

File No. 220021

Committee Item No. _____

Board Item No. 27

COMMITTEE/BOARD OF SUPERVISORS

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Date: _____

Board of Supervisors Meeting

Date: January 11, 2022

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- Mayor First Supplement - 12/27/21 _____
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Prepared by: Lisa Lew

Date: January 7, 2022

Prepared by: _____

Date: _____

1 [Concurring in Actions to Meet Local Emergency - Drug Overdoses in the Tenderloin - First
2 Supplement]

3 **Motion concurring in actions taken by the Mayor in the First Supplement to the**
4 **Proclamation of Emergency to meet the ongoing local emergency related to the sudden**
5 **increase in drug overdoses in the Tenderloin by: 1) authorizing the Human Resources**
6 **Director or the Director’s designee to temporarily waive provisions of Civil Service**
7 **Commission Rules and provisions of the Charter regarding hiring if necessary or**
8 **appropriate to expedite the hiring of employees in the Department of Public Health, the**
9 **Human Services Agency, and the Department of Homelessness and Supportive**
10 **Housing who will perform duties in response to the drug overdose emergency in the**
11 **Tenderloin; and 2) authorizing the Director of Real Estate to enter into a short-term**
12 **lease for real property necessary to establish facilities to respond to the drug overdose**
13 **emergency in the Tenderloin; and authorizing the Director of Real Estate to waive any**
14 **provision of City law except Charter, Section 9.118, that would limit or delay execution**
15 **of a short-term lease.**

16 WHEREAS, On December 17, 2021, Mayor London N. Breed declared a local
17 emergency to exist in connection with the sudden increase of drug overdoses in the
18 Tenderloin; and

19 WHEREAS, The Mayor transmitted a copy of that Proclamation Declaring the
20 Existence of a Local Emergency (“Proclamation”) to the Board of Supervisors, and on
21 December 23, 2021, the Board of Supervisors concurred in the Proclamation and in the
22 actions taken by the Mayor to meet the emergency; the Proclamation and the Board’s
23 concurring motion are on file with the Clerk of the Board of Supervisors in File No. 211320;
24 and
25

1 WHEREAS, On December 27, 2021, the Mayor took additional steps to meet the
2 emergency by issuing the First Supplement to the Proclamation, ordering two actions to meet
3 the emergency; the First Supplement is on file with the Clerk of the Board of Supervisors in
4 Board File No. 220021; and

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

8 MOVED, That the Board of Supervisors concurs with the following actions taken by the
9 Mayor to meet the local emergency included in the Mayor's First Supplement to the
10 Proclamation, dated December 27, 2021, as such actions are described in full in the First
11 Supplement and summarized as follows:

12 **Action 1:** Authorizing the Human Resources Director or the Director's
13 designee to temporarily waive provisions of Civil Service Commission Rules and provisions of
14 the Charter regarding hiring if necessary or appropriate to expedite the hiring of employees in
15 the Department of Public Health, the Human Services Agency, and the Department of
16 Homelessness and Supportive Housing who will perform duties in response to the drug
17 overdose emergency in the Tenderloin;

18 **Action 2:** Authorizing the Director of Real Estate, upon recommendation of
19 the Executive Director of the Department of Emergency Management, to enter into a lease for
20 real property necessary to establish facilities to respond to the drug overdose emergency in
21 the Tenderloin, provided such lease shall be for a period not to exceed 90 days unless the
22 Director of Real Estate determines that the City is unable to secure a suitable property without
23 agreeing to a longer term not to exceed a total of six months; and authorizing the Director of
24 Real Estate to waive any provision of City law except Charter, Section 9.118, that would limit
25 or delay execution of a lease authorized by this Order, including Chapter 23 of the

1 Administrative Code, provided that if a lease executed by the Director of Real Estate under
2 the Mayor's Order provides the City an option to extend the term beyond a six-month period,
3 the City's decision to exercise such option shall be subject to such approvals as may be
4 required by Chapter 23 of the Administrative Code and any other applicable law, including
5 prior approval by the Board of Supervisors.

