

File No. 200762 Committee Item No. 1
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date August 31, 2020

Board of Supervisors Meeting Date _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|-------------------------------------|--------------------------|-----------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>BOS Ord No. 84-20</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Referral FYI 072220</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Peskin Comm Rpt Req 081320</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Public Comment 081720</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>NO Board Pkt 081820</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Comm Rpt Memo 082720</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Completed by: Erica Major Date August 27, 2020
Completed by: Erica Major Date _____

1 [Emergency Ordinance - Protections for Occupants of Residential Hotels During COVID-19
 2 Pandemic]

3 **Reenactment of emergency ordinance (Ordinance No. 84-20) to establish protections**
 4 **for occupants of residential hotels (“SRO Residents”) during the COVID-19 pandemic**
 5 **by, among other things: making it City policy to place in solitary hotel rooms SRO**
 6 **residents who meet the criteria for isolation or quarantine established by the County**
 7 **Health Officer, and requiring the Department of Public Health to: develop a protocol to**
 8 **assist health care providers to identify SRO Residents who may require protection**
 9 **against or treatment for COVID-19; notify the operator of a residential hotel when an**
 10 **SRO Resident has tested positive for COVID-19, to facilitate contact tracing, testing for**
 11 **COVID-19, and cleaning; establish a telephone hotline for SRO Residents, to respond**
 12 **to questions about accessing COVID-19 health screenings, testing, and solitary hotel**
 13 **rooms; provide face coverings to SRO Residents and workers in residential hotels; and**
 14 **provide daily aggregate data concerning the incidence of COVID-19 among SRO**
 15 **Residents, access to quarantine rooms by such residents, and the number of such**
 16 **residents who have died due to complications from COVID-19.**

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

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

25 Section 1. Declaration of Emergency Pursuant to Charter Section 2.107.

1 (a) Section 2.107 of the Charter authorizes passage of an emergency ordinance in
2 cases of public emergency affecting life, health, or property, or for the uninterrupted operation
3 of any City or County department or office required to comply with time limitations established
4 by law. An emergency ordinance enacted under Charter Section 2.107 automatically
5 terminates on the 61st day after passage, but may be reenacted upon the same terms and
6 conditions applicable to its initial enactment.

7 (b) Pursuant to Charter Section 2.107, the City enacted Ordinance No. 84-20, an
8 emergency ordinance, which temporarily establishes protections for occupants of residential
9 hotels (“SRO Residents”) during the COVID-19 pandemic. The emergency ordinance became
10 effective when enacted, on May 29, 2020, and will terminate automatically on July 28, 2020,
11 unless reenacted.

12 (c) The Board of Supervisors hereby finds that the findings declared in Section 1 of
13 Ordinance No. 84-20 remain valid and compelling, and declares further that an actual
14 emergency continues to exist that requires the reenactment of Ordinance No. 84-20 to reduce
15 the spread of COVID-19. COVID-19 continues to present an extremely dangerous public
16 health risk to the residents of residential hotels and to individuals who work in residential
17 hotels.

18
19 Section 2. Reenactment of Emergency Ordinance. Consistent with Charter Section
20 2.107, this emergency ordinance reenacts for an additional 60 days the emergency ordinance
21 providing temporary protections to occupants of residential hotels (Ordinance No. 84-20).

22
23 Section 3. Effective Date; Expiration.

24 (a) If enacted prior to the expiration of Ordinance No. 84-20, this reenacted emergency
25 ordinance shall become effective immediately upon the date of expiration of Ordinance No.

LEGISLATIVE DIGEST

[Emergency Ordinance - Protections for Occupants of Residential Hotels During COVID-19 Pandemic]

Reenactment of emergency ordinance (Ordinance No. 84-20) to establish protections for occupants of residential hotels (“SRO Residents”) during the COVID-19 pandemic by, among other things: making it City policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation or quarantine established by the County Health Officer, and requiring the Department of Public Health to: develop a protocol to assist health care providers to identify SRO Residents who may require protection against or treatment for COVID-19; notify the operator of a residential hotel when an SRO Resident has tested positive for COVID-19, to facilitate contact tracing, testing for COVID-19, and cleaning; establish a telephone hotline for SRO Residents, to respond to questions about accessing COVID-19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO Residents and workers in residential hotels; and provide daily aggregate data concerning the incidence of COVID-19 among SRO Residents, access to quarantine rooms by such residents, and the number of such residents who have died due to complications from COVID-19.

