

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

3 **Motion concurring in actions taken by the Mayor in the Second Supplement to the**  
4 **Proclamation of Emergency to meet the ongoing local emergency related to the**  
5 **sudden increase in drug overdoses in the Tenderloin by authorizing City**  
6 **departments to use expedited procurement procedures to enter into agreements**  
7 **related to the City’s response to the emergency, with terms not to extend beyond**  
8 **June 30, 2022; waiving Civil Service Commission approval of such agreements,**  
9 **and authorizing the Mayor to transfer funds to cover the costs of such**  
10 **agreements.**

11  
12 WHEREAS, On December 17, 2021, Mayor London N. Breed declared a local  
13 emergency to exist in connection with the sudden increase of drug overdoses in the  
14 Tenderloin; and

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

21 WHEREAS, Section 3 of the Mayor’s Proclamation, in which the Board concurred,  
22 provided that notwithstanding any other restriction in local law except Charter, Section 9.118,  
23 City departments could use expedited procurement procedures to enter into agreements  
24 related to the City’s response to the emergency, but did not expressly authorize contracts with  
25 terms that would exceed the duration of the emergency; and

1           WHEREAS, To address the overdose crisis in the Tenderloin and mount an emergency  
2 response that will reduce the overdoses and deaths occurring on our streets, the City must  
3 quickly execute contracts with providers that can offer services to individuals in need; among  
4 other activities, such providers will staff the linkage center where individuals will be connected  
5 to City services for mental health and substance abuse treatment, housing, and other benefits  
6 and for referral to medical attention; and

7           WHEREAS, To ensure the City is able to secure the necessary contractual services on  
8 a timely basis, it is in the public interest to waive provisions of City law to expedite the process  
9 of finding providers and executing contracts; and to the extent departments are unable to find  
10 providers willing and able to provide services effectively under a contract limited to the  
11 remaining duration of the declared emergency, it is in the public interest to allow departments  
12 flexibility to enter into contracts for a longer period, not to extend beyond June 30, 2022, the  
13 end of the current fiscal year; and

14           WHEREAS, On January 21, 2022, the Mayor took additional steps to meet the  
15 emergency by issuing the Second Supplement to the Proclamation, ordering one action to  
16 meet the emergency; the Second Supplement is on file with the Clerk of the Board of  
17 Supervisors in Board File No. 220155; and

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

21           MOVED, That the Board of Supervisors concurs with the following actions taken by the  
22 Mayor to meet the local emergency included in the Mayor's Second Supplement to the  
23 Proclamation, dated January 21, 2022, as such action is described in full in the Second  
24 Supplement and summarized as follows:

1           **Action 1:**     Revising and replacing Section 3 of the Proclamation to provide that  
2 notwithstanding any other restriction, procedural requirement, or approval requirement in local  
3 law except Charter, Section 9.118, City departments entering agreements related to the City’s  
4 response to the emergency, including contracts for the procurement of commodities or  
5 services, contracts for public works, and grant agreements, shall comply with the expedited  
6 procedural requirements of Section 21.15 of the Administrative Code or Section 6.60 of the  
7 Administrative Code; waiving Civil Service Commission approval of such agreements;  
8 authorizing City departments to enter into agreements under this Order for a period not to  
9 exceed the duration of local emergency, unless the department head determines in writing  
10 that the City is unable to secure the necessary services without agreeing to a longer term  
11 (including options to extend) not to extend beyond June 30, 2022; and for any agreement that  
12 extends beyond the termination of the local emergency, authorizing the Mayor to appropriate  
13 or transfer funds to cover the cost of such agreement, including during the portion of the term  
14 that extends beyond the end of the emergency.

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