

1 [Grant Agreement - Planned Parenthood Northern California - Security Services - Not to
2 Exceed \$456,000 - Waiver of Competitive Solicitation Requirement]

3 **Ordinance authorizing the Department of Public Health (“Department”) to award a one-**
4 **time grant to Planned Parenthood Northern California (“Planned Parenthood NC”) by**
5 **waiving the competitive solicitation requirements of Administrative Code, Chapter 21G,**
6 **for the purpose of funding security personnel to support access to family planning and**
7 **other sexual and reproductive healthcare services in an amount not to exceed \$456,000**
8 **for a term not to exceed two years to commence on April 1, 2025, through**
9 **March 31, 2027; and requiring the Department to provide an annual report to the Board**
10 **of Supervisors on the security personnel selected by Planned Parenthood NC and**
11 **security incidents experienced by Planned Parenthood NC.**

12 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.
13 **Additions to Codes** are in *single-underline italics Times New Roman font*.
14 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
15 **Board amendment additions** are in double-underlined Arial font.
16 **Board amendment deletions** are in ~~strikethrough Arial font~~.
17 **Asterisks (* * * *)** indicate the omission of unchanged Code
18 subsections or parts of tables.

19 Be it ordained by the People of the City and County of San Francisco:

20 Section 1. Background and Findings.

21 (a) Planned Parenthood Northern California (“Planned Parenthood NC”) is a nonprofit
22 organization that provides critical reproductive healthcare services and maintains healthcare
23 centers in San Francisco and other locations in Northern California and is affiliated with other
24 Planned Parenthood clinics nationwide. Planned Parenthood NC’s primary location, in San
25 Francisco, provides expert comprehensive sexual and reproductive healthcare, including birth
control, cancer screenings, pregnancy testing and counseling, Sexually Transmitted Infection

1 (“STI”) testing and treatment, Post-Exposure Prophylaxis (“PEP”) and Pre-Exposure
2 Prophylaxis (“PrEP”) medications to prevent HIV infection, HPV vaccines, vasectomies,
3 infertility services, and abortions. Each year on average, Planned Parenthood NC’s primary
4 health center provides contraception to 9,000 patients; 1,200 cervical cancer/Pap tests; 1,100
5 breast exams; 31,000 STI tests; 7,200 HIV tests; and 19,200 chlamydia and gonorrhea tests.
6 According to Planned Parenthood NC, San Francisco currently has the highest rates of HIV
7 and gonorrhea infection per capita of all California counties, and gonorrhea rates in San
8 Francisco have doubled in the last four years. Planned Parenthood NC health educators also
9 deliver sexual health education and outreach, on average per year, to over 15,000 youth,
10 teens, parents, providers, and professionals in San Francisco, including programs through the
11 San Francisco Unified School District.

12 (b) In a 2022 report on violence and disruption at abortion clinics, the National Abortion
13 Federation (“NAF”) found that abortion providers reported significant increases in instances of
14 major incidents such as arsons, burglaries, death threats, and invasions compared to 2021.
15 The report noted a 100% increase in arsons, a 25% increase in invasions, a 20% increase in
16 death threats/threats of harm, a 229% increase in stalking incidents, and a 231% increase in
17 burglaries. On November 27, 2023, a federal court sentenced a defendant to 18 months in
18 federal prison for making threatening telephone calls to the Planned Parenthood’s Santa
19 Barbara location.

20 (c) In 2021, the California Legislature enacted Assembly Bill No. 1356, which declared
21 in part that, “[a]cts of violence and harassment against abortion providers have persisted in
22 the decades since *Roe v. Wade* [410 U.S. 113 (1973)] and reproductive health centers are
23 seeing an increase in threats and security incidents, as existing laws have not sufficiently
24 deterred anti-abortion extremists.” The bill intended “to ensure that people who need access
25

1 to family planning and other sexual and reproductive health care services can do so
2 confidentially and in a timely manner without harassment, threats, or fear of bodily harm.”

