in the job description- to serve as the agency's top financial and operational administration advisor to the Director of Transportation; however, specific upcoming priorities include:

- Manage budget revision process
- Support development of new revenue measure proposals
- Reprioritize capital projects based on available funding, in collaboration with Divisions
- Lead upcoming financing including refunding of existing debt and potentially a new bond issuance

- Oversee and guide business process improvements to align FIT operations and practices in support of our cash flow needs and overall agency functioning
- Guide year-end financial audit including grant billings, work with funding agencies to bring funding in
- Serve as a member of the agency's leadership team, advancing collaboration and support across business units and leading with integrity, transparency, and respect
- Develop five-year financial plan
- Exercise tact, political acumen, and compassion in representing the agency internally and externally
- Provide policy direction for finance, contracts, and administrative operations decisions
- Manage and support day-to-day operations of FIT business support units
- Advance a culture of collaboration, communication, timeliness, and accountability within the FIT Division
- Manage direct reports, including Performance Plans and appraisals

Desirable Experience and Skills

Ten years of management experience, policy development experience, excellent communication skills, demonstrated skills in collaboration and delegation, demonstrated commitment to racial equity.

Selection Process and Timeline

Interested candidates submit an updated resume demonstrating experience and an email, not to exceed 500 words, expressing their interest. The email should contain an explanation of why the candidate is interested in this assignment and how it would support their professional development goals.

- Please submit the email by **5pm, December 16** to Sophia Simpliciano (sophia.simpliciano@sfmta.com) with the subject heading: *Acting CFO Statement of Interest*
- After review of the submissions, I will meet with the top candidates and select one to appoint to this interim position.

I hope to announce the Acting Division Director/CFO the first week of January.

Until the announcement is made, please continue to contact Leo's delegate, Jonathan Rewers (jonathan.rewers@sfmta.com), with matters normally managed by the CFO/Division Director.

Thank you,

Jeff

Jeffrey Tumlin

Director of Transportation

(he/him/his)

Sophia Simpliciano

Executive Assistant

jeffrey.tumlin@sfmta.com

sophia.simpliciano@sfmta.com

dot 415.646.2522 | [sfmta reception](#) 415.701.5600



San Francisco Municipal Transportation Agency

1 South Van Ness Avenue, 7th floor

San Francisco, CA 94103



This message is from outside of the SFMTA email system. Please review the email carefully before responding, clicking links, or opening attachments.

Gratitude for our work together



Levenson, Leo

1:36 PM

To Finance and Information Technol... ...

Dear FIT and Senior Management Team
Colleagues,

I want to let you know that I will not be returning to the SFMTA after my current DSW assignment concludes.

I am grateful to have had the chance to work with each of you and proud of the work we have accomplished together.

I can continue to be reached at my cell phone [415-760-0579](tel:415-760-0579), and my personal email, LMLevenson@yahoo.com.



**TO: MAYOR LONDON N. BREED, MEMBERS OF THE BOARD OF SUPERVISORS,
LABOR UNION PARTNERS, COMMISSION MEMBERS, AND ALL OTHER
PARTIES:**

**SAN FRANCISCO
BLACK EMPLOYEE
ALLIANCE(BEA)**

RE: BIASED AND DISCRIMINATORY EMPLOYMENT PRACTICES

Leadership Team

Jumoke Akin-Taylor
Alisha Willis
Demarris Evans
Irella Blackwood
Cheryl Taylor
Kathy Broussard
Jessica Brown
Brenda Barros
Dante King
Madeline McMillian
Nikki Mixon

We hope this message finds you well. Several weeks ago, we emailed the Mayor's Office and City leadership to expose the corruption of Leo Levenson, SFMTA Finance and IT Director being moved into a DSW assignment to **cover-up the fact that he was being removed** from his role. You responded on behalf of the Mayor's Office with a pivot about the structure and function of DSW assignments. The response served as an attempt to distract from the issue at hand.

As we very clearly articulated, special circumstances were enacted by the SFMTA, for Mr. Levenson, who had not performed well in his role as Finance Director. It was clear that Mr. Levenson would not be returning to his role due to SFMTA Director Jeff Tumlin's simultaneous hurried attempt at recruiting for Mr. Levenson's role. As you can see by the screenshot of the **attached message from Mr. Levenson, he will not be returning to his role after the DSW assignment.**

While this example does not compare to the scale of the unethical practices and behaviors uncovered at the City and County of San Francisco in 2020 (scandals at DHR, PUC, and DPW), it is in fact unethical and symbolic of continual corruption. The **City's Disaster Service Worker process was used to facilitate an involuntary resignation (forced resignation), enabling Mr. Levenson to continue earning and maintaining full salary and benefits while on assignment.** This process was utilized to ensure Mr. Levenson would be able to procure optimal retirement benefits. By remaining in the Director role and completing a full two years at the SFMTA Director II salary level (December 2020 was Mr. Levenson's two-year anniversary), this enables him to collect retirement benefits based on his highest years of salary at the SFMTA.

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This type of maneuvering in biased employment practices is unacceptable. As observed through HR data produced by the City, Black employees are disproportionately involuntarily terminated, released from probation, and released from exempt positions. Black employees are not afforded the type of opportunities that the City and SFMTA affords to White employees; and specifically the opportunity afforded to Leo Levenson in this situation, also afforded to Martin Gran several years ago, along with several other White SFMTA management staff whose jobs have been sustained even when they have underperformed significantly. Discipline and corrective actions look differently for White employees at the City and County of San Francisco, and these examples are representative of that difference.

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Lastly, the Black Employees Alliance would like to request the full scope and scale of Mr. Levenson's DSW Assignment - (length of time, number of direct reports reporting to him, duties, span, and range of projects, etc.). We are hoping to receive this information by Friday, January 22nd. Thank you in advance.

Black Employees Alliance and Coalition Against Anti-Blackness

From: [Board of Supervisors. \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [BOS Legislation. \(BOS\)](#)
Subject: FW: Opposition To Grant Colfax As Health Officer
Date: Monday, January 4, 2021 9:04:00 AM

From: Jordan Davis <jodav1026@gmail.com>
Sent: Saturday, January 2, 2021 8:24 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Opposition To Grant Colfax As Health Officer

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Supervisors,

Please accept this letter against the confirmation of Grant Colfax as Health Officer.

Mr. Colfax has gone too far in the efforts to contain the coronavirus, including, but not limited to:

- 1) Requiring that people get a doctor's note in order to go unmasked, which could result in more criminalization. I am shocked that progressives, of all people, want more criminalization.
- 2) The quarantine rules, which I do support for tourists, but making returning residents quarantine is a bridge too far, especially since it applies to anyone who goes outside the Bay Area, even when they go to states with COVID mitigation measures.

I am sorry that I have to sound like a COVIDIOT and my support for mitigation measures has been inconsistent at best, but I am approaching this from an abolitionist perspective, as well as a disability rights perspective (ie: mistrust of medical professionals).

Signed,

-Jordan

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Major, Erica \(BOS\)](#)
Subject: FW: UCSF CPHP Comments - Sierra Club
Date: Monday, January 4, 2021 5:03:00 PM
Attachments: [2021-01-04 Sierra Club - UCSF - CPHP comments.pdf](#)

From: Kathy Howard <kathyhoward@earthlink.net>
Sent: Monday, January 4, 2021 4:11 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>
Cc: Barry Hermanson <barry@hermansons.com>
Subject: UCSF CPHP Comments - Sierra Club

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San Francisco Group, SF Bay Chapter

Serving San Francisco County

January 4, 2021

Board of Regents
University of California at San Francisco
c/o Office of the Secretary and Chief of Staff to the Regents
1111 Franklin St., 12th floor
Oakland, CA 94607

Subject: Comprehensive Parnassus Heights Plan (CPHP)

Dear Board of Regents,

In December 2020, the Sierra Club held a meeting to discuss the Comprehensive Parnassus Heights Plan (CPHP) attended by representatives from UCSF and from the local community. The topics discussed at that meeting were transportation, housing, open space, and community participation in the planning process.

First let us say that we deeply appreciate the work that the staff of UCSF has done during the COVID-

19 pandemic and the benefit that they bring to the community. We also understand the need to update or replace facilities that may be at the end of their lifespan. We appreciate UCSF's goals to incorporate "planning elements that seek to improve mobility, increase campus housing, and create significantly more open spaces and greater community access." ^[1] After reviewing the CPHP planning and environmental documents and hearing from community members who have been involved with this project and with UCSF for many years, we are submitting the following concerns for your consideration.

Transportation

UCSF proposes to add an average of 8,000 people to its daily population. UCSF estimates that this will mean adding approximately 3,000 automobile trips a day, about two-thirds of which would be people driving alone, with an additional 2,500 people taking public transportation.

This will place a substantial strain on an already over-burdened transportation system and in particular on the N Judah streetcar, the primary route to downtown for the entire northern part of the Sunset District. Pre-COVID, the N Judah streetcar route was one of San Francisco's most heavily used transit lines, with full-capacity trains that often didn't stop to pick up passengers at rush hour.

We commend UCSF for volunteering to donate approximately \$20 million ^[2] to San Francisco's Transportation Sustainability Fee program for transit improvements, an amount equal to that which would normally be paid by a private developer; however, it is unlikely that the proposed fee will be enough to accommodate the additional riders that will use public transit over the life of the project. It is also unclear how the current system could be expanded to handle the additional projected ridership.

Furthermore, projecting 3,000 automobile trips a day is not a sustainable approach to transportation. The increase in air pollution and greenhouse gases alone are of concern. The State of California has an ambitious goal of reducing greenhouse gasses, and an aggressive transit element in the UCSF proposal is necessary. Any increase in the amount of automobile traffic will also have a negative impact on the surrounding residential neighborhood.

Better plans for and more extensive funding of public transit are going to be needed to keep people out of their cars and meet climate goals regarding greenhouse gases.

Jobs and Housing Balance

The project will bring approximately 4,100 new staff and students to the UCSF campus on Parnassus by 2030. However, only 134 units of housing will be developed by 2030. By 2050, another 1,000 jobs will be created and some additional housing units are planned, but only a fraction of what is needed. In addition, there is no housing planned for the workforce that will be needed to support the additional faculty and staff. It is likely that the result will be the further gentrification of the housing surrounding the UCSF campus as well as the loss of affordable housing for those living nearby through evictions, raised rents, or other pressures.

The Sierra Club is a strong advocate for social equity. A large portion of the existing workforce already cannot afford to live in San Francisco. We urge UCSF to better balance the amount of housing with the number of new jobs. We commend UCSF for increasing the percentage of affordable housing to 40% affordable, which is much closer to our preference for 50%. However, there is no indication when the affordable homes will be built other than a promise to do so by

2050. The need is now, not in 30 years.

Many workers commute daily from as far away as Tracy and Sacramento. Without a substantial increase in the workforce housing, this project will put more economic pressures on the staff and have an enormous negative impact on the local community. Pushing the workforce into extended commutes will result in significant increases in greenhouse gas emissions and undermine attempts to reduce the amount of climate change we are already facing in the future.

The housing-jobs balance for this project should be re-evaluated for the impact it will have on housing not only for the current residents of the neighborhood and the City as a whole, but also for the new workforce.

Open Space – Shadows and Wind

We appreciate the emphasis on open space that is shown in the Programmatic EIR. The Sierra Club supports providing more open space for people who will be working on the new campus as well as for the local residents. Opening up the campus so that there is a connection between Mt. Sutro and Golden Gate Park ("Park to Peak") is also to be commended. However, there is a certain irony to this connection, because the proposed new hospital – the height of a 30-story-tall building - will have a negative impact in terms of wind and shadows on the open space as well as on Golden Gate Park.

A three-hundred-foot building is completely out of scale with this residential neighborhood. Because it is being placed on the side of a hill, the top of the building will be over 400 feet above the level of Golden Gate Park. This building will have considerable impacts in terms of shadows and wind.

The Sierra Club recognizes the importance of open space in urban areas. Parks are a vital resource not only for public health and recreation but also as necessary habitat for wildlife. Wildlife is struggling everywhere, and our cities are becoming one of the areas where they can eke out survival. As isolated parkland surrounded on three sides by urban development, Golden Gate Park is easily impacted by any negative changes in its environment. Even limited shadowing will have an impact on the health of the plant life and on the wildlife habitat as well as detract from the park experience for people, who use the park at all hours of the day.

The EIR illustrates shadowing in Golden Gate Park, including the Park nursery, an area that would be especially sensitive to the need for steady sunlight. In addition, two schools (including school yards open for the public as part of the City's shared Schoolyard Project) and an additional park and a playground, as well as part of the Reserve will be in shadow part of the time with the new project. The Sierra Club opposes any shadowing of our parks, and asks that this plan be modified so that the new buildings will not shadow our parks and have a limited shadow impact on other outdoor space in the neighborhood, such as backyards, which also provide habitat.

An increase in the wind in the area is also a concern. Parnassus Heights is already a windy area. The On-shore breezes sweep in from the ocean. Once the wind hits the proposed 300-foot-tall building, it will be intensified and bounce down into the open space and the surrounding neighborhoods. Although UCSF states that it will meet the City's requirement for wind hazards, that requirement is only for 26-mph winds that don't last more than one hour; this does not make for a comfortable park experience and most plants do not do well in a constantly windy environment.

Moreover, stating in the EIR that tall buildings can be built even if wind speed reduction strategies are "not feasible" or cost more money, [\[3\]](#) is essentially the same as saying that wind reduction does

not have to be done.

A shorter building, wind baffles and other controls on all of the buildings to decrease windspeed, and a more stringent requirement for a lower wind speed throughout the project site should be part of the analysis of this project.

In addition, the CPHP proposes adding outdoor heating elements to mitigate the wind conditions on the project. [4] This is not environmentally sustainable and should not be considered for this site.

Instead, a building and open space design that naturally protects open space from wind and preserves natural sunlight should be supported.