Existing Law

An emergency ordinance (Ordinance No. 84-20) temporarily establishes protections for occupants of residential hotels during the COVID-19 pandemic. The legislative digest for that emergency ordinance is found in Board File No. 200456. Slightly edited, it summarizes the emergency ordinance as follows:

The emergency ordinance makes it the policy of the City to place SRO residents in solitary isolation / quarantine hotel rooms where they meet the standards for isolation or quarantine established by the Health Officer, and requires the City to provide such residents with essential services and amenities, including three meals per day, during their placement in such a room.

The emergency ordinance requires the Department of Public Health to:

- Prepare and disseminate to health care providers a protocol designed to help them identify SRO residents who may require protection against or treatment for COVID-19;
- Notify residential hotel operators when a resident has tested positive for COVID-19 to facilitate contact tracing, testing, and cleaning;
- Provide personal protective equipment to SRO residents and workers who occupy areas of the residential hotel that have been accessed by people who tested positive for COVID-19.

- Establish a telephone hotline for SRO residents to facilitate screening, testing, referral to healthcare providers, and placement in solitary hotel rooms;
- Report daily data relating to the aggregate number of SRO hotels with residents who have tested positive for COVID-19, and other indicators;
- Take other specified steps to protect SRO residents against exposure to COVID-19 and to inform them of their rights.

The emergency ordinance requires SRO operators to post information in public areas of residential hotels.

Ordinance No. 84-20 became effective on May 29, 2020, and terminates automatically on July 28, 2020, unless reenacted.

Amendments to Current Law

The proposed emergency ordinance reenacts Ordinance No. 84-20, with the result that it will be extended for an additional 60 days.

n:\legana\as2020\2000486\01462575.docx

1 [Emergency Ordinance - Protections for Occupants of Residential Hotels During COVID-19
2 Pandemic]

3 **Emergency ordinance to establish protections for occupants of residential hotels**
4 **(“SRO Residents”)** during the COVID-19 pandemic by, among other things: making it
5 **City policy to place in solitary hotel rooms SRO residents who meet the criteria for**
6 **isolation or quarantine established by the County Health Officer, and requiring the**
7 **Department of Public Health to develop a protocol to assist health care providers to**
8 **identify SRO Residents who may require protection against or treatment for COVID-19;**
9 **notify the operator of a residential hotel when an SRO Resident has tested positive for**
10 **COVID-19 to facilitate contact tracing, testing for COVID-19, and cleaning; establish a**
11 **telephone hotline for SRO Residents to respond to questions about accessing COVID-**
12 **19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO**
13 **Residents and workers in residential hotels; and provide daily aggregate data**
14 **concerning the incidence of COVID-19 among SRO Residents, access to quarantine**
15 **rooms by such residents, and the number of such residents who have died due to**
16 **complications from COVID-19.**

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

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

Section 1. Declaration of Emergency under Charter Section 2.107.

1 (a) Section 2.107 of the Charter authorizes passage of an emergency ordinance in
2 cases of public emergency affecting life, health, or property, or for the uninterrupted operation
3 of any City or County department or office required to comply with time limitations established
4 by law. The Board of Supervisors hereby finds and declares that an actual emergency exists
5 that requires the passage of this emergency ordinance.

6 (b) On February 25, 2020, Mayor London Breed proclaimed a state of emergency in
7 response to the COVID-19 pandemic. On March 3, 2020, the Board of Supervisors concurred
8 in the February 25 Proclamation.

9 (c) On March 10, 2020, the County Health Officer issued Order No. C19-04, directing
10 Residential Hotel owners and operators to comply with mandatory cleaning standards in all
11 common areas, in recognition of the fact that a high percentage of Residential Hotel residents
12 are 60 years of age or older and/or experience serious health complications, and that
13 conditions in such hotels often present environmental problems such as mold growth, poor
14 sanitation, broken plumbing, and poor ventilation. Although Order No. C19-04 requires
15 Residential Hotel operators to fully and immediately comply with environmental cleaning
16 standards, including making hand soap and hand sanitizer available in communal areas,
17 compliance has been limited by operators' inability to access a reliable source of hand
18 sanitizer and to install dispensers into bathrooms.

19 (d) On March 16, 2020, the County Health Officer issued Order No. C19-07, replaced
20 by Order No. C19-07b on March 31, 2020, extended and replaced by Order No. C19-07c on
21 April 29, 2020, directing San Franciscans to stay in their homes and follow social distancing
22 requirements when outside the home. Social distancing requires that individuals maintain at
23 least six feet between themselves and individuals who are not part of the same household or
24 living unit.

25

1 (e) On May 1, 2020, the County Health officer issued Directive No. 2020-02, directing
2 all individuals exposed to a person diagnosed with or likely to have COVID-19 to self-
3 quarantine, and Directive No. 2020-03, directing all individuals diagnosed with or likely to have
4 COVID-19 to self-isolate. Individuals who are directed to self-quarantine or self-isolate under
5 the County Health Officer’s orders must remain in their homes and separate from others.

