

FILE NO. 201286

Petitions and Communications received from November 5, 2020, through November 12, 2020, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 17, 2020.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Office of the Mayor, pursuant to Charter, Section 3.100(18), making the following reappointments to the Arts Commission: Copy: Each Supervisor. (1)

- **Charles Collins** - term ending January 15, 2024
- **Marcus Shelby** - term ending January 15, 2024
- **JD Beltran** - term ending January 15, 2024
- **Nabiel Musleh** - term ending January 15, 2024

From the Department of Public Health, submitting implementation of temporary rollbacks to Directive of the Health Officer Nos. 2020-32b, 2020-16b, 2020-18b, 2020-29c, 2020-31b, and 2020-35, and an amended Order of the Health Officer No. C19-07n. Copy: Each Supervisor. (2)

From the Office of the City Attorney, pursuant to Administrative Code, Section 5.44-2(b)(11), making the following appointment to the Mental Health SF Implementation Working Group: Copy: Each Supervisor. (3)

- **Kara Chien** - term ending June 1, 2022

From the City Administrator, Capital Planning Committee, pursuant to Administrative Code, Section 3.21, submitting a recommendation of approval for the Earthquake Safety and Emergency Response (ESER) General Obligation Bonds, 2020; and the Mission Rock Special Tax Bonds. Copy: Each Supervisor. (4)

From the Office of the Controller, submitting the monthly status update on the City and County of San Francisco's Give2SF COVID-19 Response and Recovery Fund, dated November 4, 2020. Copy: Each Supervisor. (5)

From the Office of the Controller's City Services Auditor, submitting a report, entitled "Public Integrity Review: Preliminary Assessment - San Francisco's Debarment Process." Copy: Each Supervisor. (6)

From the Department of Elections, submitting an update on the November 3, 2020, Consolidated General Election. 5 letters. Copy: Each Supervisor. (7)

From the San Francisco Unified School District, pursuant to California Education Code, Section 1240(c)(2)(F), submitting the Annual Williams Report. Copy: Each Supervisor. (8)

From the Office of the Controller, pursuant to Charter, Section 3.105, submitting the Fiscal Year 2020-2021 3-Month Budget Status Report. Copy: Each Supervisor. (9)

From the Department of Public Health and Department of Emergency Management, submitting a response to the disproportionate COVID-19 death rate for the Asian Pacific Islander Americans (API) Community letter of inquiry. Copy: Each Supervisor. (10)

From the California Public Utilities Commission, submitting notice of a project from Verizon Wireless. Copy: Each Supervisor. (11)

From Rachael Tanner, submitting letter of resignation from the Board of Appeals. Copy: Each Supervisor. (12)

From the President of the Board of Supervisors, pursuant to Charter, Section 4.106, making the following nomination to the Board of Appeals: Copy: Each Supervisor. (13)

- **Tina Chang** - term ending July 1, 2022

From Austin Hunter, regarding the proposed Mayoral Appointment to the Treasure Island Development Authority Board of Directors - Julia Prochnik. File No. 201038. Copy: Each Supervisor. (14)

From Ellen Lee Zhou, regarding businesses operating during the COVID-19 pandemic. Copy: Each Supervisor. (15)

From concerned citizens, regarding proposed the Ordinance amending the Administrative Code - Eviction of Commercial Tenants During COVID-19 Pandemic. File No. 201056. 5 letters. Copy: Each Supervisor. (16)

From Allen Jones, regarding the Justin Herman plaque removal and challenges to appeals for projects. 2 letters. Copy: Each Supervisor. (17)

From concerned citizens, regarding the proposed Ordinance amending the Building Code and Environment Code - Mandating New Construction Be All-Electric. File No. 200701. 2 letters. Copy: Each Supervisor. (18)

From the Black Employee Alliance, regarding the launch of an independent review of the City's Equal Employment Opportunity practices to prevent workplace discrimination. Copy: Each Supervisor. (19)

From Eileen Boken, regarding the proposed Resolution regarding Condemning Recent Attacks on Board of Education Members. File No. 201269. Copy: Each Supervisor. (20)

From concerned citizens, regarding proposed the Ordinance amending the Business and Tax Regulations Code - Temporary Suspension of Cannabis Business Tax, and Tax Reduction. File No. 201009. 2 letters. Copy: Each Supervisor. (21)