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**FIRST SUPPLEMENT TO MAYORAL PROCLAMATION DECLARING THE
EXISTENCE OF A LOCAL EMERGENCY DATED DECEMBER 17, 2021**

Drug Overdoses in the Tenderloin

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

WHEREAS, On December 17, 2021, the Mayor issued a Proclamation (the “Proclamation”) declaring a local emergency to exist in connection with drug overdoses in the Tenderloin; and

WHEREAS, To quickly address the overdose crisis in the Tenderloin and mount a response that will reduce the overdoses and deaths occurring on our streets, the City must hire employees to fill vacant positions in the Department of Public Health, the Human Services Agency, and the Department of Homelessness and Supportive Housing who will participate directly in the emergency response. Employees in these departments will provide behavioral health and substance abuse services, housing services, street outreach, overdose response, and other services aimed at helping individuals in danger of overdose death. It is in the public interest to waive local law that could delay the rapid hiring of employees to fill these crucial emergency response needs; and

WHEREAS, Also to address the emergency, the City plans to open a linkage center in the Tenderloin, at least initially on a temporary basis, where individuals in crisis may go to be connected to City services for mental health and substance abuse treatment, housing, and other benefits and for referral to medical attention, with the goal of breaking the cycle of addiction and reducing the prevalence of drug overdoses in the Tenderloin. To quickly implement the opening of such a facility, it is in the public interest to suspend local law that would delay the execution of a short-term lease of an appropriate location for this purpose; and

WHEREAS, Conditions of extreme peril to the safety of persons and property continue to exist;



NOW, THEREFORE,

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

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

(1) The Human Resources Director or designee is delegated authority during the local emergency to temporarily waive provisions of Civil Service Commission Rules and provisions of the Charter regarding hiring, if the Human Resources Director deems in writing that such waiver is necessary or appropriate to expedite the hiring of employees in the Department of Public Health, the Human Services Agency, and the Department of Homelessness and Supportive Housing who will perform duties in direct response to the drug overdose emergency in the Tenderloin, including behavioral health employees.

(2) Upon recommendation of the Executive Director of the Department of Emergency Management, the Director of Real Estate is authorized to enter into a lease on behalf of the City as tenant for real property necessary to establish facilities to respond to the drug overdose emergency in the Tenderloin. Any such lease shall be for a period not to exceed the 90-day emergency term specified in the Proclamation, unless the Director of Real Estate determines that the City is unable to secure a suitable property without agreeing to a longer term not to exceed a total of six months. Except for Charter Section 9.118, the Director of Real Estate may waive any provision of City law that would limit or delay execution of a lease authorized by this Order, including, without limitation, Chapter 23 of the Administrative Code. If a lease executed by the Director of Real Estate under this Order provides the City an option to extend the term beyond a six-month period, the City's decision to exercise such option shall be subject to such approvals as may be required by Chapter 23 of the Administrative Code and any other applicable law, including, without limitation, prior approval by the Board of Supervisors.

DATED: December 27, 2021

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

London N. Breed
Mayor of San Francisco

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Haney

Subject:

Motion Concurring in Actions to Meet Local Emergency - Drug Overdoses in the Tenderloin

The text is listed:

Motion concurring in actions taken by the Mayor in the First Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to

the sudden increase in drug overdoses in the Tenderloin by: 1) authorizing the Human Resources Director or the Director's designee to temporarily waive provisions of Civil Service Commission Rules and provisions of the Charter regarding hiring if necessary or appropriate to expedite the hiring of employees in the Department of Public Health, the Human Services Agency, and the Department of Homelessness and Supportive Housing who will perform duties in response to the drug overdose emergency in the Tenderloin; and 2) authorizing the Director of Real Estate to enter into a short-term lease for real property necessary to establish facilities to respond to the drug overdose emergency in the Tenderloin, and authorizing the Director of Real Estate to waive any provision of City law except Charter Section 9.118 that would limit or delay execution of a short-term lease.

Signature of Sponsoring Supervisor:

For Clerk's Use Only