

1 [Concurring in Proclamation of Local Emergency - Drug Overdoses in the Tenderloin]

2

3 **Motion concurring in the December 17, 2021, Proclamation by the Mayor Declaring the**  
4 **Existence of a Local Emergency in connection with the sudden increase in drug**  
5 **overdoses in the Tenderloin, and concurring in actions taken to meet the emergency**  
6 **to: 1) require City employees and officers to take all steps requested by the Executive**  
7 **Director of the Department of Emergency Management (“DEM”) to address the**  
8 **emergency conditions; 2) require all City employees and officers to take all steps**  
9 **requested by the Executive Director of DEM to qualify the City for funding as may be**  
10 **available to reimburse the City for the expenses it incurs in addressing this emergency;**  
11 **3) allow departments to procure services, goods, and public works relating to the**  
12 **emergency using emergency procurement procedures, and waive any applicable**  
13 **requirement of Civil Service Commission approval of such contracts; and 4) allow the**  
14 **implementation in the Tenderloin of temporary facilities for purposes of offering**  
15 **services as part of the emergency response, and waive any provision in City law that**  
16 **limits or restricts the City’s deployment of such facilities, and any applicable local**  
17 **requirements for public notice, the filing or approval of a permit application, or**  
18 **payment of fees related to that response.**

19

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

23 WHEREAS, The Mayor has transmitted a copy of that Proclamation Declaring the  
24 Existence of a Local Emergency (“Proclamation”) to the Board of Supervisors, and such copy  
25 is on file with the Clerk of the Board of Supervisors in File No. 211320; and

1           WHEREAS, Government Code, Sections 8550 et seq. and Charter, Section 3.100  
2 provide for the concurrence by members of the Board of Supervisors in such emergency  
3 declaration and in actions taken by the Mayor to meet the emergency; and

4           WHEREAS, Deaths from drug overdose are at epidemic levels in San Francisco; while  
5 the problem has gotten worse over the past few years and particularly over the course of the  
6 pandemic, recently the threat to public health, safety and welfare has become much graver  
7 and more imminent in the Tenderloin and demands emergency action; and

8           WHEREAS, Deaths attributable to drug overdose in San Francisco have increased  
9 over 200% since 2018, and in 2020, over 700 individuals died from drug overdoses; the  
10 number of deaths in 2020 from drug overdose far exceeded the number of individuals who  
11 died of COVID-19; and

12           WHEREAS, The COVID-19 pandemic exacerbated the overdose epidemic in San  
13 Francisco; in the eight months before the Health Officer issued the Shelter-In-Place Order  
14 (March 2020), the median number of weekly overdose deaths was 10, which increased to 15  
15 after the Order, representing a 50% increase; and

16           WHEREAS, A main contributor to the rapid rise in drug overdoses and deaths in San  
17 Francisco is the recent increase in the prevalence of fentanyl in the illegal drug market; there  
18 has been a significant increase in the deaths attributable to fentanyl since the onset of the  
19 COVID-19 pandemic, with fentanyl serving as a factor in more than 70% of overdose deaths  
20 between January and October 2021, an increase of nearly 20% since 2019.

21           WHEREAS, As the situation with the COVID-19 pandemic has begun to improve, the  
22 drug overdose crisis in the City has continued unabated; between January and November  
23 2021, nearly 600 San Franciscans died of a drug overdose; and

1           WHEREAS, Between January and October 2021, 21% of overdose deaths occurred in  
2 the Tenderloin, with an additional 20% of deaths occurring in the South of Market  
3 neighborhood; and

4           WHEREAS, Contacts between clients and the City’s non-profit partners running needle  
5 exchange programs in the Tenderloin increased nearly 30% in the period between July and  
6 September 2021 compared to the previous three months; and

7           WHEREAS, The crisis in the Tenderloin has worsened in recent months; one of the  
8 City’s non-profit partners reported an over 35% increase in the distribution of Narcan (which is  
9 used to revive someone experiencing an overdose) in the Tenderloin between October 2021  
10 and November 2021; and

11           WHEREAS, Emergency medical calls for service designated as calls for a “sick person”  
12 in the Tenderloin have increased more than 150% between June and November 2021  
13 compared to the same period in 2020, and medical calls for service for all reasons during this  
14 time period also increased, indicative of serious public health issues likely attributable to the  
15 opioid crisis in the area; and

16           WHEREAS, Other indicators of the opioid crisis in the Tenderloin are also present;  
17 street conditions in the Tenderloin and surrounding area have deteriorated in recent months,  
18 and calls to 311 concerning human waste, needles, and garbage on streets and sidewalks  
19 increased significantly between the fall of 2020 and the fall of 2021; and

20           WHEREAS, There was a 38% increase in calls to the City’s Street Overdose Response  
21 Team between October and November 2021, and a 44% increase in calls regarding drug  
22 overdoses in the same period; and

23           WHEREAS, The rapidly deteriorating conditions in the Tenderloin caused by the opioid  
24 crisis put the lives of San Franciscans at serious risk, and the City must take action beyond  
25 the City’s ordinary response capabilities, including re-appropriating resources to address the

1 crisis and directing personnel from City departments to assist with the response, which the  
2 Proclamation authorizes the Mayor to do under Charter, Section 3.100(14); and

3 WHEREAS, The Mayor has found the aforesaid conditions of extreme peril justify and  
4 require a proclamation of the existence of a local emergency; and

5 WHEREAS, As part of the Proclamation, the Mayor took additional steps to meet the  
6 emergency by ordering four actions to meet the emergency; and

7 WHEREAS, For purposes of the Proclamation, the Tenderloin is defined as the San  
8 Francisco Police Department's Tenderloin District and the additional area within a one-block  
9 perimeter of that District; now, therefore, be it

10 MOVED, That the Board of Supervisors concurs with the Proclamation by the Mayor  
11 Declaring the Existence of Local Emergency issued on December 17, 2021, and, be it

12 FURTHER MOVED, That the Board of Supervisors concurs with the following actions  
13 taken by the Mayor to meet the local emergency, as such actions are described in full in  
14 December 17, 2021 Proclamation and summarized as follows:

15 **Action 1:** Requiring all City officers and employees to take all steps  
16 requested by the Executive Director of the Department of Emergency Management ("DEM") to  
17 address the emergency conditions of the overdose and overdose death crisis in the  
18 Tenderloin;

19 **Action 2:** Requiring all City officers and employees to take all steps  
20 requested by the Executive Director of DEM to qualify the City for reimbursement from the  
21 Federal Emergency Management Agency and for other state and federal relief as may be  
22 available to reimburse the City for the expenses it incurs in addressing this emergency;

23 **Action 3:** Allowing departments to procure services, goods, and public works  
24 relating to the emergency using emergency procurement procedures, waiving any applicable  
25 requirement of Civil Service Commission approval of such contracts, and requiring

1 departments to report to the Civil Service Commission any agreement that would have  
2 required its approval;

3 **Action 4:** Allowing the implementation in the Tenderloin, including on any  
4 City sidewalks or parks, of temporary facilities for purposes of offering services as part of the  
5 emergency response, such as public health, behavioral health, social, or housing services, as  
6 recommended by the Director of DEM or the Director's designee and authorized by the Mayor  
7 or the Mayor's designee, and waiving any provision in City law that limits or restricts the City's  
8 deployment of such facilities, and any applicable local requirements for public notice, the filing  
9 or approval of a permit application, or payment of fees related to that response.

10

11 n:\govern\as2021\9690021\01572328.docx

12

13

14

15

16

17

18

19

20

21

22

23

24

25