From concerned citizens, regarding the Hearing on the Appeal of Statutory Exemption From Environmental Review - Proposed SFMTA's COVID-19 Muni Bus Service Adjustments and Associated Stop, Street and Parking Changes - August 22, 2020 Project; Hearing - Appeal of Statutory Exemption From Environmental Review - Proposed MTA's COVID-19 Muni Rail Service Adjustments and Associated Street and Parking Changes - August 22, 2020, and Fall 2020 Project. File Nos. 201112 and 201116. 4 letters. Copy: Each Supervisor. (22)

From concerned citizens, regarding the Hearing and Committee of the Whole regarding the Shelter-in-Place Rehousing and Site Demobilization Plan on November 10, 2020, at 3:00 p.m. File No. 201234. 2 letters. Copy: Each Supervisor. (23)

From Christian Altick, regarding tents and trash on the Great Highway and Balboa Street. Copy: Each Supervisor. (24)

From Ajay Tahkur, regarding the Good Food Purchasing Program. Copy: Each Supervisor. (25)

From Bob Planthold, regarding a Better Market Street. Copy: Each Supervisor. (26)

From Hotel Council SF, regarding San Francisco County Transportation Authority Congestion pricing. Copy: Each Supervisor. (27)

From Mary Louise Donnici, regarding a tax collector drop box at City Hall. Copy: Each Supervisor. (28)

From Jeff Welch, regarding using pressure washers and not handheld garden hoses to conserve water. Copy: Each Supervisor. (29)

From Jim Grossman, regarding Whole Foods occupancy at the City Center Shopping Center. File No. 201127. Copy: Each Supervisor. (30)

From concerned citizens, regarding the proposed Ordinance amending the Administrative Code - Permanent Supportive Housing - Rent Contribution Standard. File No. 201185. 5 letters. Copy: Each Supervisor. (31)

**From:** [Mchugh, Eileen \(BOS\)](#)  
**To:** [Hickey, Jacqueline \(BOS\)](#)  
**Subject:** FW: TIME SENSITIVE: Mayoral Reappointment 3.100(18) - Arts Commission  
**Date:** Friday, November 13, 2020 11:18:19 AM  
**Attachments:** [Clerk's Memo 11.12..2020.pdf](#)  
[nabielresume\\_final.pdf](#)  
[2020-Nabiel Musleh-Annual 700.pdf](#)  
[2020-Nabiel Musleh-ARTS-Appt Letter.pdf](#)  
[2020-Marcus Shelby-Annual F700.pdf](#)  
[2020-Marcus Shelby-ARTS-Appt Letter.pdf](#)  
[2020-Marcus Shelby-Bio.pdf](#)  
[2020-Chuck Collins-Annual F700.pdf](#)  
[2020-Chuck Collins-ARTS-Appt Letter.pdf](#)  
[2020-Chuck Collins-Bio.doc](#)  
[2020-JD Beltran-Annual F700.pdf](#)  
[2020-JD Beltran-ARTS-Appt Letter.pdf](#)  
[2020-JD Beltran-Resume.pdf](#)

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**From:** Mchugh, Eileen (BOS)  
**Sent:** Thursday, November 12, 2020 8:14 PM  
**To:** BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative\_aides@sfgov.org>; BOS-Administrative Aides <bos-administrative-aides@sfgov.org>  
**Cc:** Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Young, Victor (BOS) <victor.young@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Kittler, Sophia (MYR) <sophia.kittler@sfgov.org>; Peacock, Rebecca (MYR) <rebecca.peacock@sfgov.org>; PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>  
**Subject:** TIME SENSITIVE: Mayoral Reappointment 3.100(18) - Arts Commission

Hello,

The Office of the Mayor submitted the attached complete reappointment packages pursuant to Charter, Section 3.100(18). Please see the memo from the Clerk of the Board for more information and instructions.

Thank you,

Eileen McHugh  
 Executive Assistant  
 Board of Supervisors

**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**

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**MEMORANDUM**

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Date: November 12, 2020  
To: Members, Board of Supervisors  
From: *ACC* Angela Calvillo, Clerk of the Board  
Subject: Mayoral Reappointments - Arts Commission

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On November 12, 2020, the Mayor submitted the following complete reappointment packages to the Arts Commission pursuant to Charter, Section 3.100(18). Appointments in this category are effective immediately unless rejected by a two-thirds vote of the Board of Supervisors within 30 days.

- Charles Collins - term ending January 15, 2024.
- Marcus Shelby - term ending January 15, 2024.
- JD Beltran - term ending January 15, 2024.
- Nabil Musleh - term ending January 15, 2024.