Community input

The CHPC states, "We are excited to begin the transformation of Parnassus Heights, a process that will be guided by the continued collaboration and guidance of our stakeholders over many

decades". [5] However, many neighbors feel that the local community's suggestions have not been given serious consideration and that UCSF entered the public feedback process with a predetermined plan that was more or less unchangeable. The Sierra Club has signed on to the

Jemez Principles for Democratic Organizing, which support local determination for communities. [6]

We suggest that UCSF go back to the neighborhood and include residents' ideas in the plans for the CPHP.

Conclusion

The Sierra Club understands the importance of up-to-date facilities for medical care; however, we would also like to put forward the idea that a healthy environment is important for the well-being of local communities and to combat climate change. A project of this magnitude needs to address its environmental and social equity impacts.

The project's massive increase in square footage, resulting in a much larger campus and patient/workforce/commuter population, as well as the addition of a 300-foot-tall building on a hillside in the middle of a residential community with parks, schools, and other open space, are major factors in the negative environmental impacts that this project will have on this residential section of San Francisco.

New developments should strive to balance new jobs with providing new housing and meeting social equity goals by having a large percentage of the housing be affordable. Providing sufficient affordable housing will also help reduce the greenhouse gas emissions by reducing the number of car trips needed by employees who will walk to work rather than commute long distances. In addition, the project will need an aggressive mass transit program in order to reduce single car use so that the project will not result in increased greenhouse gas emissions.

The Sierra Club urges UCSF to rethink the parameters of this project and create a more environmentally-sustainable, equitable, and neighborhood-friendly project.

Thank you for your consideration.

Sincerely,

Barry Hermanson

Barry Hermanson

On behalf of the
San Francisco Group Executive Committee

cc: San Francisco Board of Supervisors
San Francisco Planning Commission

Please see document for footnotes.

[1] "Comprehensive Parnassus Heights Plan," Updated June 2020, Page 3.

[2] *SF Chronicle*, January 4, 2021.

[3] "OCSF CPHP, EIR". July 2020 page 4.1-47

[4] *"Design buildings and public spaces to address the local microclimate (wind, solar access, fog). Exterior spaces should function for year-round occupancy and include wind mitigation treatments, heating elements, and efficient lighting."*

[5] ."Comprehensive Parnassus Heights Plan," Updated June 2020, Page 3.

[6] [https://avanan.url-protection.com/v1/url?](https://avanan.url-protection.com/v1/url?o=http%3A//www.ejnet.org/ej/jemez.pdf&g=YWEwZjgwOWRkNTJiNjllZg==&h=ZjYzNjc5OTlkNzBkZW5jUyZGNlNjRjZmM1NmExZWU0NTY1OTM0YjI0YmQ1OTUwY2RhNGY1OGUyOTJlNWIyMQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvcZmZpY2UzNjVfZW1haWxzX2VtYWlsOjQzYW50ZmZlZDg1MjE2NzZlZWE2ODc0YThjZmRhOnYx)

[o=http%3A//www.ejnet.org/ej/jemez.pdf&g=YWEwZjgwOWRkNTJiNjllZg==&h=ZjYzNjc5OTlkNzBkZW5jUyZGNlNjRjZmM1NmExZWU0NTY1OTM0YjI0YmQ1OTUwY2RhNGY1OGUyOTJlNWIyMQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvcZmZpY2UzNjVfZW1haWxzX2VtYWlsOjQzYW50ZmZlZDg1MjE2NzZlZWE2ODc0YThjZmRhOnYx](https://avanan.url-protection.com/v1/url?o=http%3A//www.ejnet.org/ej/jemez.pdf&g=YWEwZjgwOWRkNTJiNjllZg==&h=ZjYzNjc5OTlkNzBkZW5jUyZGNlNjRjZmM1NmExZWU0NTY1OTM0YjI0YmQ1OTUwY2RhNGY1OGUyOTJlNWIyMQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvcZmZpY2UzNjVfZW1haWxzX2VtYWlsOjQzYW50ZmZlZDg1MjE2NzZlZWE2ODc0YThjZmRhOnYx)



San Francisco Group, SF Bay Chapter

Serving San Francisco County

January 4, 2021

Board of Regents

University of California at San Francisco

c/o Office of the Secretary and Chief of Staff to the Regents

1111 Franklin St., 12th floor

Oakland, CA 94607

regentsoffice@ucop.edu

Subject: Comprehensive Parnassus Heights Plan (CPHP)

Dear Board of Regents,

In December 2020, the Sierra Club held a meeting to discuss the Comprehensive Parnassus Heights Plan (CPHP) attended by representatives from UCSF and from the local community. The topics discussed at that meeting were transportation, housing, open space, and community participation in the planning process.

First let us say that we deeply appreciate the work that the staff of UCSF has done during the COVID-19 pandemic and the benefit that they bring to the community. We also understand the need to update or replace facilities that may be at the end of their lifespan. We appreciate UCSF's goals to incorporate "planning elements that seek to improve mobility, increase campus housing, and create significantly more open spaces and greater community access."¹ After reviewing the CPHP planning and environmental documents and hearing from community members who have been involved with this project and with UCSF for many years, we are submitting the following concerns for your consideration.

Transportation

UCSF proposes to add an average of 8,000 people to its daily population. UCSF estimates that this will mean adding approximately 3,000 automobile trips a day, about two-thirds of which would be people driving alone, with an additional 2,500 people taking public transportation.

This will place a substantial strain on an already over-burdened transportation system and in particular on the N Judah streetcar, the primary route to downtown for the entire northern part of the Sunset District. Pre-COVID, the N Judah streetcar route was one of San Francisco's most heavily used transit lines, with full-capacity trains that often didn't stop to pick up passengers at rush hour. We commend

¹ "Comprehensive Parnassus Heights Plan," Updated June 2020, Page 3.

UCSF for volunteering to donate approximately \$20 million² to San Francisco's Transportation Sustainability Fee program for transit improvements, an amount equal to that which would normally be paid by a private developer; however, it is unlikely that the proposed fee will be enough to accommodate the additional riders that will use public transit over the life of the project. It is also unclear how the current system could be expanded to handle the additional projected ridership.

Furthermore, projecting 3,000 automobile trips a day is not a sustainable approach to transportation. The increase in air pollution and greenhouse gases alone are of concern. The State of California has an ambitious goal of reducing greenhouse gasses, and an aggressive transit element in the UCSF proposal is necessary. Any increase in the amount of automobile traffic will also have a negative impact on the surrounding residential neighborhood.

Better plans for and more extensive funding of public transit are going to be needed to keep people out of their cars and meet climate goals regarding greenhouse gases.

Jobs and Housing Balance

The project will bring approximately 4,100 new staff and students to the UCSF campus on Parnassus by 2030. However, only 134 units of housing will be developed by 2030. By 2050, another 1,000 jobs will be created and some additional housing units are planned, but only a fraction of what is needed. In addition, there is no housing planned for the workforce that will be needed to support the additional faculty and staff. It is likely that the result will be the further gentrification of the housing surrounding the UCSF campus as well as the loss of affordable housing for those living nearby through evictions, raised rents, or other pressures.

The Sierra Club is a strong advocate for social equity. A large portion of the existing workforce already cannot afford to live in San Francisco. We urge UCSF to better balance the amount of housing with the number of new jobs. We commend UCSF for increasing the percentage of affordable housing to 40% affordable, which is much closer to our preference for 50%. However, there is no indication when the affordable homes will be built other than a promise to do so by 2050. The need is now, not in 30 years.

Many workers commute daily from as far away as Tracy and Sacramento. Without a substantial increase in the workforce housing, this project will put more economic pressures on the staff and have an enormous negative impact on the local community. Pushing the workforce into extended commutes will result in significant increases in greenhouse gas emissions and undermine attempts to reduce the amount of climate change we are already facing in the future.

The housing-jobs balance for this project should be re-evaluated for the impact it will have on housing not only for the current residents of the neighborhood and the City as a whole, but also for the new workforce.

Open Space – Shadows and Wind

We appreciate the emphasis on open space that is shown in the Programmatic EIR. The Sierra Club supports providing more open space for people who will be working on the new campus as well as for the local residents. Opening up the campus so that there is a connection between Mt. Sutro and Golden Gate Park ("Park to Peak") is also to be commended. However, there is a certain irony to this connection, because the proposed new hospital – the height of a 30-story-tall building - will have a negative impact in terms of wind and shadows on the open space as well as on Golden Gate Park.

² *SF Chronicle*, January 4, 2021.

A three-hundred-foot building is completely out of scale with this residential neighborhood. Because it is being placed on the side of a hill, the top of the building will be over 400 feet above the level of Golden Gate Park. This building will have considerable impacts in terms of shadows and wind.

The Sierra Club recognizes the importance of open space in urban areas. Parks are a vital resource not only for public health and recreation but also as necessary habitat for wildlife. Wildlife is struggling everywhere, and our cities are becoming one of the areas where they can eke out survival. As isolated parkland surrounded on three sides by urban development, Golden Gate Park is easily impacted by any negative changes in its environment. Even limited shadowing will have an impact on the health of the plant life and on the wildlife habitat as well as detract from the park experience for people, who use the park at all hours of the day.

The EIR illustrates shadowing in Golden Gate Park, including the Park nursery, an area that would be especially sensitive to the need for steady sunlight. In addition, two schools (including school yards open for the public as part of the City's shared Schoolyard Project) and an additional park and a playground, as well as part of the Reserve will be in shadow part of the time with the new project. The Sierra Club opposes any shadowing of our parks, and asks that this plan be modified so that the new buildings will not shadow our parks and have a limited shadow impact on other outdoor space in the neighborhood, such as backyards, which also provide habitat.

An increase in the wind in the area is also a concern. Parnassus Heights is already a windy area. The On-shore breezes sweep in from the ocean. Once the wind hits the proposed 300-foot-tall building, it will be intensified and bounce down into the open space and the surrounding neighborhoods. Although UCSF states that it will meet the City's requirement for wind hazards, that requirement is only for 26-mph winds that don't last more than one hour; this does not make for a comfortable park experience and most plants do not do well in a constantly windy environment.

Moreover, stating in the EIR that tall buildings can be built even if wind speed reduction strategies are "not feasible" or cost more money,³ is essentially the same as saying that wind reduction does not have to be done.

A shorter building, wind baffles and other controls on all of the buildings to decrease windspeed, and a more stringent requirement for a lower wind speed throughout the project site should be part of the analysis of this project.

In addition, the CPHP proposes adding outdoor heating elements to mitigate the wind conditions on the project.⁴ This is not environmentally sustainable and should not be considered for this site.

Instead, a building and open space design that naturally protects open space from wind and preserves natural sunlight should be supported.

Community input

The CHPC states, "We are excited to begin the transformation of Parnassus Heights, a process that will be guided by the continued collaboration and guidance of our stakeholders over many decades".⁵

However, many neighbors feel that the local community's suggestions have not been given serious consideration and that UCSF entered the public feedback process with a predetermined plan that was

³ "OCSF CPHP, EIR". July 2020 page 4.1-47

⁴ "Design buildings and public spaces to address the local microclimate (wind, solar access, fog). Exterior spaces should function for year-round occupancy and include wind mitigation treatments, heating elements, and efficient lighting."

⁵ "Comprehensive Parnassus Heights Plan," Updated June 2020, Page 3.

more or less unchangeable. The Sierra Club has signed on to the Jemez Principles for Democratic Organizing, which support local determination for communities. ⁶

We suggest that UCSF go back to the neighborhood and include residents' ideas in the plans for the CPHP.

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The Sierra Club understands the importance of up-to-date facilities for medical care; however, we would also like to put forward the idea that a healthy environment is important for the well-being of local communities and to combat climate change. A project of this magnitude needs to address its environmental and social equity impacts.

The project's massive increase in square footage, resulting in a much larger campus and patient/workforce/commuter population, as well as the addition of a 300-foot-tall building on a hillside in the middle of a residential community with parks, schools, and other open space, are major factors in the negative environmental impacts that this project will have on this residential section of San Francisco.

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The Sierra Club urges UCSF to rethink the parameters of this project and create a more environmentally-sustainable, equitable, and neighborhood-friendly project.

Thank you for your consideration.

Sincerely,

Barry Hermanson

Barry Hermanson

On behalf of the
San Francisco Group Executive Committee

cc: San Francisco Board of Supervisors
San Francisco Planning Commission

⁶ <http://www.ejnet.org/ej/jemez.pdf>

From: [Roger Levin](#)
To: [BOS-Supervisors](#)
Subject: Please support AB 15&16:
Date: Monday, January 4, 2021 1:41:13 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear members of the San Francisco Board of Supervisors,

As a San Francisco tenant, I am urging you to vote in favor of the resolution **supporting California State Assembly Bill Nos. 15 and 16 (Chiu) - Eviction Protections**, sponsored by Supervisors Peskin, Haney and Walton.

Please act to support keeping tenants housed at the worst possible time of this pandemic. Do not allow vulnerable tenants to fall off the "eviction cliff".

Sincerely,
Roger B. Levin
San Francisco renter and
San Francisco Tenants Union member

From: [Board of Supervisors. \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Resolutions supporting State #s 15& 16
Date: Tuesday, January 5, 2021 11:43:00 AM

From: Kathy Lipscomb <kathylipscomb2@gmail.com>
Sent: Tuesday, January 5, 2021 11:38 AM
To: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: Resolutions supporting State #s 15& 16

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Members of the Board of Supervisors:

In these perilous times, please vote in favor of resolution before you today that supports Ca. State Assembly Bill #s 15 & 16, Senator David Chiu, Eviction Protections. Thank you.

And, special thanks to sponsors: Supervisors Peskin, Haney and Walton.

This measure is urgently needed.

Kathy Lipscomb
Member, Senior and Disability Action

From: [Hunter King](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#)
Subject: Support California State Assembly Bill 15 and 16 (Chiu) - Eviction Protections
Date: Tuesday, January 5, 2021 1:06:17 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I urge you to vote yes on the resolution supporting AB 15 and 16 to keep tenants in their homes and prevent the worsening of the economic and public health crisis. Ensuring that these bills pass will save lives and will be essential for preserving the remaining social, racial, and economic diversity of San Francisco.