6 (f) Individuals who live in Residential Hotels often share restrooms, cooking facilities,
7 and other common areas with people who are not members of their household, putting them
8 in frequent and close contact with other individuals who are members of vulnerable
9 populations in light of their age, health conditions, and other vulnerabilities.

10 (g) While the number of confirmed COVID-19 cases has generally “flattened,” since
11 the State of Emergency was declared on February 25, 2020, the number of confirmed cases
12 in congregate settings continues to steadily rise, with clusters of cases trending in Residential
13 Hotels citywide.

14 (h) This emergency ordinance is necessary to reduce the spread of COVID-19 by
15 enhancing the ability of occupants of Residential Hotels to comply with the County Health
16 Officer’s social distancing requirements, self-quarantine directive, and self-isolation directive.

17
18 Section 2. Definitions.

19 For purposes of this emergency ordinance, the following terms shall have the following
20 meanings:

21 “City” means the City and County of San Francisco.

22 “Close Contact” has the meaning set forth in County Health Officer Directives Nos.
23 2020-02 and 2020-03, as may be amended from time to time.

24 “Operator” has the meaning set forth in Administrative Code Section 41.4, as may be
25 amended from time to time.

1 “Owner” has the meaning set forth in Administrative Code Section 41.4, as may be
2 amended from time to time.

3 “Residential Hotel” has the meaning set forth in Administrative Code Section 41.4, as
4 may be amended from time to time.

5 “Residential Hotel Unit” has the meaning set forth in Administrative Code Section 41.4,
6 as may be amended from time to time.

7 “SRO Resident” means an individual who occupies a Residential Hotel Unit.

8
9 Section 3. Policies and Protocols to Protect Occupants of Residential Hotels During
10 the COVID-19 Emergency.

11 (a) Each Residential Hotel shall post in a common area where fire safety
12 information is required to be posted:

- 13 (1) The telephone number of the Eviction Defense Collaborative;
14 (2) The telephone numbers of the Single Room Occupancy Collaboratives;
15 (3) The telephone number of the Residential Hotel’s Operator or on-site
16 representative, so that City representatives, essential service workers, home-care providers,
17 and other persons can obtain prompt access to the building in order to serve the SRO
18 Residents; and

19 (4) A copy of this emergency ordinance.

20 (b) Within three days of the effective date of this emergency ordinance, the
21 Department of Public Health (“DPH”) shall prepare and publicly disseminate to City health
22 care providers a protocol for determining whether an individual resides in a Residential Hotel
23 Unit and may require protection against exposure to, or treatment for, COVID-19, including
24 but not limited to the issuance of face coverings, testing for COVID-19, and/or transfer to a
25 solitary isolation or quarantine hotel room (“I/Q Hotel Room”). Such protocol shall consist of a

1 series of questions that seek to establish whether the individual is occupying a Residential
2 Hotel Unit and has access to communal or individual bathroom and/or cooking facilities, and
3 the individual's medical history and vulnerabilities.

4 (c) It shall be the policy of the City to place SRO Residents in I/Q Hotel Rooms for a
5 period of up to 14 days if they meet the standards for isolation or quarantine established by
6 County Health Officer Directives Nos. 2020-02 and 2020-03, as may be amended from time to
7 time, and to provide transportation for such residents from the Residential Hotel where they
8 reside to the I/Q Hotel Room. Nothing in this ordinance shall in any way affect an SRO
9 Resident's right to return to the Resident's unit following a temporary absence due to COVID-
10 19. Further, a temporary absence due to COVID-19 shall not constitute a failure to
11 continuously reside in the unit for purposes of Chapter 37 of the Administrative Code.

12 (d) SRO Residents who are placed by DPH in I/Q Hotel Rooms shall be provided at
13 no cost to the resident with the following essential services and amenities during their
14 placement:

- 15 (1) Three meals per day;
- 16 (2) Adequate heat; and
- 17 (3) Clean restroom facilities.

18 (e) If an SRO Resident refuses to be placed in an I/Q Hotel Room, DPH shall make
19 every reasonable effort to identify and address the resident's barriers to acceptance of the
20 unit, by, among other things, making arrangements to care for the SRO Resident's pet,
21 making and maintaining connections with the resident's family, and identifying ways to care
22 for the resident's dependents.

23 (f) In carrying out the requirements of this emergency ordinance, the City shall
24 comply with the requirements of the Language Access Ordinance, Chapter 91 of the
25 Administrative Code, including, but not limited to the requirement to translate materials that

1 provide vital information to the public about a department's services or programs into the
2 language(s) spoken by a substantial number of limited English speaking persons.