Pursuant to Board Rule 2.18.3, a Supervisor may request a hearing on a Mayoral appointment by timely notifying the Clerk in writing.

Upon receipt of such notice, the Clerk shall refer the appointment to the Rules Committee so that the Board may consider the appointment and act within 30 days of the appointment as provided in Charter, Section 3.100(18).

If you would like to hold a hearing on any of these reappointments, please notify me in writing by **12:00 p.m. on Wednesday November 18, 2020.**

c: Hillary Ronen - Rules Committee Chair  
Alisa Somera - Legislative Deputy  
Victor Young - Rules Clerk  
Anne Pearson - Deputy City Attorney  
Sophia Kittler - Mayor's Legislative Liaison



## Notice of Reappointment

November 12, 2020

San Francisco Board of Supervisors  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Honorable Board of Supervisors,

Pursuant to Charter Section 3.100(18), of the City and County of San Francisco, I make the following reappointment:

**Charles Collins** to the Arts Commission for a four-year term ending January 15, 2024.

I am confident that Mr. Collins will continue to serve our community well. Attached are his qualifications to serve, which demonstrate how his appointment represents the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any question about this appointment, please contact my Director of Commission Affairs, Tyra Fennell, at 415-554-6696.

Sincerely,

A handwritten signature in blue ink, reading "London N. Breed".

London N. Breed  
Mayor, City and County of San Francisco



## Notice of Reappointment

November 12, 2020

San Francisco Board of Supervisors  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Honorable Board of Supervisors,

Pursuant to Charter Section 3.100(18), of the City and County of San Francisco, I make the following reappointment:

**Marcus Shelby** to the Arts Commission for a four-year term ending January 15, 2024.

I am confident that Mr. Shelby will continue to serve our community well. Attached are his qualifications to serve, which demonstrate how his appointment represents the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any question about this appointment, please contact my Director of Commission Affairs, Tyra Fennell, at 415-554-6696.

Sincerely,

A handwritten signature in blue ink, reading "London N. Breed".

London N. Breed  
Mayor, City and County of San Francisco

OFFICE OF THE MAYOR  
SAN FRANCISCO



LONDON N. BREED  
MAYOR

## Notice of Reappointment

November 12, 2020

San Francisco Board of Supervisors  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Honorable Board of Supervisors,

Pursuant to Charter Section 3.100(18), of the City and County of San Francisco, I make the following reappointment:

**JD Beltran** to the Arts Commission for a four-year term ending January 15, 2024.

I am confident that Ms. Beltran will continue to serve our community well. Attached are her qualifications to serve, which demonstrate how her appointment represents the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any question about this appointment, please contact my Director of Commission Affairs, Tyra Fennell, at 415-554-6696.

Sincerely,

A handwritten signature in blue ink, reading "London N. Breed".

London N. Breed  
Mayor, City and County of San Francisco





## Notice of Reappointment

November 12, 2020

San Francisco Board of Supervisors  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Honorable Board of Supervisors,

Pursuant to Charter Section 3.100(18), of the City and County of San Francisco, I make the following reappointment:

**Nabiel Musleh** to the Arts Commission for a four-year term ending January 15, 2024.

I am confident that Mr. Musleh will continue to serve our community well. Attached are his qualifications to serve, which demonstrate how his appointment represents the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any question about this appointment, please contact my Director of Commission Affairs, Tyra Fennell, at 415-554-6696.

Sincerely,

A handwritten signature in blue ink, reading "London N. Breed".

London N. Breed  
Mayor, City and County of San Francisco



# City and County of San Francisco

# Department of Public Health Health Officer Directive

*San Francisco is experiencing a rapid and significant surge of COVID-19 cases. Accordingly, beginning at 11:59 p.m. on November 13, 2020, and until there is a further order of the Health Officer, indoor restaurants and cafes within museums, aquariums, and zoos must temporarily cease operating for indoor dining (although they may operate for outdoor dining and take-out). See Sections 11 & 17 of Appendix C1 to Health Officer Order No. C19-07n. To the extent of any conflict or inconsistency with any other provision of this directive or guidance, this requirement controls.*

## DIRECTIVE OF THE HEALTH OFFICER No. 2020-32b

### DIRECTIVE OF THE HEALTH OFFICER OF THE CITY AND COUNTY OF SAN FRANCISCO REGARDING REQUIRED BEST PRACTICES FOR INDOOR MUSEUMS, ZOOS, AND AQUARIUMS