Thank You,
Hunter

From: [anastasia Yovanopoulos](#)
To: [BOS-Supervisors](#)
Cc: [BOS-Legislative Aides](#)
Subject: Vote for resolution supporting AB 15 & AB 16
Date: Monday, January 4, 2021 1:10:37 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear members of the San Francisco Board of Supervisors,

As a San Francisco tenant, I am urging you to vote in favor of the resolution **supporting California State Assembly Bill Nos. 15 and 16 (Chiu) - Eviction Protections**, sponsored by Supervisors Peskin, Haney and Walton.

Please act to support of keeping tenants housed at the worst possible time of this pandemic. Do not allow vulnerable tenants to fall off the "eviction cliff".

Sincerely,
Anastasia Yovanopoulos
SF Tenants Union, member

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: ATTN Gordon Mar re 2550 Irving Development
Date: Wednesday, January 6, 2021 4:50:00 PM
Attachments: [Mar B 1-4 -202FIN1 B.doc](#)

From: Hal Silk <halsilk@gmail.com>
Sent: Wednesday, January 6, 2021 4:36 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: ATTN Gordon Mar re 2550 Irving Development

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Letter attached

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•
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•
•

Flo Kimmerling, President
Hal Silk Vice President
Shep Levine, Secretary

Mid-Sunset Neighborhood Association

1282 Twenty-Sixth Avenue
San Francisco CA 94122

January 4, 2021

Re: 2550
Irving Development

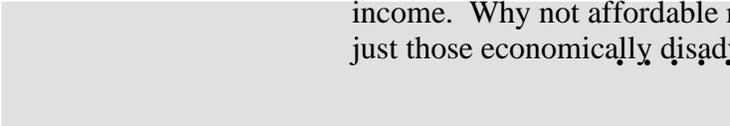
Gordon Mar
Supervisor District 4
City Hall – Rm 244
1 Dr. Carlton Goodlett Plaza
San Francisco, CA 94102

Dear Supervisor Mar,

Our executive board has met several times to deal with the matter of the 2550 Irving development. We have reluctantly concluded that you have abdicated your primary responsibility to represent the interests of the people of District 4. Clearly, your public endorsement of this project, which was planned without any input from residents or businesses, was with full knowledge that it would be a major issue for the Sunset District, and you chose to abandon the process of representative democracy. Behind closed doors, not transparent, the machinery of City Hall ground out a *fait accompli*, with the assumption that there would be no effective opposition - or even compromise - once the plan was revealed. Is this why you were elected?

Our concerns are not limited to the following issues and would have been brought to the planning table or Zoom meeting had we been apprised of its existence. They are not in order of importance:

- Height of the proposed structure and its effects with respect to sun and shadows on property in the immediate area.
- Why is this project different from Cabrini-Green in Chicago, Brewster in Detroit, or the Pink Palace or Sunnydale in San Francisco? Much of these have been demolished as abject failures. Is there any reason to believe that there would be a different outcome here?
- The affect of such a development on property values.
- The number of residential apartments, and the mix of qualifying resident income. Why not affordable rental for police and firefighters, teachers, not just those economically disadvantaged or homeless?



January 7, 2021

Page 2

- Additional vehicles will require parking. How and where?

Meaningful negotiations with the community regarding this project are imperative. Everyone touched by its effects deserves to be heard. Your role should be to engage the community, not suppress the dissemination of information about it. The size and density of your and TNDC's proposed project is completely out of context, out of character, and out of scale. As designed, it is incompatible with the neighborhood and disrespectful of the community. We have been kept in the shadows of this proposed project long enough. Now we need to discuss how we can cast some light on the ultimate design.

Respectfully,

Hal Silk Flo Kimmerling
Mid-Sunset Neighborhood Association

Cc: Mayor London Breed
S.F. Chronicle
S.F. Examiner
Sunset Beacon
Eddie Lee, Police Credit Union

From: [Board of Supervisors \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Exploiting tragedy for your agenda
Date: Monday, January 4, 2021 9:00:00 AM

From: Jamey Frank <jameyfrank@icloud.com>
Sent: Friday, January 1, 2021 10:59 AM
To: Haney, Matt (BOS) <matt.haney@sfgov.org>
Cc: Wasilco, Jadie (MTA) <Jadie.Wasilco@sfmta.com>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Breen, Kate (MTA) <Kate.Breen@sfmta.com>
Subject: Exploiting tragedy for your agenda

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear supervisor Haney,
I am disgusted that you would use the recent pedestrian tragedies to forward your prejudicial anti-car agenda.
You cannot design streets and roadways for criminals fleeing the police.

“Vision zero”, is a failure of policy, being completely one-sided.
But for you to exploit this tragedy to further your agenda is truly disturbing.

You should apologize publicly to the families of the victims.
Sincerely,
--Jamey Frank, San Francisco



From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: rent increase...
Date: Thursday, December 31, 2020 8:41:00 AM

From: northactor cross <northactor@yahoo.com>
Sent: Wednesday, December 30, 2020 2:40 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; arronpeskin@sfgov.org
Subject: rent increase...

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Members of the Board of Supervisors,
As a native San Franciscan, and long time resident of Telegraph Hill, I'm begging you to stop this years rent increase.

I hope that you are in the process of doing so as I write this plea,. Stop the suffering of thousands of artists who are still living amongst the transient new tech workers who have changed the landscape and culture of this city.

San Francisco once had working class neighborhoods, now they have disappeared into the surrounding suburbs or left the state completely. Sadly we are left with a few pockets here and there that were once thriving neighborhoods of artists, teachers, and more.

Don't let us down... for without diversity in S.F population you may awaken to an egotistic snobbish elite who will destroy San Francisco's charm and splendor.

You can keep the little sanity that's left, by stopping 2021 rent increase, that should have been eliminated during the pandemic to begin with instead of someone like me bringing it up.

Thank you all for the hard work you have done and will do in the future.

Sincerely
Armand Blasi

Sent from [Mail](#) for Windows 10

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Will Mom and Pop Receive any help from City Hall?
Date: Wednesday, January 6, 2021 1:26:00 PM

From: Major, Erica (BOS) <erica.major@sfgov.org>
Sent: Wednesday, January 6, 2021 10:37 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: FW: Will Mom and Pop Receive any help from City Hall?

C pages, this ordinance went through already.

ERICA MAJOR

Assistant Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244 San Francisco, CA 94102

Phone: (415) 554-4441 | Fax: (415) 554-5163

Erica.Major@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.

Click [HERE](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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**Disclosures:** *Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

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**From:** K cloudsrest <[cloudsrest789@gmail.com](mailto:cloudsrest789@gmail.com)>  
**Sent:** Tuesday, January 5, 2021 11:28 AM  
**To:** Yan, Calvin (BOS) <[calvin.yan@sfgov.org](mailto:calvin.yan@sfgov.org)>; Breed, Mayor London (MYR) <[mayorlondonbreed@sfgov.org](mailto:mayorlondonbreed@sfgov.org)>; Major, Erica (BOS) <[erica.major@sfgov.org](mailto:erica.major@sfgov.org)>; PeskinStaff (BOS) <[peskinstaff@sfgov.org](mailto:peskinstaff@sfgov.org)>  
**Cc:** Dion wong <[wong\\_dion@hotmail.com](mailto:wong_dion@hotmail.com)>

**Subject:** Fwd: Will Mom and Pop Receive any help from City Hall?

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mayor Breed and Board of Supervisors:

Thank you for your time and consideration. Please acknowledge receipt of this email. Thank you.

Karen Wong  
District 3 Constituent

----- Forwarded message -----

From: **K cloudsrest** <[cloudsrest789@gmail.com](mailto:cloudsrest789@gmail.com)>  
Date: Sun, Jan 3, 2021 at 12:18 PM  
Subject: Will Mom and Pop Receive any help from City Hall?  
To: Aaron Peskin <[calvin.yan@sfgov.org](mailto:calvin.yan@sfgov.org)>  
Cc: [cloudsrest789@gmail.com](mailto:cloudsrest789@gmail.com) <[cloudsrest789@gmail.com](mailto:cloudsrest789@gmail.com)>

Hi Calvin,

With the COVID-19 Tenant Protection ordinance in place, I am wondering if small-time landlords will be receiving financial assistance in the near future? I am asking because we need sufficient cash to meet our operating expenses and maintain our property in good condition for our remaining tenants - 75% of my tenants have moved out since March 2020. No one is granting us a moratorium on property taxes. Banks still demand timely mortgage payments. Providing affordable housing is a small business just like operating a retail business or restaurant. Therefore, we need help too. As you know, all landlords - big or small - are required to maintain their rental properties in good working order. That means covering the cost of fire safety upgrades including installation of new alarm systems (\$\$\$), fire extinguishers, fire escapes, sprinklers; and ensuring the roof, interior/exterior walls, parapets, common areas, flooring, locks, plumbing, seware, garbage/compost/recycling collection, electrical, gas meters and other maintenance areas. All this costs tens of thousands of dollars. If we lost most of our tenants, how are we to continue operating our rental property in accordance with local ordinance?? Would you consider establishing a grant for mom and pop landlords? WE are really hurting and no one is interested in helping us. We are not multimillionaires like corporate landlords/LLCs. We need help. Thank you for your time, patience and kindness. We appreciate all you have done for us over the past years. Thank you.

Karen Wong  
San Francisco, CA

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Karen Y. Wong  
mobile (415) 992-2489

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Karen Y. Wong  
mobile (415) 992-2489

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: City Services on the decline. SEND HELP. MidTown Terrace and more...  
**Date:** Thursday, January 7, 2021 12:07:00 PM

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**From:** Geoff Dowd <geoff.dowd@gmail.com>  
**Sent:** Thursday, January 7, 2021 10:29 AM  
**To:** Yee@sfgov.org; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>  
**Subject:** City Services on the decline. SEND HELP. MidTown Terrace and more...

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

President Supervisor Yee, Board of Supervisors, and Honorable Mayor Breed,

First, I hope you are safe and healthy.

**I'm writing for your help.** As my wife and I struggle to educate our young sons from home (Jefferson Elementary and A.P.G), while simultaneously hold onto our jobs in the room next door, we are daily deflated and discouraged by the decline of City services and response to the growing blight, illegal dumping, vandalism, and straight-up hazardous condition of our neighborhood right outside the front door. We know we are not alone and that our fellow community members in other districts feel the same. (Although how does Billionaire Row stay so primo, I just don't know).

We hereby pledge to NOT leave The City for Marin, the Peninsula, Austin Texas, or Miami Florida. We pledge to stay and continue our positive contribution to our community. We pledge to stay in PUBLIC SCHOOL and both financially and with personal time, support its betterment. **But enough is enough.**

"Recess" for the boys is increasingly dangerous. Speeding cars, fly by without care. Gig workers dump discarded urine in plastic bottles on the daily. Twin Peaks Blvd at Panorama and Portola Drive is increasingly tagged in honor of Pablo (aka PSP).

City landscape planters lie in their decrepitude – broken, faded and uncared for in the median of Portola and O'Shaughnessy – directly across from SOTA high school where my eldest son is hoping to attend soon.

Do you care? Do you have the ability to enforce City services and common decency?

Attached is a photo of illegal dumping on Panorama Drive at Longview. I heard the crash of debris at 7:15AM Monday, January 4. I called Park Station. I called 311. There is literally a ton of illegal debris blocking 80% of the Southbound lane of two-lane Panorama Drive. My neighbors and I have witnessed dozens of near-misses on the daily. A blind spot for speeders roaring up the lane, they swerve to narrowly miss the pile and the orange DPW cone that workers dropped in place as they

came, saw, and left...

That was Monday Jan 4. Today is Friday Jan 7th. Published City response time is 72 hrs or less. Forget about delinquent response time, how is this possible that The City would NOT remove a mountain of illegal waste that blocks 80% of a lane on a highly trafficked transportation corridor?

Please see the photos attached.

I'm sincerely sorry that I have to bother you, take my time to write this email, expect that you take your time to read it, and at this incredibly difficult time for all of us leaders. I do, however, expect your reply (and with a proposed plan, fast).

All the best,

Geoff & Amanda Dowd, and sons

VP Design, Cameo, formerly TuneIn, Adobe, frog design in SF  
Sr. Design Manager, Adobe in SF  
7th Grade student, A.P. Giannini  
3rd Grade student, Jefferson Elementary

Loyal Tax Payers  
22 year residents of San Francisco  
Volunteers  
Diligent mask wearers

415.279.3356

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: San Francisco Woman Assaulted at Gunpoint in Russian Hill As Thieves Steal Her French Bulldog Puppy  
**Date:** Wednesday, January 6, 2021 3:53:00 PM

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**From:** Shawn Nguyen <shawn359@att.net>  
**Sent:** Wednesday, January 6, 2021 2:59 PM  
**To:** Ronen, Hillary <hillary.ronen@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; SFTaxi@sfmta.com; Ronen, Hillary <hillary.ronen@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; jonathan\_oliver@sanfranciscofcu.com; Toran, Kate (MTA) <Kate.Toran@sfmta.com>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Hellman, Sarah (MTA) <Sarah.Hellman2@sfmta.com>  
**Subject:** San Francisco Woman Assaulted at Gunpoint in Russian Hill As Thieves Steal Her French Bulldog Puppy

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

This is the kind of shit your city agenda on low crimes has done to the American public safety in San Francisco. Shame on all of you.

Not protecting the safety's of San Franciscans. In my neighbors of PORTOLA DISTRICT, I hear gunshots often, but all you care is politics. Your all taking high paying paychecks from American tax dollars and raping and stealing funds and defrauded city tax dollars, while average citizens is being beaten by bad criminals. Your at home durin COVID-19 and getting paid high salaries, while everyone in San Francisco is struggling. All talk and no action. SHAMEFUL!!!

### **San Francisco Woman Assaulted at Gunpoint in Russian Hill As Thieves Steal Her French Bulldog Puppy**

<https://sfist.com/2021/01/06/san-francisco-woman-assaulted-at-gunpoint/>

View the article + more on Flipboard.

<https://flip.it/Y.5ysM>

Find your favorite topics on Flipboard. Download here.