3 (d) On June 7, 2022, the U.S. Department of Homeland Security (“DHS”) issued a
4 National Terrorism Advisory System Bulletin. The bulletin noted that “[g]iven a high-profile
5 U.S. Supreme Court case about abortion rights, individuals who advocate both for and against
6 abortion have, on public forums, encouraged violence, including against . . . reproductive
7 healthcare personnel facilities, as well as those with opposing ideologies.” Subsequent to the
8 DHS bulletin, the Supreme Court issued its opinion in *Dobbs v. Jackson Women’s Health*
9 *Organization*, 142 S. Ct. 2228 (2022), which overturned *Roe v. Wade* and ended the federal
10 constitutional right to an abortion that had been recognized in *Roe*.

11 (e) The U.S. Department of Justice reported two federal criminal indictments in 2023
12 and seven federal criminal indictments in 2022 that involved violence or other conduct
13 directed at reproductive healthcare providers, four of which involved a Planned Parenthood
14 clinic.

15 (f) Reproductive health care centers, such as Planned Parenthood NC, provide
16 essential health care services, especially for more vulnerable populations whose access to
17 care is otherwise limited. Absent adequately trained security personnel, patients seeking care
18 may be deterred from doing so by threats of intimidation and violence and may be subject to
19 harassment, intimidation, or violence if they choose to come to a clinic.

20 (g) The Board of Supervisors hereby finds that the public interest is served by ensuring
21 that people who need access to family planning and other sexual and reproductive healthcare
22 services at Planned Parenthood NC can do so without harassment, threat of intimidation, or
23 fear of bodily harm. In light of this public purpose and the unique circumstances concerning
24 access to healthcare services at Planned Parenthood NC, the Department of Public Health
25 (“Department”) may award a grant for security services to Planned Parenthood NC without a

1 competitive solicitation process otherwise required by Administrative Code Chapter 21G or
2 any other applicable competitive requirement. A true and correct copy of the proposed draft
3 grant agreement is in Board File No. 240605.

4
5 Section 2. Authorization to Enter Sole-Source Grant Agreement.

6 The Board of Supervisors hereby authorizes the Department to award a grant to
7 Planned Parenthood NC in an amount not to exceed \$456,000 for a term not to exceed two
8 years, for the purpose of funding security personnel to support access to healthcare services
9 at Planned Parenthood NC's primary location in San Francisco, without adhering to the
10 requirements of Administrative Code Section 21G.3, or any other applicable competitive
11 procurement requirement.

12
13 Section 3. Transmittal of Grant Agreement.

14 Within 30 days of the grant agreement referenced in Sections 1(g) and 2 being fully
15 executed by all parties, the Department shall provide the fully executed agreement to the
16 Clerk of the Board of Supervisors for inclusion in the file for this ordinance, Board File
17 No. 240605.

18
19 Section 4. Annual Report.

20 The Department shall submit a written report on an annual basis to the Board of
21 Supervisors regarding the security personnel selected by Planned Parenthood NC under the
22 grant, including but not limited to, staffing of security personnel at Planned Parenthood NC's
23 primary location in San Francisco, and a summary of security incidents there. The first report
24 is due to be submitted 12 months after the start date of the grant; the second report is due to
25 be submitted 24 months after the start date of the grant.

1 Section 5. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.

5
6 APPROVED AS TO FORM:
7 DAVID CHIU, City Attorney

8 By: /s/ Henry L. Lifton
9 HENRY L. LIFTON
Deputy City Attorney

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City and County of San Francisco

Tails Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 240605

Date Passed: July 23, 2024

Ordinance authorizing the Department of Public Health ("Department") to award a one-time grant to Planned Parenthood Northern California ("Planned Parenthood NC") by waiving the competitive solicitation requirements of Administrative Code, Chapter 21G, for the purpose of funding security personnel to support access to family planning and other sexual and reproductive healthcare services in an amount not to exceed \$456,000 for a term not to exceed two years to commence on April 1, 2025, through March 31, 2027; and requiring the Department to provide an annual report to the Board of Supervisors on the security personnel selected by Planned Parenthood NC and security incidents experienced by Planned Parenthood NC.

June 13, 2024 Budget and Appropriations Committee - RECOMMENDED

July 09, 2024 Board of Supervisors - CONTINUED ON FIRST READING

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai and Walton
Excused: 1 - Stefani

July 16, 2024 Board of Supervisors - PASSED ON FIRST READING

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani and Walton
Noes: 1 - Preston

July 23, 2024 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani and Walton
Noes: 1 - Preston

File No. 240605

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 7/23/2024 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



London N. Breed
Mayor

7/31/24

Date Approved