#### (PUBLIC HEALTH DIRECTIVE)

DATE OF DIRECTIVE: November 3, 2020

By this Directive, the Health Officer of the City and County of San Francisco (the “Health Officer”) issues industry-specific direction that indoor museums, zoos, and aquariums, as described below, must follow as part of the local response to the Coronavirus Disease 2019 (“COVID-19”) pandemic. This Directive constitutes industry-specific guidance as provided under Sections 4.e and 11 of Health Officer Order No. C19-07m issued on November 3, 2020 (the “Stay-Safer-At-Home Order”) and, unless otherwise defined below, initially capitalized terms used in this Directive have the same meaning given them in that order. This Directive goes into effect immediately, and remains in effect until suspended, superseded, or amended by the Health Officer. This Directive has support in the bases and justifications set forth in the Stay-Safer-At-Home Order. As further provided below, this Directive automatically incorporates any revisions to the Stay-Safer-At-Home Order or other future orders issued by the Health Officer that supersede that order or reference this Directive. This Directive is intended to promote best practices as to Social Distancing Requirements and sanitation measures, helping prevent the transmission of COVID-19 and safeguard the health of workers, customers, and the community.

**UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE  
SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER DIRECTS AS  
FOLLOWS:**

1. This Directive applies to all owners, operators, managers, and supervisors of any museum, zoo, or aquarium that opens indoor galleries, exhibits, other indoor space (“Indoor Museum”).
2. Before it opens any indoor space to the public, or allows Personnel onsite, each Indoor Museum must create, adopt, and implement a written health and safety plan (a “Health and Safety Plan”) that covers each issue identified in Section 17(b) of Appendix C-1 of the Stay-Safer-At-Home Order. The Health and Safety Plan must conform to the requirements posted by the Department of Public Health (“DPH”) in the Indoor Museum Plan template, located at <https://www.sfdph.org/dph/alerts/covid-guidance/Museums-Zoos-Aquariums-HSP.pdf>.



## City and County of San Francisco

## Department of Public Health Health Officer Directive

### Health Officer Directive No. 2020-32b

3. Each Indoor Museum must (a) submit the Health and Safety Plan to DPH at [healthplan@sfcityattty.org](mailto:healthplan@sfcityattty.org), (b) provide a summary of the Health and Safety Plan to all Personnel working on site or otherwise in the City in relation to its operations and make the Health and Safety Plan available to Personnel upon request, (c) make the plan available to the public on its website on a permanent URL (the URL must be included when the plan is submitted to DPH), and (d) post the Health and Safety Plan at each entrance to any physical business site within the City. Also, each Indoor Museum must provide a copy of the Health and Safety Plan and evidence of its implementation to any authority enforcing this Directive upon demand.
4. Attached as Exhibit A to this Directive is a list of best practices that apply to Indoor Museums (the “Best Practices”). Each Indoor Museum must comply with all of the relevant requirements listed in the Best Practices.
5. If an aspect, service, or operation of an Indoor Museum is also covered by another Health Officer directive (all of which are available at [www.sfdph.org/directives](http://www.sfdph.org/directives)), then the Indoor Museum must comply with all applicable directives, and it must complete all relevant Health and Safety Plan forms.
6. Each Indoor Museum subject to this Directive must provide items such as Face Coverings (as provided in Health Officer Order No. C19-12c issued on July 22, 2020, and any future amendment to that order), hand sanitizer or handwashing stations, or both, and disinfectant and related cleaning supplies to Personnel, all as required by the Best Practices. If any such Indoor Museum is unable to provide these required items or otherwise fails to comply with required Best Practices or fails to abide by its Health and Safety Plan, then it must cease operating until it can fully comply and demonstrate its strict compliance. Further, as to any non-compliant Indoor Museum, any such Indoor Museum is subject to immediate closure and the fines and other legal remedies described below, as a violation of the Stay-Safer-At-Home Order.
7. For purposes of this Directive, “Personnel” includes all of the following people who provide goods or services associated with an Indoor Museum: employees; contractors and sub-contractors (such as those who sell goods or perform services onsite or who deliver goods for the business); independent contractors; vendors who are allowed to sell goods onsite; volunteers; and other individuals who regularly provide services onsite at the request of the Indoor Museum. “Personnel” includes “gig workers” who perform work via the business’s app or other online interface, if any.
8. This Directive and the attached Best Practices may be revised by the Health Officer, through revision of this Directive or another future directive or order, as conditions relating to COVID-19 require, in the discretion of the Health Officer. Each Indoor Museum must stay updated regarding any changes to the Stay-Safer-At-Home Order and this Directive by checking the Department of Public Health website ([www.sfdph.org/directives](http://www.sfdph.org/directives)) regularly.
9. Implementation of this Directive augments—but does not limit—the obligations of each Indoor Museum under the Stay-Safer-At-Home Order including, but not limited to, the obligation to prepare, post, and implement a Social Distancing Protocol under Section 4.d and Appendix A of the Stay-Safer-At-Home Order. The