<http://flip.it/now>

**From:** [Board of Supervisors. \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: Food for thought & a quick note here.  
**Date:** Thursday, December 31, 2020 8:39:00 AM

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**From:** Dennis Hong <dennisjames888@yahoo.com>  
**Sent:** Wednesday, December 30, 2020 1:19 PM  
**To:** Yee, Norman (BOS) <norman.yee@sfgov.org>  
**Cc:** Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Re: Food for thought & a quick note here.

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good morning everyone. I hope everyone is doing well. Dennis H here, a native and resident of San Francisco for 75+ years. Now in District 7 for 45+ years. A follow up to District 7's email here.

Considering the current rules of this SIP and SAH it has been difficult to get to our retail/restaurants. But please let the small business and all know the SIP/SAH is not helping. But we are all looking forward to returning soon. With all the press and media, etc it seems that we are at fault here.

But at the same time I'm looking forward to a response I had sent to both the Mayor London Breed and the full Board on 12/22(+/-) with helping with these small business with funds to survive, especially in Chinatown.

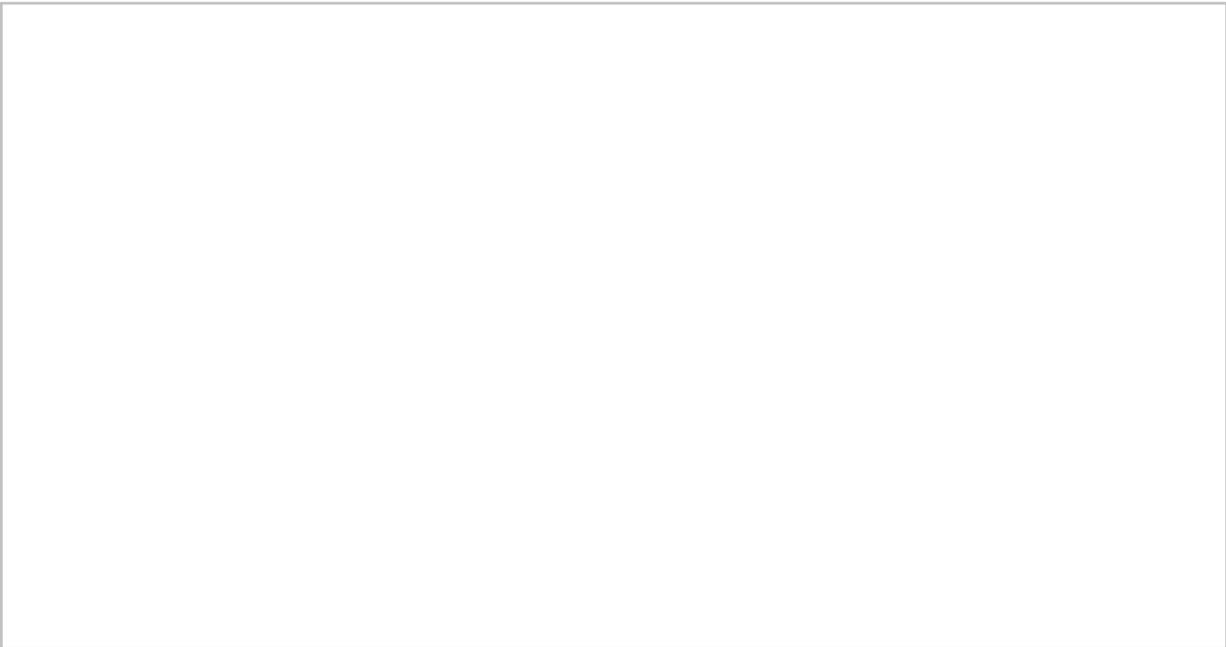
Thanks for all that you have done in the past years up here in District 7. If anyone has any comments to my rambling email here, please do not be shy and chime back with your thoughts.

Happy New year to all. Looking forward to a great 2021.

-----my**OPINION**~~~~DHsf-----

On Tuesday, December 29, 2020, 6:03:42 PM PST, Supervisor Norman Yee <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)> wrote:

[Web Version](#)



Dear Friends and Neighbors,

As we approach the end of the year celebrations, **please, everyone be careful and STAY HOME.** Your choices and behavior will have a direct impact on how many people will get sick and possibly die from COVID-19 this winter. Please stay home as much as you can until we can flatten the curve again.

Here in San Francisco, we did it before and we can do it again. Now is not the time to be COVID-fatigued. Stay strong: wear a face covering and limit your activities. When you do go out, remember to wear your mask all the way up covering your nose and your mouth so it fully protects you and others. [Watch for updates from the Department of Public Health as they navigate the current surge.](#)

In last week’s special Board of Supervisors meeting, we approved the release of \$42 million in early child care and education funding -- with emergency grants and loans to save struggling child care providers -- and approved a resolution urging the SF Unified School District to provide a comprehensive return to school plan. We also heard from dozens of small business owners who are struggling to stay afloat through the shut downs. The Department of Public Health explained how the numbers have increased and how they can get worse if we reopen too quickly. I’m encouraged that the Federal government has approved stimulus funding, so we’ll work on recommendations as to how it will be distributed.

I hope you are all able to enjoy virtual visits with your loved ones over the rest of the holiday. Life will return to a reasonable imitation of normal someday and if we're careful, we can all celebrate together safely next year.

Sincerely,  
Norman

**In this newsletter you will find information about:**

- [Stay Local, Shop Local, Support Local](#)
- [Community Honors](#)
- [Understanding Prop 19 with Carmen Chu](#)
- [Beware of Vaccine Scams](#)
- [Paycheck Protection Program Webinar Wednesday](#)

Stay Local, Shop Local, Support Local

**SF We Will Recover: Stay Local, Shop Local, Give Local**

While we all hunker down at home again to stop the spread of COVID, keep our local merchants in mind, too. They need support so they’ll be there when we can all be out and about again soon. Local businesses define our

City and they need you more than ever before.

Shop local to help our businesses, workers and City. Order takeout, grab a gift card for someone to shop later, buy a t-shirt from your favorite restaurant. There are many ways to support our neighbors through this. Some businesses have already established GoFundMe pages or sell merchandise online, we can't list them all, but we did want to highlight their struggles as well and encourage you to seek them all out.

- **[Lucho's](#) - 2675 Ocean Ave.** They serve great food - and have had their windows smashed multiple times during the pandemic and been burglarized, so they could use some extra support.
- **[Villa D'este](#) - 2623 Ocean Ave.** If an Italian dinner sounds good, I recommend ordering from Villa D'este. They provide multiple courses.
- **[Ocean Ale House](#) - 1314 Ocean Ave.** If you'd like wine with dinner, Ocean Ale has wide variety of bottles for sale to go along with their takeout offerings.
- **[BullsHead](#) - 840 Ulloa St.** They offer food for takeout as well as a fine selection of meat for purchase.
- **[Submarine Center](#) - 820 Ulloa St.** There is plenty of room to safely stop by to pick up a sandwich.
- **[Jo Jo's Cafe](#) - 1537 Ocean Ave.** A cornerstone of the Ocean Ave corridor, Jo Jo's has outstanding Chinese cuisine, excellent service and friendly staff.

Support the City you love. This holiday season, our choices matter. The choices we make today will help our City recover and thrive. Stay local, shop local and give local. We will recover from COVID-19, together.

[sf.gov/WeWillRecover](https://sf.gov/WeWillRecover)

三藩市，我們必能復原。我們今日的正确選擇將幫助我們的城市經濟早日恢復和繁榮。盡您的一分力，留在家中慶祝節日、在本地購物、幫助我們需要關愛的鄰舍。[Sf.gov/WeWillRecover](https://sf.gov/WeWillRecover)

#### Community Honors

### Thank You to Our Community Heroes

As I reach the end of my term representing our district, I have the pleasure of being able to shine a light on some of our neighborhood heroes, from businesses to organizations to individuals who have provided extraordinary services and support to our community. Since we can't present them to people at City Hall during COVID, we have taken the masked-show on the road.

#### George Wooding & Evernease Cook

Throughout the years, George Wooding and Evernease Cook have worked on numerous neighborhood advocacy and improvement projects. I was happy to recognize their efforts when we met outside the Midtown Terrace Clubhouse. Thank you to both of them for all they do for our City!



#### Sarah Wan

It was my pleasure to present Sarah Wan of Community Youth Centers with a certificate of honor recognizing her long-standing dedication to empowering the youth of SF. Her efforts to help establish the first District 7 Youth Council have engaged generations of civic minded San Franciscans.



#### How Prop 19 Will Affect YOU with Assessor Carmen Chu Jan. 14

### Understanding How CA Prop 19 Impacts YOU Jan. 14

Join Community Living Campaign in a virtual discussion with Assessor Carmen Chu about how Prop 19 affects senior homeowners. On Nov 3, 2020, CA voters passed Prop 19, "The Home Protection for Seniors, Severely Disabled, Families and Victims of Wildfire or Natural Disasters Act," which makes changes to property tax benefits available to these groups. While this new law mostly expands property tax benefits for these groups, it also includes provisions which significantly limit tax benefits for families who plan to pass property from parents to children.

San Francisco Assessor Carmen Chu invites senior homeowners to join her for a presentation to learn more about the impacts of this new law on your family home and your property taxes. Closed captioning will be provided. [Click here for call-in and registration details.](#)

## BEWARE- COVID Vaccine Scams

As the country begins to distribute COVID-19 vaccines, there's no doubt scammers are already scheming. [Medicare covers the COVID-19 vaccine](#), so there will be no cost to you. If anyone asks you to share your Medicare Number or pay for access to the vaccine, you can bet it's a scam.

Here's what to know:

- You can't pay to put your name on a list to get the vaccine.
- You can't pay to get early access to a vaccine.
- Don't share your personal or financial information if someone calls, texts, or emails you promising access to the vaccine for a fee.

If you come across a COVID-19 vaccine scam, [report it to the Federal Trade Commission](#) or call 1-800-MEDICARE. And check out [CDC.gov](#) for trustworthy information on the COVID-19 vaccine.

## Wednesday Webinar: PPP Application

### Webinar Wednesday: Applying to the Paycheck Protection Program

As a follow up to the small business hearing during the Board of Supervisors meeting last week, the San Francisco Office of Economic and Workforce Development (OEWD) is hosting a webinar this Wednesday, tomorrow Dec. 30 at 2pm, to educate businesses and nonprofits how to apply for the next round of Federal Paycheck Protection Program forgivable loans. Join Joaquín Torres, Director of OEWD, and representatives from the Small Business Administration and the Small Business Development Center.

[Best Practices for Applying to the Paycheck Protection Program](#)

2:00-3:00pm Wednesday, Dec. 30

[Click here to register to join on Zoom.](#)

After registering, you will receive a confirmation email about joining the meeting.

---

Board of Supervisors | District 7 | Norman Yee

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102  
(415) 554-6516 | Fax: (415) 554-6546



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**From:** [Board of Supervisors. \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: Letter of Support for the proposed Chinatown Restaurant Support and Food Security" program.  
**Date:** Monday, January 4, 2021 9:27:00 AM

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**From:** Steven Lee <steven.lee.ventures@gmail.com>  
**Sent:** Monday, January 4, 2021 4:48 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Cc:** Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>  
**Subject:** Letter of Support for the proposed Chinatown Restaurant Support and Food Security" program.

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

City Hall - Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244,  
San Francisco, CA 94102-4689

Dear Supervisors,

I hope you will support the Supervisor Peskin's Chinatown Restaurant Support and Food Security" program. As we all look forward to the \$500 million State relief grants for Small Business. By the time things get sorted out in Washington DC or the State figures out the process on when and who qualifies to receive any part of these grants. San Francisco Chinatown will lose another legacy business and soon a historic tourist attraction with more boarded up storefronts.

Chinatown restaurants have a huge disadvantage of surviving in this district. Compared to other neighborhoods, families with paychecks are able to work at home or receive unemployment. Ordering Take Out meals for pick up is usually available within minutes of their front door steps. Chinatown however, residents are of low income, Immigrants Seniors are on fixed incomes and family members are without jobs. Chinatown restaurants on Grant ave and side streets, survive on at least 70% sales to seasonal tourists, 20% locals and 10% from the neighborhood. With tourism plenty much non existent, indoor and outdoor dining shut down, SRO residents unable to buy prepared meals on a regular basis. Food To Go sales from the 20% local San Franciscans is just not enough to break even.

This designated \$1.9 million Chinatown Restaurant Support and Food Security" program is important to this Community. Buying meals from struggling restaurants and providing food for

the residents is a win for both dire situations and very successful. However, the money has run out for most of these programs. Sam Wo Restaurant is down to only one now.

<https://www.sfchronicle.com/food/amp/Longtime-owner-of-Chinatown-institution-Sam-Wo-15812552.php?fbclid=IwAR3c8xMTNTnDXZioQGiXbi9VR5wNaZxq8boGWDifOb33W-pfG4S8qdQJRcc>

The discouraging attempts of applying and competing for City or State grants have proven to be unreliable and disappointing. During the first and second round of PPP and Grants. Many of the immigrant businesses were either delayed getting the final answers. Later to be rejected for unexplained reasons or simply saying funds have runned out. What **really saved many Chinatown restaurants from closing** were the meal programs funded by the generosity of private non profits in San Francisco and Oakland.

Please support Supervisor Peskin proposed legislation to set aside the \$1.9 million to continue the meal programs. Chinatown restaurants will have a better chance of surviving until Spring when the Vaccine becomes available to the masses.

Thank you for your time and support. Small Business needs your support.

Enjoy your week.