3 (g) Upon confirming that an SRO Resident has tested positive for COVID-19, DPH
4 shall, to the extent consistent with state and federal laws governing the confidentiality of
5 medical information:

6 (1) Within 48 hours of such confirmation, contact all occupants of the
7 Residential Hotel in which the SRO Resident resides and all Close Contacts of the SRO
8 Resident, to offer and initiate COVID-19 testing for such individuals on the site of the
9 Residential Hotel and/or at an suitable off-site facility determined by DPH, in consultation with
10 the SRO Collaboratives, to be suitable, accessible, and located in the neighborhood of the
11 Residential Hotel in which the SRO Resident who has tested positive for COVID-19
12 resides more than one block from the Residential Hotel. Where necessary to facilitate contact
13 tracing and testing, the Residential Hotel's Owner or Operator shall provide DPH with access
14 to a list of all SRO Residents who have occupied, and individuals who have worked at, the
15 Residential Hotel during the previous two-week period;

16 (2) As soon as feasible but not more than 12 hours after receiving such
17 confirmation, Order the Owner or Operator of the SRO to clean all common areas in the
18 Residential Hotel, consistent with the Minimum Environmental Cleaning Standards
19 established and updated by the County Health Officer in Order No. C19-04, or provide access
20 to the Residential Hotel by a City contracted cleaning service;

21 (3) Provide the SRO Resident with written information about the Resident's
22 ability to be transferred to an I/Q Hotel Room, to receive meals and other services during the
23 resident's placement in an I/Q Hotel Room, and subsequent right to return to the Resident's
24 Residential Unit, which information the Resident may provide to the Residential Hotel Owner
25 or Operator;

1 (4) As soon as feasible but not more than 12 hours after receiving such
2 confirmation, provide necessary face coverings to all SRO Residents who occupy or access
3 parts of the Residential Hotel that have been occupied or accessed by people who may have
4 had exposure to COVID-19 within the prior 14 days, and to all workers who access the same
5 areas to provide services on-site.

6 (h) During any period in which an SRO Resident has been placed by DPH in an I/Q
7 Hotel Room, the Owner or Operator of the SRO from which the resident was transferred shall
8 not enter the SRO Resident’s unit except to address conditions that pose an immediate threat
9 to the health or safety of other SRO Residents.

10 (i) Within three days of the effective date of this emergency ordinance, DPH shall
11 establish a COVID-19 telephone hotline for SRO Residents to ask questions about accessing
12 COVID-19 health screenings, testing, and I/Q Hotel Rooms, including for those SRO
13 Residents without access to a health care provider. The SRO Hotline shall provide
14 interpreters to permit communication with persons who have limited English proficiency.
15 Persons who call the SRO Hotline may be screened for symptoms and referred to a
16 neighborhood-based and culturally competent medical provider for testing.

17 (j) To protect the health and safety of SRO Residents and the public, all persons,
18 including but not limited to, Residential Hotel Operators, staff, SRO Residents, essential
19 workers, repair people, in-home care workers, and delivery workers, shall comply with social
20 distancing requirements and wear face coverings in the common areas of Residential Hotels.
21 ~~The City shall provide face coverings to all SRO Residents and Residential Hotel employees~~
22 ~~who lack face coverings.~~

23 (k) Failure to comply with County Health Officer Orders regarding social distancing
24 and face coverings is punishable by fine, imprisonment, or both.

1 (l) To the extent consistent with state and federal laws governing the confidentiality
2 of medical information, DPH shall produce the following data on a daily basis for inclusion in
3 the City's Data Tracker:

4 (1) The total number of residential hotels citywide with confirmed COVID-19
5 cases; and

6 (2) The total number of confirmed positive COVID-19 cases in San
7 Francisco, and the rate of cases by population size in San Francisco organized by zip code;

8 (3) The total number of SRO Residents who have completed an isolation or
9 quarantine stay in one of the City's I/Q Hotel Rooms; and

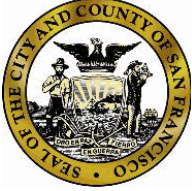
10 (4) The total number of SRO Residents who have died due to complications
11 from the COVID-19 virus.

12
13 Section 4. Undertaking for the General Welfare.

14 In enacting and implementing this emergency ordinance, the City is assuming an
15 undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its
16 officers and employees, an obligation for breach of which it is liable in money damages to any
17 person who claims that such breach proximately caused injury. This emergency ordinance
18 does not create a legally enforceable right by any member of the public against the City.

19
20 Section 5. Severability.

