

File No. 200437

Committee Item No. _____

Board Item No. 29

COMMITTEE/BOARD OF SUPERVISORS

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Board of Supervisors Meeting

Date: _____
Date: May 5, 2020

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- Mayoral Proclamation - Eleventh Supplement - 04/23/20
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Prepared by: Lisa Lew
Prepared by: _____

Date: May 1, 2020
Date: _____

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

2

3 **Motion concurring in actions taken by the Mayor in the Eleventh Supplement to the**
4 **Proclamation of Emergency, released on April 23, 2020, to meet the ongoing local**
5 **emergency related to the novel coronavirus COVID-19 pandemic.**

6

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

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

14 WHEREAS, On March 11, 2020, and March 13, 2020, the Mayor took additional steps
15 to meet the local emergency by issuing the First and Second Supplements to the
16 Proclamation, and on March 24, 2020, the Board of Supervisors concurred in the actions
17 taken by the Mayor in those Supplements; the First and Second Supplements and the Board's
18 concurring motion are on file with the Clerk of the Board of Supervisors in File No. 200294;
19 and

20 WHEREAS, On March 17, 2020, March 18, 2020, and March 23, 2020, the Mayor took
21 additional steps to meet the local emergency by issuing the Third, Fourth, and Fifth
22 Supplements to the Proclamation, and on March 31, 2020, the Board of Supervisors
23 concurred in the actions taken by the Mayor in those Supplements; the Third, Fourth, and
24 Fifth Supplements and the Board's concurring motion are on file with the Clerk of the Board of
25 Supervisors in File No. 200326; and

1 WHEREAS, On March 27, 2020, and March 31 2020, the Mayor took additional steps
2 to meet the local emergency by issuing the Sixth and Seventh Supplements to the
3 Proclamation and on April 7, 2020, the Board of Supervisors concurred in the actions taken in
4 those Supplements; the Sixth and Seventh Supplements to the Proclamation and the Board's
5 concurring motion are on file with the Clerk of the Board of Supervisors in File No. 200352;
6 and

7 WHEREAS, On April 1, 2020, the Mayor took additional steps to meet the local
8 emergency by issuing the Eighth Supplement to the Proclamation, and on April 14, 2020, the
9 Board of Supervisors concurred in the actions taken in that Supplement; the Eighth
10 Supplement to the Proclamation and the Board's concurring motion are on file with the Clerk
11 of the Board of Supervisors in File No. 200369; and

12 WHEREAS, On April 10, 2020, and April 14, 2020, the Mayor took additional steps to
13 meet the emergency by issuing the Ninth and Tenth Supplements to the Proclamation, and on
14 April 21, 2020, the Board of Supervisors concurred in the actions taken in those Supplements.
15 The Ninth and Tenth Supplements and the Board's concurring motion are on file with the
16 Clerk of the Board of Supervisors in File No. 2000384; and

17 WHEREAS, On April 23, 2020, the Mayor issued the Eleventh Supplement to the
18 Proclamation, ordering two actions to meet the emergency; the Eleventh Supplement to the
19 Proclamation is on file with the Clerk of the Board of Supervisors in File No. 200437; and

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

23 MOVED, That the Board of Supervisors concurs with the following actions taken by the
24 Mayor to meet the local emergency included in the Mayor's Eleventh Supplement to the
25

1 Proclamation, dated April 23, 2020, as those actions are described in full in the Eleventh
2 Supplement and summarized as follows:

3 Action #1: Extending the deadlines relating to the renewal of business
4 registration and the payment of fees from June 30, 2020, to September 30, 2020, and making
5 corresponding modifications to deadlines applicable to the registration of new businesses that
6 commence business on or before June 30, 2020, or after July 1, 2020, and for businesses
7 that close between July 1 and Sept. 30, 2020.

8 Action #2: Revising and replacing Action #5 of the First Supplement to the
9 Emergency Proclamation to further extend the deadline for payment of certain license fees
10 from June 30, 2020, to September 30, 2020.