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: GREETINGS  
**Date:** Monday, January 4, 2021 9:27:00 AM

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**From:** eloisemathes5 <eloisemathes5@gmail.com>  
**Sent:** Monday, January 4, 2021 7:28 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** GREETINGS

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I WORK IN THE HAIGHT AREA. LAST NIGHT A HOMELESS.PERSIN DIED IN THE 730 STANYAN ENCAMPMENT. IT APPEARED.IT WAS.DRUG OVERDOSE. PERHAPS IF THERE WERE QUALIFIED COUNSELORS WORKING INSIDE THIS.PLACE DRUGS AND DRUG USAGE WOULD NOT BE SUCH A MAJOR PROBLEM. WHERE IS THE 12STEP PROGRAM? HOW MANY PEOPLE MUST DIED BEFORE A REAL SOLUTION TO THESE.PROBLEMS BE ADDRESSED. HOW MUCH MONEY DO THE BOARD.OF SUPERVISORS MAKE? WORK FOR IT!!!

Sent from my MetroPCS 4G LTE Android Device

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: Self-Evident Truth  
**Date:** Monday, January 4, 2021 9:06:00 AM

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-----Original Message-----

From: Mira Martin-Parker <tartarthistle@gmail.com>  
Sent: Sunday, January 3, 2021 11:06 AM  
To: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>  
Cc: info@48hills.org; features@sfexaminer.com; tbravo@sfchronicle.com; dbulwa@sfchronicle.com; tbyrne@sfchronicle.com; sespinos@sfchronicle.com; datebook@sfchronicle.com; news@sfweekly.com; food@sfweekly.com; arts@sfweekly.com; upfront@kpfa.org; rose@kalw.org; Stuart@brokeassstuart.com; Editor@richmondsunsetnews.com; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; letters@nytimes.com  
Subject: Self-Evident Truth

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We Hold These Truths...

After walking in the cold San Francisco rain yesterday, seeing the ever-growing dehumanized number of homeless, I couldn't help but feel an accomplice. Once access to shelter and sanitation are lost, physical, mental, and spiritual health quickly diminishes. We are embodied beings, not technological devices, not a series of ones and zeros. This is the only self-evident truth with any real moral content. If current housing costs were reasonable, if current wages had any connection with the cost of living, if we currently lived under conditions of relative peace, equality, and stability, then perhaps it could be argued the homeless are in their position due to personal choice.

I felt guilty returning to my warm apartment. I may be able to dictate my behavior, but not my thoughts and feelings. Witnessing fellow citizens forced to exist un-housed, in the rain, during a pandemic, is witnessing a crime. I cannot choose not to see this. It's self-evident.

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: Marina Times - Quality journalism - Only source of critical information about San Francisco government  
**Date:** Monday, January 4, 2021 9:05:00 AM

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**From:** Michael Papesh <michaelpapesh@aol.com>  
**Sent:** Saturday, January 2, 2021 2:08 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Marina Times - Quality journalism - Only source of critical information about San Francisco government

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

<https://www.marinatimes.com/2020/12/upset-over-critical-coverage-supervisors-try-to-squash-the-first-amendment/>

<https://www.marinatimes.com/2020/12/standing-up-for-the-first-amendment/>

I would suggest that all the Board of Supervisors and their staff read these two articles from the January 2021 Marina Times about the efforts to censor the First Amendment rights of the editor.

The Marina Times discusses frankly about the problems in San Francisco.

It is the only source of critical information about the San Francisco Government and should be read monthly by the Board of Supervisors.

Regards

Mike Papesh

Lincoln HS Class of 65  
City College AA Class of 67  
San Francisco State BA Class of 70  
San Francisco State MBA Class of 76

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: once again - a call to get rid of Facebook's Zuckerberg name off SF General  
**Date:** Thursday, January 7, 2021 12:04:00 PM

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**From:** cliffsc@netzero.net <cliffsc@netzero.net>  
**Sent:** Thursday, January 7, 2021 9:49 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Cc:** Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; letters@sfexaminer.com; opinion@sfchronicle.com  
**Subject:** once again - a call to get rid of Facebook's Zuckerberg name off SF General

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too little, too late - Mark Zuckerberg, after 4 years of Trump lies, finally suspended Trump's account only after an assault on the Capitol - never mind the loss of life in Charlottesville, VA 3+ years ago or any of the other social unrest fueled by Facebook's permissive attitude in posting hate speech

time to get Zuckerberg's name off SF GENERAL HOSPITAL (a compromise to his wife's name, since she is a real doctor, would be fine)

Cliff in San Francisco

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Top News - [Sponsored By Newser](#)

- [A 'Day of Reckoning' for Social Media](#)
- [New Narrative Emerges on Right About Protests](#)
- [Mick Mulvaney: 'I Can't Do It. I Can't Stay'](#)

**From:** [Shad Fenton](#)  
**To:** [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary](#); [MandelmanStaff, \[BOS\]](#); [Haney, Matt \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Carroll, John \(BOS\)](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [John Warner](#); [Graff, Amy](#); [Board of Supervisors, \(BOS\)](#); [Cityattorney](#)  
**Subject:** Re: Request to quarantine  
**Date:** Wednesday, December 30, 2020 10:42:50 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

UPDATE and plea for Mr. Chase, All

Two days ago this came into my inbox:

Good morning everyone,

There is a new housing development on the [Dahlia San Francisco Housing Portal](#) called Broadway Cove with 93 available units. The deadline to apply is January 13. If any of your clients are interested in applying, please have them call us at either 415-651-7824 or 415-431-1180. They can also email us at [resourceroom@womensbuilding.org](mailto:resourceroom@womensbuilding.org) with their name and phone number.

We can help them make an account, fill out the application, and answer any questions. Clients may also apply on their own. Please see the flyer attached and feel free to share it.

Warm regards,

--



**Daniela Flores**

Programs Assistant

[Pronouns: She/her](#)

phone: + 415 651 2776

ext. 7224

email: [daniela@womensbuilding.org](mailto:daniela@womensbuilding.org)

3543 18th St #8

San Francisco, CA 94110



I am pleading that I can apply to get a one bedroom. It would offer me and my boston terrier Grayson a place to live and a start to rebuild our lives.

On Wed, Dec 30, 2020 at 10:06 AM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:  
Yesterday DPH Nurse and Tech were here, the Dr. WAS NOT.

On Wed, Dec 30, 2020 at 9:54 AM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:  
UPDATE: HUMAN LIVES IN GRAVE DANGER.

THREE CITIZENS SICK WITH COUGHS HERE THIS MORNING

Was told this morning by supervising staff when asking about the heat again, that there was a work order in to fix it.

WHY WAS THERE PUBLIC WORKS EMPLOYEES HERE OVER 2 WEEKS AGO  
SHUTTING OFF THE ROOF VENTS?

WHY CAN'T THE FANS BLOWING THE FREEZING COLD AIR JUST BE SHUT  
OFF?

Was told two nights ago by medically untrained night staff that "a cough could be any  
cough, not necessarily Covid."

Last night I received a temperature check at 9 pm. Was told my temp was 93. I stated, that  
can't be I'd be dead.

THERE ARE NO MEDICALLY TRAINED STAFF ADMINISTERING TESTS ONLY  
UNTRAINED SECURITY HERE AT NIGHT.

Please get us all into safety, citizens here are very agitated FROM THE NEGLIGENCE  
OF CARE, AND SLEEPING IN THE COLD.

On Sun, Dec 27, 2020 at 9:24 AM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:  
Mr. Chase,

I am still waiting for my transport to quarantine. It's 57 degrees in the dorm from the  
reading from my phone. My phone is left alone underneath my bed, exposed.

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Still waiting on my requested transfer to quarantine.

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All,  
For those of you coming into this email chain you are here now for accountability and as witnesses. Bayshore Navigation has threatened too many lives and this must end.

I'll quickly plead for all that remain here at Bayshore Navigation ( not many ) as my life, and all these lives that are still under Mr. Chase's dictation are in danger and deserve to be so much safer and taken care of. There is no way to self mitigate or dodge infection when you are up against a director that doesn't send people to quarantine or one that only starts mitigation when the whistle blows.

My "driver" has always been human safety, not just mine but all citizens here and everywhere. The gross negligence in care during this covid pandemic by Mr. Chase has been documented. Mandatory mitigations have been made ( grateful for those ) and people suffering from mental health issues have been brought back after being evicted while Mr. Chase was off campus.

My "complaints" as Mr. Chase stated made things happen in order to help save people from possible infections and from infecting others. Unfortunately, as you've all been a part to witness, Mr. Chase believes somehow that the environment that he creates is a safe one, but evidence shows a much different and disturbing lack of that safety, of mitigation and also shows very negligent care among persons with disabilities.

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I am a victim of corruption, conspiracy, and terror. I am a victim of civil rights violations of due process. I lost my entire 400 K investment, then my car, then my condo, then my possessions fighting for justice, and that is coming. It has to. Too many high rankers have broken too many laws and got caught. Because I caught them. I've been pleading for my safety for 20 months at least.

I am scared shitless of retaliation, because that's what the PS Government did to me. Evidence points to two PS Gov't officials having everything to do with the attempt on my life. I've survived though, this challenge with Mr. Chase, Five Keys, DPH is a big one due to I have no escape.

Underlying in Mr. Chase's emails is that same tone. His emails show no empathy, no action, it's as if he's incapable of it. He just points his finger to his "door" and says go find someplace else.

Mr. Chase you are here because I am transparent and also because if you fuck with my safety any further and I am not in quarantine or placed into an SIP room, away from the constant coughing of others that should be quarantined on the first sign of a cough! Of the constant cold air harassment in the dorm (there hasn't been heat for 7 weeks now) and your delusions and personal harassment, you are not, in any way, above the law.

I beg with those that do govern with care to get us out of here, into safety and care, before someone dies because of this man's tyranny.

With hope, Shad Fenton

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Mr. Fenton,

Merry Christmas to you!

I don't understand, because you were seen right there enjoying the festivities that were given safely and for everybody's enjoyment! But, since this is the 84th one of your critical emails, I can only remind you that you are free to go find you a place that YOU will feel safe at, since it is not here. My intention is to keep the environment safe for all, including for you, but I hope that you will find what you are driven to look for.

Thank you and Happy Holidays!

On Fri, Dec 25, 2020 at 2:39 PM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:

Mr. Chase, It's now 2:27 PM. Your supervisors and staff know of my request to quarantine. I have yet to hear back from you. Please respond when I will be transferred.

Thank You,

On Fri, Dec 25, 2020 at 9:02 AM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:

Mr. Chase,

Due to your negligence in care, the fact you threw an illegal Christmas Party during lockdown and involved members of City Life Church, AND the constant coughing from possible Covid 19 citizens here, last night being one of many.

(The bed neighbor was coughing so loudly and continuously he woke many of us up at 4 AM. That recording is also attached here)

I am requesting to go into quarantine for the entire time an incubation cycle occurs according to the CDC.

*The incubation period for COVID-19 is thought to extend to **14 days**, with a median time of **4-5 days** from exposure to symptoms onset. One study reported that 97.5% of people with COVID-19 who have symptoms will do so within 11.5 days of **SARS-CoV-2** infection.*

I will notify your staff as such.

--



TONY CHASE

DIRECTOR,  
BAYSHORE NAVIGATION CENTER

D: 415.596.1475

O: 415.920.8920

F: 415.734.3314

E: [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org)

A: 5125 Bayshore Blvd., San Francisco, CA 94124

W: [www.fivekeys.org](http://www.fivekeys.org)

**From:** [Shad Fenton](#)  
**To:** [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary; MandelmanStaff, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Carroll, John \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [John Warner](#); [Graff, Amy](#); [Board of Supervisors, \(BOS\)](#); [Cityattorney](#); [Breed, Mayor London \(MYR\)](#)  
**Subject:** Mayor Breed / Joe Gebbia / 25 M Donation  
**Date:** Wednesday, December 30, 2020 4:30:31 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Mayor Breed, All,

Joe Gebbia, Jack Dorsey, Zucherberg, Benioff to name a few, will hear about this story eventually, hopefully sooner than later.

Why would any other billionaire or any other caring donor give to this Government for homeless initiatives again when they learn that their funds may have been used to herd immunity the most vulnerable and possibly supplement PSPD and PSSD budgets?

The herd immunity charge won't go away. What's been going on here was performed in a very similar, but more in your face, evil way, in Palm Springs, which probably means it's been done in other cities.

Pleading desperately to get us into safety, spend the money, investigate and spin your versions later.

We are all being harassed by freezing air, coughing from possible covid cases without a medically trained staff member on site. It's chaos here and everyone deserves the right to quarantine alone and follow this government's mandate Stay at Home order.

**From:** [Shad Fenton](#)  
**To:** [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary; MandelmanStaff, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Carroll, John \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [John Warner](#); [Graff, Amy](#); [Board of Supervisors, \(BOS\)](#); [Cityattorney](#); [Breed, Mayor London \(MYR\)](#)  
**Subject:** Re: Mayor Breed / Joe Gebbia / 25 M Donation  
**Date:** Wednesday, December 30, 2020 5:12:29 PM

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Correction PSPD and PSSD should be SFPD and SFSD. But I am sure by now you've gotten the point.

On Wed, Dec 30, 2020 at 4:29 PM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:

Mayor Breed, All,

Joe Gebbia, Jack Dorsey, Zucherberg, Benioff to name a few, will hear about this story eventually, hopefully sooner than later.

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**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [John Warner](#); [Graff, Amy](#); [Board of Supervisors, \(BOS\)](#); [Cityattorney](#)  
**Subject:** Re: Request to quarantine  
**Date:** Thursday, December 31, 2020 5:33:51 PM

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Human lives are in danger. Guest in Bed 53

Mr. Chase, the man in bed 53 has been coughing non stop for days. I've recorded it. He does not deserve to die here from your lack of care and freezing cold air being blown on him while he is ill. WE do not deserve to be exposed to this virus since you've made it apparent that you are not disclosing nor are transparent of covid positive cases here.

Please walk yourself over to the dorm and take this man to the ER where he can be cared for since there is no medical staff on duty whatsoever. You sneak in and out of the back gate and not once check in on any citizens that are under your supervision.

On Wed, Dec 30, 2020 at 10:41 AM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:

UPDATE and plea for Mr. Chase, All

Two days ago this came into my inbox:

Good morning everyone,

There is a new housing development on the [Dahlia San Francisco Housing Portal](#) called Broadway Cove with 93 available units. The deadline to apply is January 13. If any of your clients are interested in applying, please have them call us at either 415-651-7824 or 415-431-1180. They can also email us at [resourceroom@womensbuilding.org](mailto:resourceroom@womensbuilding.org) with their name and phone number.