21 If any section, subsection, sentence, clause, phrase, or word of this emergency
22 ordinance, or any application thereof to any person or circumstance, is held to be invalid or
23 unconstitutional by a decision of a court of competent jurisdiction, such decision shall not
24 affect the validity of the remaining portions or applications of the ordinance. The Board of
25 Supervisors hereby declares that it would have passed this ordinance and each and every



City and County of San Francisco
Tails
Ordinance

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

File Number: 200456

Date Passed: May 19, 2020

Emergency ordinance to establish protections for occupants of residential hotels (“SRO Residents”) during the COVID-19 pandemic by, among other things: making it City policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation or quarantine established by the County Health Officer, and requiring the Department of Public Health to develop a protocol to assist health care providers to identify SRO Residents who may require protection against or treatment for COVID-19; notify the operator of a residential hotel when an SRO Resident has tested positive for COVID-19 to facilitate contact tracing, testing for COVID-19, and cleaning; establish a telephone hotline for SRO Residents to respond to questions about accessing COVID-19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO Residents and workers in residential hotels; and provide daily aggregate data concerning the incidence of COVID-19 among SRO Residents, access to quarantine rooms by such residents, and the number of such residents who have died due to complications from COVID-19.

May 18, 2020 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

May 18, 2020 Land Use and Transportation Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

May 19, 2020 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

May 19, 2020 Board of Supervisors - FINALLY PASSED AS AMENDED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 200456

I hereby certify that the foregoing Ordinance was FINALLY PASSED AS AMENDED on 5/19/2020 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



London N. Breed
Mayor



Date Approved

Member, Board of Supervisors
District 3



City and County of San Francisco

AARON PESKIN

DATE: August 13, 2020

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Aaron Peskin, Chair, Land Use and Transportation
Committee

RE: Land Use and Transportation Committee
COMMITTEE REPORTS

Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matters are of an urgent nature and request they be considered by the full Board on Tuesday, August 18, 2020, as Committee Reports:

**200763 Emergency Ordinance - Building Code - Construction During
COVID-19 Pandemic That Results in Temporary Suspension of
Water or Electricity Service or Excessive Noise**

Emergency ordinance to temporarily prohibit construction projects in buildings with any residential rental units that require the suspension of water or utility service to residential tenants without providing alternative sources of water and power, or reaching agreement with tenants, due to the COVID-19 pandemic.

**200764 Health Code - Cleaning and Disease Prevention Standards in
Tourist Hotels and Large Commercial Office Buildings**

Ordinance amending the Health Code to establish cleaning and disease prevention standards and practices in tourist hotels and large commercial office buildings to help contain COVID-19, or other contagious public health threats; to require training related to these standards for employees, provide certain protections to employees as they perform cleaning duties, and prohibit retaliation against employees for refusing to perform work under conditions they believe may be unsafe or for reporting such conditions or exercising rights protected by the Ordinance; authorizing the Office of Labor Standards Enforcement to enforce the employee rights and protections under the ordinance; and to provide for administrative enforcement by the Department of Public Health, and for financial penalties and civil actions as authorized by City and state law.

COMMITTEE REPORT MEMORANDUM

Land Use and Transportation Committee

200762 Emergency Ordinance - Protections for Occupants of Residential Hotels During COVID-19 Pandemic

Reenactment of emergency ordinance (Ordinance No. 84-20) to establish protections for occupants of residential hotels (“SRO Residents”) during the COVID-19 pandemic by, among other things: making it City policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation or quarantine established by the County Health Officer, and requiring the Department of Public Health to: develop a protocol to assist health care providers to identify SRO Residents who may require protection against or treatment for COVID-19; notify the operator of a residential hotel when an SRO Resident has tested positive for COVID-19, to facilitate contact tracing, testing for COVID-19, and cleaning; establish a telephone hotline for SRO Residents, to respond to questions about accessing COVID-19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO Residents and workers in residential hotels; and provide daily aggregate data concerning the incidence of COVID-19 among SRO Residents, access to quarantine rooms by such residents, and the number of such residents who have died due to complications from COVID-19.

These matters will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, August 17, 2020, at 1:30 p.m.