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

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

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

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

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

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

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

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

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

WHEREAS, On March 16, 2020, the City’s Health Officer issued a stay safe at home order, Health Officer Order No. C19-07 (the “Stay Safe At Home Order”), requiring most people to remain in their homes subject to certain exceptions including obtaining



essential goods such as food and necessary supplies, and requiring the closure of non-essential businesses, through April 7, 2020, and on March 31, 2020, the Health Officer extended the Stay Safe At Home Order through May 3, 2020; and

WHEREAS, On March 19, 2020, the Governor issued Executive Order N-33-20 and the California Public Health Officer issued a corresponding order requiring people to stay home except as needed subject to certain exceptions; and

WHEREAS, There are currently 1,233 confirmed cases of COVID-19 within the City and there have been 21 COVID-19-related deaths in the City; there are more than 37,000 confirmed cases in California, and there have been more than 1,400 COVID-19-related deaths in California; and

WHEREAS, This order and the previous orders issued during this emergency have all been issued because of the propensity of the virus to spread person to person and also because the virus physically is causing property loss or damage due to its proclivity to attach to surfaces for prolonged periods of time; and

WHEREAS, Given the economic impact of the crisis on local businesses and the uncertainty concerning when normal business and government operations will resume, it is necessary to extend deadlines relating to business registration certificates and fees and to further delay the deadline to pay license fees; and

NOW, THEREFORE,

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

In addition to the measures outlined in the Proclamation and in the Supplements to the Proclamation dated March 11, March 13, March 17, March 18, March 23, March 27, March 31, April 1, April 10, and April 14, 2020, it is further ordered that:

(1) Deadlines relating to business registration certificates and fees are modified as follows:



(a) The deadline under Articles 6 and 12 of the Business and Tax Regulations Code for persons with an existing business registration certificate from the Office of the Treasurer and Tax Collector to apply for renewal of their business registration certificate and pay the business registration fee for the registration year ending June 30, 2021, is extended from June 1, 2020, to September 30, 2020, and no penalty will be assessed if they file and pay by September 30, 2020. Existing business registration certificates issued under Section 856 of Article 12 of the Business and Tax Regulations Code for the registration year ending June 30, 2020, will continue to be valid through September 30, 2020, for all purposes.

(b) Newly established businesses commencing business in the City on or before June 30, 2020, that do not yet have a business registration certificate from the Office of the Treasurer and Tax Collector must still timely apply for a business registration certificate and timely pay the prorated business registration fee for the registration year ending June 30, 2020, as required by Section 856 of Article 12 of the Business and Tax Regulations Code, but do not need to pay the business registration fee for the registration year ending June 30, 2021 until September 30, 2020, and no penalty will be assessed if they pay the fee for the registration year ending June 30, 2021 by September 30, 2020. Persons that comply with the foregoing requirement will be issued a business registration certificate for the registration year ending June 30, 2020, which will continue to be valid through September 30, 2020, for all purposes.

(c) Newly established businesses commencing business in the City on or after July 1, 2020, must still timely apply for a business registration certificate for the registration year ending June 30, 2021, as required by Section 856 of Article 12 of the Business and Tax Regulations Code, but do not need to pay the business registration fee until September 30, 2020, and no penalty will be assessed if they pay by September 30, 2020. Newly established businesses commencing business in the City on or after July 1, 2020, will not receive a business registration certificate until they have paid their business registration fee, but: (i) all requirements in the San Francisco Municipal Code that such certificate be posted will be waived for such persons for all purposes through September 30, 2020; and (ii) such persons will still receive a business account number reflecting their registration with the Office of the Treasurer and Tax Collector, and will not be reflected as being delinquent in the records of the Office of the Treasurer and Tax Collector until October 1, 2020, on account of not paying their business registration fee.



(d) Newly established businesses that do not yet have a certificate of authority for the collection of third-party taxes under Section 6.6-1 of Article 6 of the Business and Tax Regulations Code will not be permitted to obtain such a certificate of authority until they have paid their business registration fee for the registration year ending June 30, 2021, and will not be permitted to engage in any business that requires them to collect the tax on transient occupancy of hotel rooms in Article 7 of the Business and Tax Regulations Code or the tax on occupancy of parking spaces in parking stations in Article 9 of the Business and Tax Regulations Code without first paying the business registration fee for registration year ending June 30, 2021.

(e) Persons that cease business between July 1, 2020 and September 30, 2020, will still need to pay the business registration fee for registration year ending June 30, 2021 by September 30, 2020, and file any necessary forms to accompany that payment.

(f) The Tax Collector will continue to timely issue business registration certificates to all persons that choose to pay the business registration fee for registration year ending June 30, 2021 prior to September 30, 2020.

(2) Item 5 of the First Supplement to the Emergency Proclamation, dated March 11, 2020, is revised and replaced as follows:

The due date for license fees otherwise due on March 31, 2020, under Section 76.1 of Article 2 of the Business and Tax Regulations Code, previously extended to June 30, 2020, is further extended to September 30, 2020, and the deadline for the Tax Collector to issue notice of such due date previously extended to May 31, 2020, is further extended to August 31, 2020.

DATED: April 23, 2020

A handwritten signature in blue ink that reads "London 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):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only