We can help them make an account, fill out the application, and answer any questions. Clients may also apply on their own. Please see the flyer attached and feel free to share it.

Warm regards,

--

Logo



**Daniela Flores**

Programs Assistant

[Pronouns: She/her](#)

phone: + 415 651 2776

ext. 7224

email: [daniela@womensbuilding.org](mailto:daniela@womensbuilding.org)

3543 18th St #8

San Francisco, CA 94110



I am pleading that I can apply to get a one bedroom. It would offer me and my boston terrier Grayson a place to live and a start to rebuild our lives.

On Wed, Dec 30, 2020 at 10:06 AM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:  
Yesterday DPH Nurse and Tech were here, the Dr. WAS NOT.

On Wed, Dec 30, 2020 at 9:54 AM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:  
UPDATE: HUMAN LIVES IN GRAVE DANGER.

**THREE CITIZENS SICK WITH COUGHS HERE THIS MORNING**

Was told this morning by supervising staff when asking about the heat again, that there was a work order in to fix it.

**WHY WAS THERE PUBLIC WORKS EMPLOYEES HERE OVER 2 WEEKS AGO SHUTTING OFF THE ROOF VENTS?**

**WHY CAN'T THE FANS BLOWING THE FREEZING COLD AIR JUST BE SHUT OFF?**

Was told two nights ago by medically untrained night staff that "a cough could be any cough, not necessarily Covid."

Last night I received a temperature check at 9 pm. Was told my temp was 93. I stated, that can't be I'd be dead.

**THERE ARE NO MEDICALLY TRAINED STAFF ADMINISTERING TESTS ONLY UNTRAINED SECURITY HERE AT NIGHT.**

Please get us all into safety, citizens here are very agitated FROM THE NEGLIGENCE OF CARE, AND SLEEPING IN THE COLD.

On Sun, Dec 27, 2020 at 9:24 AM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:  
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I will notify your staff as such.

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DIRECTOR,  
BAYSHORE NAVIGATION CENTER

D: 415.596.1475

O: 415.920.8920

F: 415.734.3314

E: [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org)

A: 5125 Bayshore Blvd., San Francisco, CA 94124

W: [www.fivekeys.org](http://www.fivekeys.org)

**From:** [Shad Fenton](#)  
**To:** [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary; MandelmanStaff, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Carroll, John \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [John Warner](#); [Graff, Amy](#); [Board of Supervisors, \(BOS\)](#); [Cityattorney](#); [Breed, Mayor London \(MYR\)](#)  
**Subject:** More victims of Five Keys Charter / Bayshore / Sexual Harassment Charges  
**Date:** Friday, January 1, 2021 6:40:16 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Mayor Breed, Supervisors, All,

If you haven't been listening, please rewind and start now. Sexual Harassment on a guest by a Five Keys employee has been reported to Tony Chase.

A young kid, a transplant that landed in SF to reinvent himself, found himself homeless, and became a citizen here at Bayshore about 2 months ago. A week ago he confided in me. Yesterday he told me he reported to Charles his caseworker, who told him to report to Tony Chase, which he did.

The man he accuses, a recent parolee, became an employee of Five Keys to work and oversee vulnerable people with needs. The employee just days ago told me he was now Assistant Director.

How does a parolee working here for four months, just now reintroduced to society, to technology, AND to SF, land in a supervisor role and become assistant director in such a short period of time?

Five Keys seems to be set up to pass parolees through, get them a job and a place to live, which is noble. but it's not right at so many levels. Like I've said before, parolees need more care coming out of prison and don't need to be shoved into roles where they are responsible for the safety of others. Both of these men are victims here. Both are going to hold this for the rest of their lives.

Please Mayor Breed, before more innocent lives get harmed, become sick, and damaged here, shut this system down, transfer people into SIP rooms and actually PROVIDE CARE. PAY FOR IT.

**From:** [Shad Fenton](#)  
**To:** [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary; MandelmanStaff, J \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Carroll, John \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [John Warner](#); [Graff, Amy](#); [Board of Supervisors, \(BOS\)](#); [Cityattorney; Breed, Mayor London \(MYR\)](#)  
**Subject:** Re: More victims of Five Keys Charter / Bayshore / Sexual Harassment Charges  
**Date:** Friday, January 1, 2021 7:05:06 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Five Keys Charter is a fraudulent organization posing as one that cares for human advancement. The reality that I've witnessed, being a victim of and documented is one that is an agency that not only doesn't give a shit about human safety, if you report, you'll get harassed out.

Do you think Tony Chase will report that case? He told the victim that he wanted the three of them to sit down and talk it through. The man has no idea what he is doing. This is a warden / prison set up.

If I wasn't here, do you think that kid has a chance of surviving here? Do you all want to take the risk that he doesn't get severely abused?

ENOUGH of this. GET everyone out.

On Fri, Jan 1, 2021 at 6:39 PM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:

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**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [John Warner](#); [Graff, Amy](#); [Board of Supervisors, \(BOS\)](#); [Cityattorney](#)  
**Subject:** Re: Request to quarantine  
**Date:** Friday, January 1, 2021 8:22:52 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Mr. Chase, I am aware of the recent sexual harassment allegations of a citizen here charged against a member of your supervisory team, I'm also aware of your criminal suggestion to have a meeting with all three of you to talk it through.

You are not above the law Mr. Chase, and you will be held accountable. Please refrain from harassing, or denying that vulnerable kid any more of his rights.

Sexual Harassment Charges

No Mitigation until I blew the whistle

Denied Transparency of positive Covid 19 Cases

No heat in the Dorm all winter. This morning, temperature read 56, temperature right now reads 59 at 8:10 PM

Cold meals in the mornings and night

Illegal Christmas Party thrown during lockdown and against government mandates.

'if you don't like it, there's the door"

Warden / prisoner structure.

Former prisoners working 16 hour shifts 100 plus work weeks without a real Director that cares for human safety.

The worse..is this government's response to it all. A government that leaves humans in harm's way trying to figure out how to cover what they did is corrupt, but more importantly, all of those officials whose jobs are to protect and serve, become criminals.

It's a New Year, a new start, do the right thing please.

Get us out of here and into safe environments where we can mitigate, and where those that need care, can receive it.

On Thu, Dec 31, 2020 at 5:33 PM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:

Human lives are in danger. Guest in Bed 53

Mr. Chase, the man in bed 53 has been coughing non stop for days. I've recorded it. He does not deserve to die here from your lack of care and freezing cold air being blown on him while he is ill. WE do not deserve to be exposed to this virus since you've made it apparent that you are not disclosing nor are transparent of covid positive cases here.

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UPDATE and plea for Mr. Chase, All

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We can help them make an account, fill out the application, and answer any questions. Clients may also apply on their own. Please see the flyer attached and feel free to share it.

Warm regards,

--



**Daniela Flores**

Programs Assistant

[Pronouns: She/her](#)

phone: + 415 651 2776

ext. 7224

email: [daniela@womensbuilding.org](mailto:daniela@womensbuilding.org)

3543 18th St #8

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I'll quickly plead for all that remain here at Bayshore Navigation ( not many ) as my life, and all these lives that are still under Mr. Chase's dictation are in danger and deserve to be so much safer and taken care of. There is no way to self mitigate or dodge infection when you are up against a director that doesn't send people to quarantine or one that only starts mitigation when the whistle blows.

My "driver" has always been human safety, not just mine but all citizens here and everywhere. The gross negligence in care during this covid pandemic by Mr. Chase has been documented. Mandatory mitigations have been made ( grateful for those ) and people suffering from mental health issues have been brought back after being evicted while Mr. Chase was off campus.

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He is in control of public health, yet he broke a mandate and threw a holiday party, inviting infection spread onto both parties in attendance, possibly creating a superspreader event.

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I am a victim of corruption, conspiracy, and terror. I am a victim of civil rights violations of due process. I lost my entire 400 K investment, then my car, then my condo, then my possessions fighting for justice, and that is coming. It has to. Too many high rankers have broken too many laws and got caught. Because I caught them. I've been pleading for my safety for 20 months at least.

I am scared shitless of retaliation, because that's what the PS Government did to me. Evidence points to two PS Gov't officials having everything to do with the attempt on my life. I've survived though, this challenge with Mr. Chase, Five Keys, DPH is a big one due to I have no escape.

Underlying in Mr. Chase's emails is that same tone. His emails show no empathy, no action, it's as if he's incapable of it. He just points his finger to his "door" and says go find someplace else.

Mr. Chase you are here because I am transparent and also because if you fuck with my safety any further and I am not in quarantine or placed into an SIP room, away from the constant coughing of others that should be quarantined on the first sign of a cough! Of the constant cold air harassment in the dorm (there hasn't been heat for 7 weeks now) and your delusions and personal harassment, you are not, in any way, above the law.

I beg with those that do govern with care to get us out of here, into safety and care, before someone dies because of this man's tyranny.

With hope, Shad Fenton

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Thank You,

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Mr. Chase,  
Due to your negligence in care, the fact you threw an illegal

Christmas Party during lockdown and involved members of City Life Church, AND the constant coughing from possible Covid 19 citizens here, last night being one of many.

(The bed neighbor was coughing so loudly and continuously he woke many of us up at 4 AM. That recording is also attached here)

I am requesting to go into quarantine for the entire time an incubation cycle occurs according to the CDC.

*The incubation period for COVID-19 is thought to extend to **14 days**, with a median time of **4-5 days** from exposure to symptoms onset. One study reported that 97.5% of people with COVID-19 who have symptoms will do so within 11.5 days of **SARS-CoV-2** infection.*

I will notify your staff as such.

--



TONY CHASE

DIRECTOR,  
BAYSHORE NAVIGATION CENTER

D: 415.596.1475

O: 415.920.8920

F: 415.734.3314

E: [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org)

A: 5125 Bayshore Blvd., San Francisco, CA 94124

W: [www.fivekeys.org](http://www.fivekeys.org)

**From:** [Shad Fenton](#)  
**To:** [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary](#); [MandelmanStaff, \[BOS\]](#); [Haney, Matt \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Carroll, John \(BOS\)](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [John Warner](#); [Graff, Amy](#); [Board of Supervisors, \(BOS\)](#); [Cityattorney](#)  
**Subject:** Re: Request to quarantine  
**Date:** Saturday, January 2, 2021 10:21:18 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

UPDATE: 56 degrees with cold air blowing.  
Citizens still coughing.

On Fri, Jan 1, 2021 at 8:22 PM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:

Mr. Chase, I am aware of the recent sexual harassment allegations of a citizen here charged against a member of your supervisory team, I'm also aware of your criminal suggestion to have a meeting with all three of you to talk it through.

You are not above the law Mr. Chase, and you will be held accountable. Please refrain from harassing, or denying that vulnerable kid any more of his rights.

Sexual Harassment Charges

No Mitigation until I blew the whistle

Denied Transparency of positive Covid 19 Cases

No heat in the Dorm all winter. This morning, temperature read 56, temperature right now reads 59 at 8:10 PM

Cold meals in the mornings and night

Illegal Christmas Party thrown during lockdown and against government mandates.

'if you don't like it, there's the door"

Warden / prisoner structure.

Former prisoners working 16 hour shifts 100 plus work weeks without a real Director that cares for human safety.

The worse..is this government's response to it all. A government that leaves humans in harm's way trying to figure out how to cover what they did is corrupt, but more importantly, all of those officials whose jobs are to protect and serve, become criminals.

It's a New Year, a new start, do the right thing please.

Get us out of here and into safe environments where we can mitigate, and where those that need care, can receive it.

On Thu, Dec 31, 2020 at 5:33 PM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:

Human lives are in danger. Guest in Bed 53

Mr. Chase, the man in bed 53 has been coughing non stop for days. I've recorded it. He does not deserve to die here from your lack of care and freezing cold air being blown on him while he is ill. WE do not deserve to be exposed to this virus since you've made it

apparent that you are not disclosing nor are transparent of covid positive cases here.

Please walk yourself over to the dorm and take this man to the ER where he can be cared for since there is no medical staff on duty whatsoever. You sneak in and out of the back gate and not once check in on any citizens that are under your supervision.

On Wed, Dec 30, 2020 at 10:41 AM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:  
UPDATE and plea for Mr. Chase, All

Two days ago this came into my inbox:

Good morning everyone,

There is a new housing development on the [Dahlia San Francisco Housing Portal](#) called Broadway Cove with 93 available units. The deadline to apply is January 13. If any of your clients are interested in applying, please have them call us at either 415-651-7824 or 415-431-1180. They can also email us at [resourceroom@womensbuilding.org](mailto:resourceroom@womensbuilding.org) with their name and phone number.

We can help them make an account, fill out the application, and answer any questions. Clients may also apply on their own. Please see the flyer attached and feel free to share it.

Warm regards,

--



**Daniela Flores**

Programs Assistant

[Pronouns: She/her](#)

phone: + 415 651 2776

ext. 7224

email: [daniela@womensbuilding.org](mailto:daniela@womensbuilding.org)

3543 18th St #8

San Francisco, CA 94110



I am pleading that I can apply to get a one bedroom. It would offer me and my boston terrier Grayson a place to live and a start to rebuild our lives.

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**TONY CHASE**

DIRECTOR,  
BAYSHORE NAVIGATION CENTER

**D:** 415.596.1475

**O:** 415.920.8920

**F:** 415.734.3314

**E:** [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org)

**A:** 5125 Bayshore Blvd., San Francisco, CA 94124

**W:** [www.fivekeys.org](http://www.fivekeys.org)

**From:** [Shad Fenton](#)  
**To:** [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary; MandelmanStaff, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Carroll, John \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [John Warner](#); [Graff, Amy](#); [Board of Supervisors. \(BOS\)](#); [Cityattorney](#); [Breed, Mayor London \(MYR\)](#); [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org)  
**Subject:** Bayshore Navigation Center // Shad (Beauprez) Fenton  
**Date:** Saturday, January 2, 2021 6:43:44 PM

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Mayor Breed, Supervisors, City Attorney, All,

Mr. Chase is here for accountability and transparency.