/s/ Aaron Peskin

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Abigail Stewart-Kahn, Interim Director, Department of Homelessness and Supportive Housing
Dr. Grant Colfax, Director, Department of Public Health
Robert Collins, Executive Director, Rent Board

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: July 22, 2020

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Peskin on July 14, 2020:

File No. 200762

Reenactment of emergency ordinance (Ordinance No. 84-20) to establish protections for occupants of residential hotels ("SRO Residents") during the COVID-19 pandemic by, among other things: making it City policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation or quarantine established by the County Health Officer, and requiring the Department of Public Health to: develop a protocol to assist health care providers to identify SRO Residents who may require protection against or treatment for COVID-19; notify the operator of a residential hotel when an SRO Resident has tested positive for COVID-19, to facilitate contact tracing, testing for COVID-19, and cleaning; establish a telephone hotline for SRO Residents, to respond to questions about accessing COVID-19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO Residents and workers in residential hotels; and provide daily aggregate data concerning the incidence of COVID-19 among SRO Residents, access to quarantine rooms by such residents, and the number of such residents who have died due to complications from COVID-19.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: erica.major@sfgov.org.

cc: Dylan Schneider, Department of Homelessness and Supportive Housing
Emily Cohen, Department of Homelessness and Supportive Housing
Greg Wagner, Department of Public Health
Dr. Naveena Bobb, Department of Public Health
Sneha Patil, Department of Public Health

From: [Diana Flores](#)
To: [Angulo, Sunny \(BOS\)](#); [gfujioka](#); [Major, Erica \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Preston, Dean \(BOS\)](#)
Cc: [Diana Alonzo](#); [Pratibha Tekkey](#); [Sara Shortt](#); [DPH-jessica](#); [Freddy Martin](#); [Juan Garcia](#); [Matthias Mormino](#)
Subject: RE: Community statement in support of renewal of Emergency SRO Safety Ordinance (Item 1)
Date: Monday, August 17, 2020 2:11:59 PM

Thank you for moving this forward. We are experiencing some challenges in being able to offer public comment.

Diana R. Flores
Director of Community Engagement and Organizing Programs
Dolores Street Community Services
[938 Valencia Street, San Francisco, CA 94110](#)
T: [\(415\)282-6209 ext 154](#) | F: [\(415\)282-2826](#)

From: [Angulo, Sunny \(BOS\)](#)
Sent: Monday, August 17, 2020 2:10 PM
To: [gfujioka](#); [Major, Erica \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Preston, Dean \(BOS\)](#)
Cc: [Diana Flores](#); [Diana Alonzo](#); [Pratibha Tekkey](#); [Sara Shortt](#); [DPH-jessica](#); [Freddy Martin](#); [Juan Garcia](#); [Matthias Mormino](#)
Subject: RE: Community statement in support of renewal of Emergency SRO Safety Ordinance (Item 1)

Thank you, Gen.

From: Gen Fujioka <gfujioka@chinatowncdc.org>
Sent: Monday, August 17, 2020 1:31 PM
To: Major, Erica (BOS) <erica.major@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>
Cc: Diana Flores <dflores@dscs.org>; Diana Alonzo <dalonzo@dscs.org>; Pratibha Tekkey <pratibha@thclinic.org>; Sara Shortt <sshortt@chp-sf.org>; DPH-jessica <jessica@sdaction.org>; Freddy Martin <freddy@sdaction.org>; Juan Garcia <juan.garcia@chinatowncdc.org>; Matthias Mormino <matthias.mormino@chinatowncdc.org>; Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>
Subject: Community statement in support of renewal of Emergency SRO Safety Ordinance (Item 1)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Chair Peskin and Supervisors Safai and Preston:

We thank the Chair and the Committee for considering a renewal of the emergency order regarding SROs.

We are appreciative of the efforts of DPH staff to implement certain elements of the original order. However, we are concerned to learn that the Department is requesting an amendment to water down a key component of the legislation. The existing order requires that buildings with a test positive resident be provided with building wide testing. The Department instead seeks to only offer building wide testing when the agency determines it is appropriate -- eliminating any deadlines or specific criteria.

What is especially troubling about this proposal is that DPH has until now ignored the ordinance's other core requirement that they provide to the public daily updated data on SRO cases and deaths. Updated data reporting is essential to enable our communities to respond to test results and protect vulnerable residents. Instead, we not seen any aggregate data on SRO cases until last week.

This past Thursday, after more than two months after the order came into effect, the department presented data that there have been 538 test positive cases in SROs in 121 buildings and there have been 5 deaths (3 in the TL, 1 in Chinatown, and 1 in SOMA). This report shows substantial change since the data presented at this committee in May reporting 144 cases in 52 buildings and one death.

This belated new data makes clear: *SRO cases are increasing and the infections are putting more lives at risk.*

The new data also shows that the emergency ordinance has begun to serve its purpose of enhanced testing in SROs. Pursuant to the mandate of the ordinance the department's staff conducted site focused tests at 18 SRO buildings. Of the 1156 SRO residents tested, a stunning 23.5% tested positive. In some of those tested buildings more than 40 residents became infected. Many of those who tested positive were essential workers in the service sector or construction or who shared rooms with those workers.