Over the last weeks, I have emailed your inboxes with injustices I've witnessed, been victim to and documented.

My time is limited here. I physically cannot take the cold harassment, nor can my beloved dog Grayson. Nor can I witness others being harassed, intimidated and thrown out onto the street due to negligence and absent care.

I've alleged herd immunity on us and just as it happened in Palm Springs, the clean up began.

I'm not a code inspector, I'm just a guy that told the truth about an illegal buildout of a historic plaza to save human lives and instead of that government addressing, acknowledging and criminalizing the situation, they simply stated it was a landlord tenant issue, and that I should get a lawyer. They left citizens in harm's way for greed and corruption.

A 20 Year City Manager David Ready lied to the new City Attorney about an investigation that never happened.

A Chief of Police stood down telling his entire force that the illegal buildout was a landlord tenant issue. Then redacted, hid, deleted evidence so when I disappeared, corruption could continue.

A Fire Chief that would not inspect nor protect his employees from possible death if and when that plaza goes up in flames is still in office because the City Council is corrupt.

An entire government stood down to help me save my store from the mafia that intends to burn it down and watched and read the entire story before their eyes.

Here in SF, I thought I was seeking safety, but I wound up in a trap to once again be herded.

Hopefully one day, I'll get to tell my story.

**From:** [Shad Fenton](#)  
**To:** [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary; MandelmanStaff, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Carroll, John \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [John Warner](#); [Graff, Amy](#); [Board of Supervisors, \(BOS\)](#); [Cityattorney](#); [Breed, Mayor London \(MYR\)](#); [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org)  
**Subject:** Shad (Beauprez) Fenton No more pleas for help.  
**Date:** Saturday, January 2, 2021 7:59:56 PM

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Mayor Breed, All,

I've pleaded for help from the moment I came back to this city seeking it.

Glide, to St. Anthony's, to Code Tenderloin, to ECS, to YWAM, to Hospitality House, to Bayshore Navigation Center.

Each Case worker heard a version of what I've stated with you all here. Each chose not to listen, or only partially hear my plea.

When it comes down to a human being running for their safety, people in supervisory roles that are paid to listen, should do so, with empathy and respect. Authorities should be called, I should have been given temporary safe house shelter and an investigation should have started. That didn't happen of course, I was here to discover the herd and injustices here instead.

Put yourselves in my shoes. Now put yourselves in Calvin Curtiss' shoes. He's the kid here that bravely cried out about inappropriate advances from an employee in a supervisory role overseeing his safety.

Calvin Curtiss told me I could use his name. Someone here please reach out and pull this innocent kid back up and out of any unsafe possibility that he will be harassed for telling his truth. His story is coming out too. It has to.

**From:** [Shad Fenton](#)  
**To:** [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary; MandelmanStaff, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Carroll, John \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [John Warner](#); [Graff, Amy](#); [Board of Supervisors, \(BOS\)](#); [Cityattorney](#); [Breed, Mayor London \(MYR\)](#); [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org)  
**Subject:** Negligence in Care / Lack of adequate heating / Code Laws / HUMAN RIGHTS TO CARE  
**Date:** Sunday, January 3, 2021 11:51:08 AM

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Mayor Breed, All

Common, empathetic human behavior would be to provide heat to citizens in need. Especially in congregate shelters for the purpose of providing care.

There has been no heat here for reasons I've alleged.

1. Keeping a cold room environment keeps the virus alive and active longer, making the herd continue faster.
2. Using freezing cold air is a technique of harassment to keep tenants away and out of beds to reduce liability by CCSF, Five Keys, DPH etc. (There are very few lives actually sleeping here now, I'd say 10) which also proves the point that this environment is a liability to CCSF, otherwise all spaced beds would be filled with community taken off the streets.

There is no dodging whatsoever of what's coming forward. There is this moment, this time to change paths and get human lives into safety and end the harassment of them here.

Heating and Code Law

[https://codelibrary.amlegal.com/codes/san\\_francisco/latest/sf\\_building/0-0-0-494](https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_building/0-0-0-494)

There could not have been any code inspections performed at this facility for Covid 19 mitigation, and I don't believe there have been since I started reporting. Director Tony Chase and Five Keys seem to be playing behind the scenes to catch up, partially, from my emails alone.

The prison / warden harassment mentality that has been going on here, seems to have done an about face in the last two days since my email of stating that.

Hand written rules that certain employees could use to single out citizens to harass and agitate " NO CEREAL AFTER 11 AM"..ETC have been taken down.( I and others witnessed that rule being broken throughout the day and night)

STILL yesterday I asked for my sleeping bag to be laundered, FOR MITIGATION AND CLEANING but was denied with a statement that it would damage the laundry machine. Was that a broad statement to everyone or just singled out to me, the "trouble maker" ?  
FIVE KEYS REFUSED TO LAUNDRER MY COVID EXPOSED SLEEPING BAG.

It still doesn't alter or change the fact the CCSF, DPH, Five Keys etc are allowing and keeping citizens in direct harm of a life threatening disease. It doesn't change that none of us have the right to follow the SIP mandate to quarantine safely in our own bubble when we are exposed

or not, because we are continually exposed every minute that we are here and every day that we are not in our own SIP rooms.

Citizens here have gone elsewhere, some haven't returned for weeks now. Their beds and possessions are still here though. They must be in quarantine, and if they are, why aren't all of us?

We aren't because of politics, greed, corruption and now conspiracy to cover up.

**From:** [Shad Fenton](#)  
**To:** [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary](#); [MandelmanStaff, \[BOS\]](#); [Haney, Matt \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Carroll, John \(BOS\)](#)  
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**Subject:** Re: Request to quarantine  
**Date:** Sunday, January 3, 2021 3:06:24 PM

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Citizens are still coughing, Still very cold air blowing on us.

Meal program looks to be a sham. Same exact warm meals in less than a week. Same cold meals in less than two days. Breakfast meal boxes are hit and miss with products. Where is the calendar of the meal program from Meals on Wheels Posted for guests?

If this seems petty compared to the crimes of public endangerment, what I am documenting is all endangerment. Citizens here are agitated and it's only getting worse.

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Cold meals in the mornings and night  
Illegal Christmas Party thrown during lockdown and against government mandates.  
'if you don't like it, there's the door"  
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Former prisoners working 16 hour shifts 100 plus work weeks without a real Director that cares for human safety.

The worse..is this government's response to it all. A government that leaves humans in harm's way trying to figure out how to cover what they did is corrupt, but more importantly, all of those officials whose jobs are to protect and serve, become criminals.

It's a New Year, a new start, do the right thing please.  
Get us out of here and into safe environments where we can mitigate, and where those that need care, can receive it.

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We can help them make an account, fill out the application, and answer any questions. Clients may also apply on their own. Please see the flyer attached and feel free to share it.

Warm regards,

--



**Daniela Flores**

Programs Assistant

[Pronouns: She/her](#)

phone: + 415 651 2776

ext. 7224

email: [daniela@womensbuilding.org](mailto:daniela@womensbuilding.org)

3543 18th St #8

San Francisco, CA 94110



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Underlying in Mr. Chase's emails is that same tone. His emails show no empathy, no action, it's as if he's incapable of it. He just points his finger to his "door" and says go find someplace else.

Mr. Chase you are here because I am transparent and also because if you fuck with my safety any further and I am not in quarantine or placed into an SIP room, away from the constant coughing of others that should be quarantined on the first sign of a cough! Of the constant cold air harassment in the dorm (there hasn't been heat for 7 weeks now) and your delusions and personal harassment, you are not, in any way, above the law.

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With hope, Shad Fenton

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Mr. Fenton,

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I don't understand, because you were seen right there enjoying the festivities that were given safely and for everybody's enjoyment! But, since this is the 84th one of your critical emails, I can only remind you that you are free to go find you a place that YOU will feel safe at, since it is not here. My intention is to keep the environment safe for all, including for you, but I hope that you will find what you are driven to look for.

Thank you and Happy Holidays!

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Thank You,

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Due to your negligence in care, the fact you threw an illegal Christmas Party during lockdown and involved members of City Life Church, AND the constant coughing from possible Covid 19 citizens here, last night being one of many.

(The bed neighbor was coughing so loudly and continuously he woke many of us up at 4 AM. That recording is also attached here)

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to **14 days**, with a median time of **4-5 days** from exposure to symptoms onset. One study reported that 97.5% of people with COVID-19 who have symptoms will do so within 11.5 days of **SARS-CoV-2** infection.

I will notify your staff as such.

--



**TONY CHASE**

DIRECTOR,  
BAYSHORE NAVIGATION CENTER

**D:** 415.596.1475

**O:** 415.920.8920

**F:** 415.734.3314

**E:** [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org)

**A:** 5125 Bayshore Blvd., San Francisco, CA  
94124

**W:** [www.fivekeys.org](http://www.fivekeys.org)

**From:** [Shad Fenton](#)  
**To:** [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary; MandelmanStaff, I\(BOS\)](#); [Haney, Matt \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Carroll, John \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [John Warner](#); [Graff, Amy](#); [Board of Supervisors. \(BOS\)](#); [Cityattorney](#); [Breed, Mayor London \(MYR\)](#); [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org)  
**Subject:** Fire Evacuation / SFPD response Bayshore Navigation Center  
**Date:** Monday, January 4, 2021 12:35:07 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Early this morning the fire alarms sent us all out to the street in the rain. I was told, Jose, a citizen here, pulled it. We waited outside for about an hour, while the SFPD (4 response cars) detained Jose inside with the help of AMR paramedics.

Not one of us is safe from the possible harm from another here. Not by drug overdose, erratic mental behaviors, not by Covid 19 infection, especially not by a staffing that is not medically trained to handle such special medical needs.

#fraudofcare  
#fraudofhomeless  
#justice  
#corruption

**From:** [Shad Fenton](#)  
**To:** [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary; MandelmanStaff, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Carroll, John \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [John Warner](#); [Graff, Amy](#); [Board of Supervisors. \(BOS\)](#); [Cityattorney](#); [Breed, Mayor London \(MYR\)](#); [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org)  
**Subject:** Covid Testing 1.5.21 Bayshore Navigation Center Five Keys, DPH, Dr. Majumder  
**Date:** Tuesday, January 5, 2021 10:11:21 AM

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#### UPDATE.

This morning, Dr. Tanya Majumder is coming around to talk to at most 10 citizens currently here to get a voluntary Covid Test.

Statement by her is there was a positive case here.

Today, I took that test, which is also a waste of time and money. I still have no way to SIP in a confined space, and neither do the others here. Transient homeless still come and go, staying away days at a time.

Today I voiced to Dr. Majumder AND to the supervisor on duty about the lack of heating for at least 120 days straight in the dorm which is life threatening. Citizens are waking irritated and voicing.

I stated to staff that from here forward, as I state grievances, to please document them to their supervisor, which I still assume is Director Tony Chase. We are being threatened here daily and it must end.

Please get all that remain here into safety before someone dies due to negligence, lack of care, or by environmental harassment.

**From:** [Shad Fenton](#)  
**To:** [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary](#); [MandelmanStaff, \[BOS\]](#); [Haney, Matt \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Carroll, John \(BOS\)](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [John Warner](#); [Graff, Amy](#); [Board of Supervisors, \(BOS\)](#); [Cityattorney](#)  
**Subject:** Re: Request to quarantine  
**Date:** Wednesday, January 6, 2021 9:54:15 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

UPDATE 56 Degrees this morning is the interior temp of my phone in this room. Phone was guarded from intense cold air blowing directly on it, as it does day and night here.

Citizen Nicole very vocally agitated this morning. Human lives are in grave danger here at Bayshore Navigation Center due to lack of care, negligence in care, forced cold air, and none are able to safely SIP away from Covid 19, violence, dictatorship values, beliefs about Covid 19 from those in charge of our lives.

On Sun, Jan 3, 2021 at 3:05 PM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:

Citizens are still coughing, Still very cold air blowing on us.

Meal program looks to be a sham. Same exact warm meals in less than a week. Same cold meals in less than two days. Breakfast meal boxes are hit and miss with products. Where is the calendar of the meal program from Meals on Wheels Posted for guests?

If this seems petty compared to the crimes of public endangerment, what I am documenting is all endangerment. Citizens here are agitated and it's only getting worse.

On Sat, Jan 2, 2021 at 10:20 AM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:

UPDATE: 56 degrees with cold air blowing.

Citizens still coughing.

On Fri, Jan 1, 2021 at 8:22 PM Shad Fenton <[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:

Mr. Chase, I am aware of the recent sexual harassment allegations of a citizen here

charged against a member of your supervisory team, I'm also aware of your criminal suggestion to have a meeting with all three of you to talk it through.

You are not above the law Mr. Chase, and you will be held accountable. Please refrain from harassing, or denying that vulnerable kid any more of his rights.

Sexual Harassment Charges

No Mitigation until I blew the whistle

Denied Transparency of positive Covid 19 Cases

No heat in the Dorm all winter. This morning, temperature read 56, temperature right now reads 59 at 8:10 PM

Cold meals in the mornings and night

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We can help them make an account, fill out the application, and answer any questions. Clients may also apply on their own. Please see the flyer attached and feel free to share it.

Warm regards,

--



**Daniela Flores**

Programs Assistant

[Pronouns: She/her](#)

phone: + 415 651 2776

ext. 7224

email: [daniela@womensbuilding.org](mailto:daniela@womensbuilding.org)

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DIRECTOR,  
BAYSHORE NAVIGATION CENTER

D: 415.596.1475

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E: [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org)

A: 5125 Bayshore Blvd., San Francisco, CA  
94124

W: [www.fivekeys.org](http://www.fivekeys.org)

**From:** [Shad Fenton](#)  
**To:** [hello@codetenderloin.com](mailto:hello@codetenderloin.com); [raymond@streetsteam.org](mailto:raymond@streetsteam.org); [roy@codetenderloin.org](mailto:roy@codetenderloin.org)  
**Cc:** [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary; MandelmanStaff, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Carroll, John \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [Graff, Amy](#); [Board of Supervisors, \(BOS\)](#); [Cityattorney](#); [Breed, Mayor London \(MYR\)](#)  
**Subject:** Having to "work for safety" Shad (Beauprez) Fenton / Code Tenderloin / My Dogs Safety  
**Date:** Thursday, January 7, 2021 8:53:20 AM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

All, Yesterday morning I read this article in SFGate:

<https://www.sfgate.com/bayarea/article/Sarah-Vorhaus-assault-San-Francisco-French-bulldog-15850255.php?IPID=SFGate-HP-CP-Spotlight>

It made me so angry, I sat here most of yesterday typing up a revenge email on Donna Hilliard and former Code Tenderloin Program Manager Roy Tidwell, (who was with the program for 6 months and left in November) Both of whom I confronted grave concerns for my safety, for my AKC Boston Terriers safety when we were out in the "field" with the C.A.R.E.S Team as an employee of Code Tenderloin.

With the storm in our democracy yesterday, with the corruption running rampant through CCSF, SF DPH, ECS, Code Enforcement, the SF Housing Authority and multiple orgs I became even more angry.

But late last night, Senator Cory Booker said something that calmed me down.

Denying my safety, denying my dog safety and being told that I had to "work for it" is in my view corrupt and truly disrespectful. Code Tenderloin staff on three occasions stated I would get a room, they had a room, come here tomorrow morning to get your room, "this is how the system works" That room, that bed, never came for us.

When I am moved to tears by people in power rolls it's because I'm freaked, it's because I care. it's because I feel their pain too, it's because I'm an empath, and because, in my view, it's ethically wrong.

I hope and pray our country comes out of this, I hope and pray Sarah Vorhaus gets her Chloe back safely, just as much as I hope and pray that everyone that is a victim of racism, or civil rights violations gets their justice.

I came back to SF seeking safety, running from some very insane corrupt criminals. I came back to a city in chaos and corruption. I also came back from Palm Springs, where I learned that city is run by a self confessed Nazi developer and his aligned government soldiers who many want me dead.

I'm a small time decorator, gift giver, and American dreamer that got caught up in corruption while I was trying to pay it forward to some amazing people and bring happiness into people's lives. I was as simple as that. Now I've become an activist for human safety, for human rights and for governments and government actors to be held accountable for denying them for their

own political gains.

When I arrived back here in July, I was passed on, agency to agency, since then, I've discovered the housing lottery system here is a mess. Project Roomkey is a mess, Shelter system is corrupt. NOTHING WORKS. It's apparent that agencies do not work together, but instead they work very separately, each having their own agendas.

My SIP tent was taken from me from Main Street SF, I was transferred into a 'sheltered' environment with the statement it was safe, but it turns out that statement is exactly the opposite.

Am I more of a target now that I am sending this email than I was before? Probably. It's coming clearer to me that maybe I've been one all along in SF because of who I exposed in PS and their connections to corrupt aligned partners here. I've dodged a murder attempt, a corrupt government of Palm Springs that instead of investigating for human safety, decided to politically persecute me, and believe that I will always be a target until justice comes. I've learned bad government actors don't easily switch once I called them out.

If someone tries to steal or threaten my dog again, as I believe was set up to occur on the date that I left Code Tenderloin, then I'll file reports and damage complaints and see if I too can get justice served here as I am doing in Palm Springs. I hope that this Government and its agencies choose accountability and change instead of settlements.

Since I've been asking this question continually without an answer, I'll ask it again now, in hope that someone here is listening.

Why has a 52 year old, non addicted, very driven, employable homeless man been denied his safety from the beginning of relocating back into the city where he built his career, married, gave back to this community, paid taxes for decades still not in a safe place for himself and his dog? I've definitely shared my story to every agency that I've come in contact with since I returned here.



**From:** [Shad Fenton](#)  
**To:** [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary](#); [MandelmanStaff, \[BOS\]](#); [Haney, Matt \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Carroll, John \(BOS\)](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Brian Edwards](#); [John Warner](#); [Graff, Amy](#); [Board of Supervisors, \(BOS\)](#); [Cityattorney](#)  
**Subject:** Re: Request to quarantine  
**Date:** Thursday, January 7, 2021 8:59:49 AM

---

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You are not above the law Mr. Chase, and you will be held accountable. Please refrain from harassing, or denying that vulnerable kid any more of his rights.

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'if you don't like it, there's the door"

Warden / prisoner structure.

Former prisoners working 16 hour shifts 100 plus work weeks without a real Director that cares for human safety.

The worse..is this government's response to it all. A government that leaves humans in harm's way trying to figure out how to cover what they did is corrupt, but more importantly, all of those officials whose jobs are to protect and serve, become criminals.

It's a New Year, a new start, do the right thing please.

Get us out of here and into safe environments where we can mitigate, and where those that need care, can receive it.

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Please walk yourself over to the dorm and take this man to the ER where he can be cared for since there is no medical staff on duty whatsoever. You sneak in and out of the back gate and not once check in on any citizens that are under your supervision.

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We can help them make an account, fill out the application, and answer any questions. Clients may also apply on their own. Please see the flyer attached and feel free to share it.

Warm regards,

--



**Daniela Flores**

Programs Assistant

[Pronouns: She/her](#)

phone: + 415 651 2776

ext. 7224

email: [daniela@womensbuilding.org](mailto:daniela@womensbuilding.org)

3543 18th St #8

San Francisco, CA 94110



I am pleading that I can apply to get a one bedroom. It would offer me and my boston terrier Grayson a place to live and a start to rebuild

our lives.

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I'll quickly plead for all that remain here at Bayshore Navigation ( not many ) as my life, and all these lives that are still under Mr. Chase's dictation are in danger and deserve to be so much safer and taken care of. There is no way to self mitigate or dodge infection when you are up against a director that doesn't send people to quarantine or one that only starts mitigation when the whistle blows.

My "driver" has always been human safety, not just mine but all citizens here and everywhere. The gross negligence in care during this covid pandemic by Mr. Chase has been documented. Mandatory mitigations have been made ( grateful for those ) and people suffering from mental health issues have been brought back after being evicted while Mr. Chase was off campus.

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I am a victim of corruption, conspiracy, and terror. I am a victim of civil rights violations of due process. I lost my entire 400 K investment, then my car, then my condo, then my possessions fighting for justice, and that is coming. It has to. Too many high rankers have broken too many laws and got caught. Because I caught them. I've been pleading for my safety for 20 months at least.

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Mr. Fenton,

Merry Christmas to you!

I don't understand, because you were seen right there enjoying the festivities that were given safely and for everybody's enjoyment!

But, since this is the 84th one of your critical emails, I can only remind you that you are free to go find you a place that YOU will feel safe at, since it is not here. My intention is to keep the environment safe for all, including for you, but I hope that you will find what you are driven to look for.  
Thank you and Happy Holidays!

On Fri, Dec 25, 2020 at 2:39 PM Shad Fenton

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Mr. Chase, It's now 2:27 PM. Your supervisors and staff know of my request to quarantine. I have yet to hear back from you. Please respond when I will be transferred.

Thank You,

On Fri, Dec 25, 2020 at 9:02 AM Shad Fenton

<[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:

Mr. Chase,

Due to your negligence in care, the fact you threw an illegal Christmas Party during lockdown and involved members of City Life Church, AND the constant coughing from possible Covid 19 citizens here, last night being one of many.

(The bed neighbor was coughing so loudly and continuously he woke many of us up at 4 AM. That recording is also attached here)

I am requesting to go into quarantine for the entire time an incubation cycle occurs according to the CDC.

*The incubation period for COVID-19 is thought to extend to **14 days**, with a median time of **4-5 days** from exposure to symptoms onset. One study reported that **97.5%** of people with COVID-19 who have symptoms will do so within 11.5 days of **SARS-CoV-2** infection.*

I will notify your staff as such.

--



TONY CHASE

DIRECTOR,  
BAYSHORE NAVIGATION CENTER

D: 415.596.1475

O: 415.920.8920

F: 415.734.3314

E: [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org)

A: 5125 Bayshore Blvd., San Francisco, CA  
94124

W: [www.fivekeys.org](http://www.fivekeys.org)



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**Subject:** Re: Request to quarantine  
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UPDATE with Case Worker Charles at Bayshore Navigation Center.

I just met briefly with Charles, and repeated my request for my case file. His response is he can't print just my case, he would have to print everyone's. I stated, get with Mr. Chase to get it done.

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We can help them make an account, fill out the application, and answer any questions. Clients may also apply on their own. Please see the flyer attached and feel free to share it.

Warm regards,

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**Daniela Flores**

Programs Assistant

[Pronouns: She/her](#)

phone: + 415 651 2776

ext. 7224

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On Fri, Dec 25, 2020 at 9:02 AM Shad Fenton

<[shadfenton@gmail.com](mailto:shadfenton@gmail.com)> wrote:

Mr. Chase,

Due to your negligence in care, the fact you threw an illegal Christmas Party during lockdown and involved members of City Life Church, AND the constant coughing from possible Covid 19 citizens here, last night being one of many.

(The bed neighbor was coughing so loudly and continuously he woke many of us up at 4 AM. That recording is also attached here)

I am requesting to go into quarantine for the entire time an incubation cycle occurs according to the CDC.

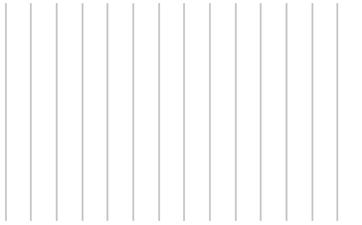
*The incubation period for COVID-19 is thought to extend to **14 days**, with a median time of **4-5 days** from exposure to symptoms onset. One study reported that 97.5% of people with COVID-19 who have symptoms will do so within 11.5 days of **SARS-CoV-2** infection.*

I will notify your staff as such.

--



TONY CHASE  
DIRECTOR,  
BAYSHORE NAVIGATION CENTER  
D: 415.596.1475



**O:** 415.920.8920

**F:** 415.734.3314

**E:** [tonyc@fivekeys.org](mailto:tonyc@fivekeys.org)

**A:** 5125 Bayshore Blvd., San Francisco, CA  
94124

**W:** [www.fivekeys.org](http://www.fivekeys.org)

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: fight for your city  
**Date:** Monday, January 4, 2021 8:59:00 AM

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**From:** musicamaria <musicamaria@protonmail.com>

**Sent:** Friday, January 1, 2021 1:20 AM

**To:** Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Marstaff (BOS) <marstaff@sfgov.org>; PrestonStaff (BOS) <prestonstaff@sfgov.org>; Haneystaff (BOS) <haneystaff@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; RonenStaff (BOS) <ronenstaff@sfgov.org>; Waltonstaff (BOS) <waltonstaff@sfgov.org>

**Subject:** fight for your city

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am very disappointed about the shut down being extended indefinitely. I feel you and others on the board need to stand up to the Mayor and the rest of our government in California and fight for our city.

Sent with [ProtonMail](#) Secure Email.

**From:** [Alexistori Gonzalez](#)  
**To:** [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#); [Board of Supervisors, \(BOS\)](#)  
**Subject:** Stop SFPD's illegal use of private cameras to spy on Black-led protests against police violence.  
**Date:** Friday, January 1, 2021 5:20:41 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear members of the Board of Supervisors,

As a San Francisco resident, I am writing to urge you to prohibit the San Francisco Police Department (SFPD) and other city agencies from making real-time use of private networks of surveillance cameras, and from obtaining data dumps of footage from these systems.

With overwhelming Board support, the Stop Secret Surveillance ordinance was adopted to empower the people of San Francisco to participate in meaningful decisions about government surveillance technology and to prohibit city use of face recognition technology. The Electronic Frontier Foundation recently revealed that, without notifying the public or the Board of Supervisors, the SFPD established real-time access to the Union Square Business Improvement Districts' surveillance camera system. The SFPD did so in order to spy on protests calling for an end to police violence against Black people. Situations like this are precisely what the ordinance was passed to prevent.

As you know, the Stop Secret Surveillance ordinance is the result of robust and open debate among the city's residents, civil society organizations, and government stakeholders. In providing an opportunity for robust and informed community engagement before adopting technologies with the power to chill free speech and disproportionately burden marginalized members of our community, the Stop Secret Surveillance Ordinance puts into action the values that make our city a shining light in a troubled nation.

Public safety requires trust between the public and the agencies sworn to keep them safe. With this in mind, I ask that you rebuke unlawful spying on activity protected by the First Amendment and the California Constitution, and take immediate action to prevent further harm by banning real-time SFPD use of private surveillance camera systems and data dumps of footage from those systems.

Respectfully,

Sent from my iPhone

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: The SF 911 Computer Aided Dispatch (CAD) is not accurate  
**Date:** Thursday, December 31, 2020 8:42:00 AM

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**From:** Martin <martin.alperen@hushmail.com>  
**Sent:** Wednesday, December 30, 2020 6:32 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** The SF 911 Computer Aided Dispatch (CAD) is not accurate

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

On December 29, 2020, at 3:13 p.m., I called 911 reporting a person in need of medical care at 9<sup>th</sup> Avenue and Irving St., San Francisco. I agreed to wait for the first responders.

I left after waiting 20 minutes.

I was later told that both police and fire had responded 5 minutes from my call. I was told they checked in indicating they were at the scene, the person refused medical attention, and left.

That is not correct. I did not leave for 20 minutes. Neither police nor fire responded.

DEM insists that the CAD information shows both the police and fire were at the scene - I was there and insist they were not at the scene.

I have phone records indicating my call to 911. For 20 minutes I never exceeded 10 feet from the person I was calling about. The local pharmacy door was also 10 feet from the person. I had visual contact with the pharmacy clerk during the 20 minutes I was waiting. The pharmacy clerk confirmed to me that neither police nor fire had arrived.

SF 911 records are incorrect. Considering that people's lives are at stake, and that this information is used in criminal cases, this is a serious problem.

Martin Alperen  
(831) 588-5612