Given these results, the high concentration People of Color, seniors, persons with disabilities, and very low income households living in SROs, and the widely predicted Fall surge in cases, *this is no time to scale back on testing.*

It is also essential that DPH fully and timely disclose all data and analysis about the expanding infections in our City's SROs so we can do more to prevent more illnesses and deaths. Our communities cannot be full partners with the Department without more timely information and data about the progression of this disease.

The continuing rise in SRO cases underscores the urgent need for the City to do more to invest in community based initiatives to outreach to prevent COVID19 outbreaks in SROs. DPH has reported that it has encountered challenges in implementing expanded testing, contact tracing, and moving infected residents to quarantine units. At least some of those challenges

are understandable given the limitations of the agency's own language capacities, staffing constraints, and resident fears. While volunteer efforts particularly in the Mission and recently in Chinatown have filled in some gaps we urge the Department to do more to sustain and increase community capacity to address what we all recognize is still a long and difficult road ahead.

For all these reasons we urge the Board to renew and reinforce the urgency of compliance with the SRO emergency order.

Sincerely,

Central City SRO Collaborative
Mission SRO Collaborative
SRO Families United Collaborative
Chinatown Community Development Center
Community Housing Partnership
Senior and Disability Action

From: [Gen Fujioka](#)
To: [Major, Erica \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Preston, Dean \(BOS\)](#)
Cc: [Diana Flores](#); [Diana Alonzo](#); [Pratibha Tekkey](#); [Sara Shortt](#); [DPH-jessica](#); [Freddy Martin](#); [Juan Garcia](#); [Matthias Mormino](#); [Angulo, Sunny \(BOS\)](#)
Subject: Community statement in support of renewal of Emergency SRO Safety Ordinance (Item 1)
Date: Monday, August 17, 2020 1:31:46 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Chair Peskin and Supervisors Safai and Preston:

We thank the Chair and the Committee for considering a renewal of the emergency order regarding SROs.

We are appreciative of the efforts of DPH staff to implement certain elements of the original order. However, we are concerned to learn that the Department is requesting an amendment to water down a key component of the legislation. The existing order requires that buildings with a test positive resident be provided with building wide testing. The Department instead seeks to only offer building wide testing when the agency determines it is appropriate -- eliminating any deadlines or specific criteria.

What is especially troubling about this proposal is that DPH has until now ignored the ordinance's other core requirement that they provide to the public daily updated data on SRO cases and deaths. Updated data reporting is essential to enable our communities to respond to test results and protect vulnerable residents. Instead, we not seen any aggregate data on SRO cases until last week.

This past Thursday, after more than two months after the order came into effect, the department presented data that there have been 538 test positive cases in SROs in 121 buildings and there have been 5 deaths (3 in the TL, 1 in Chinatown, and 1 in SOMA). This report shows substantial change since the data presented at this committee in May reporting 144 cases in 52 buildings and one death.

This belated new data makes clear: *SRO cases are increasing and the infections are putting more lives at risk.*

The new data also shows that the emergency ordinance has begun to serve its purpose of enhanced testing in SROs. Pursuant to the mandate of the ordinance the department's staff conducted site focused tests at 18 SRO buildings. Of the 1156 SRO residents tested, a stunning 23.5% tested positive. In some of those tested buildings more than 40 residents became infected. Many of those who tested positive were essential workers in the service sector or construction or who shared rooms with those workers.

Given these results, the high concentration People of Color, seniors, persons with disabilities, and very low income households living in SROs, and the widely predicted Fall surge in cases, *this is no time to scale back on testing.*

It is also essential that DPH fully and timely disclose all data and analysis about the expanding infections in our City's SROs so we can do more to prevent more illnesses and deaths. Our

communities cannot be full partners with the Department without more timely information and data about the progression of this disease.

The continuing rise in SRO cases underscores the urgent need for the City to do more to invest in community based initiatives to outreach to prevent COVID19 outbreaks in SROs. DPH has reported that it has encountered challenges in implementing expanded testing, contact tracing, and moving infected residents to quarantine units. At least some of those challenges are understandable given the limitations of the agency's own language capacities, staffing constraints, and resident fears. While volunteer efforts particularly in the Mission and recently in Chinatown have filled in some gaps we urge the Department to do more to sustain and increase community capacity to address what we all recognize is still a long and difficult road ahead.

For all these reasons we urge the Board to renew and reinforce the urgency of compliance with the SRO emergency order.

Sincerely,

Central City SRO Collaborative
Mission SRO Collaborative
SRO Families United Collaborative
Chinatown Community Development Center
Community Housing Partnership
Senior and Disability Action

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

LAND USE AND TRANSPORTATION COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Aaron Peskin, Chair, Land Use and Transportation Committee

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: August 17, 2020

SUBJECT: **NO COMMITTEE REPORT, BOARD MEETING**
Tuesday, August 18, 2020

The following file should not be presented as a **COMMITTEE REPORT** at the Board meeting, Tuesday, August 18, 2020. This item was acted upon at the Committee Meeting on Monday, August 17, 2020, at 1:30 p.m., by the votes indicated.

Item No. 34 **File No. 200762**

Reenactment of emergency ordinance (Ordinance No. 84-20) to establish protections for occupants of residential hotels ("SRO Residents") during the COVID-19 pandemic by, among other things: making it City policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation or quarantine established by the County Health Officer, and requiring the Department of Public Health to: develop a protocol to assist health care providers to identify SRO Residents who may require protection against or treatment for COVID-19; notify the operator of a residential hotel when an SRO Resident has tested positive for COVID-19, to facilitate contract tracing, testing for COVID-19, and cleaning; establish a telephone hotline for SRO Residents, to respond to questions about accessing COVID-19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO Residents and workers in residential hotels; and provide daily aggregate data concerning the incidence of COVID-19 among SRO Residents, access to quarantine rooms by such residents, and the number of such residents who have died due to complications from COVID-19.

CONTINUED TO THE CALL OF THE CHAIR

Vote: Supervisor Aaron Peskin - Aye
Supervisor Ahsha Safai - Aye
Supervisor Dean Preston - Aye

c: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy
Anne Pearson, Deputy City Attorney
Kristen Jensen, Deputy City Attorney

Member, Board of Supervisors
District 3



City and County of San Francisco

AARON PESKIN

DATE: August 27, 2020

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Aaron Peskin, Chair, Land Use and Transportation
Committee

RE: Land Use and Transportation Committee
COMMITTEE REPORTS

Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matters are of an urgent nature and request they be considered by the full Board on Tuesday, September 1, 2020, as Committee Reports:

**200762 Emergency Ordinance - Protections for Occupants of
Residential Hotels During COVID-19 Pandemic**

Reenactment of emergency ordinance (Ordinance No. 84-20) to establish protections for occupants of residential hotels (“SRO Residents”) during the COVID-19 pandemic by, among other things: making it City policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation or quarantine established by the County Health Officer, and requiring the Department of Public Health to: develop a protocol to assist health care providers to identify SRO Residents who may require protection against or treatment for COVID-19; notify the operator of a residential hotel when an SRO Resident has tested positive for COVID-19, to facilitate contact tracing, testing for COVID-19, and cleaning; establish a telephone hotline for SRO Residents, to respond to questions about accessing COVID-19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO Residents and workers in residential hotels; and provide daily aggregate data concerning the incidence of COVID-19 among SRO Residents, access to quarantine rooms by such residents, and the number of such residents who have died due to complications from COVID-19.

COMMITTEE REPORT MEMORANDUM

Land Use and Transportation Committee

**200764 Health Code - Cleaning and Disease Prevention Standards in
Tourist Hotels and Large Commercial Office Buildings**

Ordinance amending the Health Code to establish cleaning and disease prevention standards and practices in tourist hotels and large commercial office buildings to help contain COVID-19, or other contagious public health threats; to require training related to these standards for employees, provide certain protections to employees as they perform cleaning duties, and prohibit retaliation against employees for refusing to perform work under conditions they believe may be unsafe or for reporting such conditions or exercising rights protected by the Ordinance; authorizing the Office of Labor Standards Enforcement to enforce the employee rights and protections under the ordinance; and to provide for administrative enforcement by the Department of Public Health, and for financial penalties and civil actions as authorized by City and state law.

These matters will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, August 31, 2020, at 1:30 p.m.

/s/ Aaron Peskin

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):

Supervisor Peskin

Subject:

[Emergency Ordinance - Protections for Occupants of Residential Hotels During COVID-19 Pandemic]

The text is listed:

Reenactment of emergency ordinance (Ord. No. 84-20) to establish protections for occupants of residential hotels ("SRO Residents") during the COVID-19 pandemic by, among other things: making it City policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation or quarantine established by the County Health Officer, and requiring the Department of Public Health to: develop a protocol to assist health care providers to identify SRO Residents who may require protection against or treatment for COVID-19; notify the operator of a residential hotel when an SRO Resident has tested positive for COVID-19, to facilitate contract tracing, testing for COVID-19, and cleaning; establish a telephone hotline for SRO Residents, to respond to questions about accessing COVID-19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO Residents and workers in residential hotels; and provide daily aggregate data concerning the incidence of COVID-19 among SRO Residents, access to quarantine rooms by such residents, and the number of such residents who have died due to complications from COVID-19.

Signature of Sponsoring Supervisor:

AK.

For Clerk's Use Only