## City and County of San Francisco

## Department of Public Health Health Officer Directive

### Health Officer Directive No. 2020-32b

Indoor Museum must follow these industry-specific Best Practices and update them as necessary for the duration of this Directive, including, without limitation, as this Directive is amended or extended in writing by the Health Officer and consistent with any extension of the Stay-Safer-At-Home Order, any other order that supersedes that order, and any Health Officer order that references this Directive.

10. This Directive does not supersede or otherwise modify the requirements for Outdoor Museums, which are governed by Section (b)(1) of Appendix C-1 of the Stay-Safer-At-Home Order.
11. This Directive does not apply to indoor retail art galleries, which may operate pursuant to the In-Store Retail Directive, Health Officer Directive 2020-17, as that directive may be amended from time to time. The In-Store Retail Directive is available at <https://www.sfdph.org/dph/alerts/files/Directive-2020-17-Instore-Retail.pdf>.

This Directive is issued in furtherance of the purposes of the Stay-Safer-At-Home Order. Where a conflict exists between this Directive and any state, local, or federal public health order related to the COVID-19 pandemic, including, without limitation, the Social Distancing Protocol, the most restrictive provision controls. Failure to carry out this Directive is a violation of the Stay-Safer-At-Home Order, constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is a misdemeanor punishable by fine, imprisonment, or both.

A handwritten signature in blue ink that reads "Tomás Aragón".

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Tomás J. Aragón, MD, DrPH,  
Health Officer of the  
City and County of San Francisco

Date: November 3, 2020



*San Francisco is experiencing a rapid and significant surge of COVID-19 cases. Accordingly, beginning at 11:59 p.m. on November 13, 2020, and until there is a further order of the Health Officer, dining establishments (including restaurants and bars that serve meals) must temporarily cease operating for indoor dining. Dining establishments may operate for outdoor dining and take-out. See Section 11 of Appendix C1 to Health Officer Order No. C19-07n. To the extent of any conflict or inconsistency with any other provision of this directive or guidance, this requirement controls.*

**DIRECTIVE OF THE HEALTH OFFICER No. 2020-16d**

**DIRECTIVE OF THE HEALTH OFFICER OF  
THE CITY AND COUNTY OF SAN FRANCISCO REGARDING REQUIRED BEST  
PRACTICES FOR DINING ESTABLISHMENTS,  
INCLUDING OUTDOOR DINING AND INDOOR DINING**

**(PUBLIC HEALTH DIRECTIVE)**

DATE OF DIRECTIVE: November 3, 2020

By this Directive, the Health Officer of the City and County of San Francisco (the “Health Officer”) issues industry-specific direction that all dining establishments, as described below, must follow as part of the local response to the Coronavirus Disease 2019 (“COVID-19”) pandemic. This Directive constitutes industry-specific guidance as provided under Sections 4.e and 11 of Health Officer Order No. C19-07m issued on November 3, 2020 (the “Stay-Safer-At-Home Order”) and, unless otherwise defined below, initially capitalized terms used in this Directive have the same meaning given them in that order. This Directive goes into effect immediately, and remains in effect until suspended, superseded, or amended by the Health Officer. This Directive has support in the bases and justifications set forth in the Stay-Safer-At-Home Order. As further provided below, this Directive automatically incorporates any revisions to the Stay-Safer-At-Home Order or other future orders issued by the Health Officer that supersede that order or reference this Directive. This Directive is intended to promote best practices as to Social Distancing Requirements and sanitation measures, helping prevent the transmission of COVID-19 and safeguard the health of workers, patrons, and the community.

**UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE  
SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER DIRECTS AS  
FOLLOWS:**

- 1. This Directive allows Dining Establishments to offer both Indoor and Outdoor Dining, and attempts to mitigate the risk of community transmission by modifying behaviors consistent with the medical and scientific understanding of the virus. In order to minimize the risk, all protocols in this Directive and Best Practices must be followed. When dining, patrons remove their masks to eat and drink, and there is generally less ventilation indoors than outdoors, indoor dining presents a heightened risk of aerosol transmission of the virus. Accordingly, patrons are encouraged to choose Outdoor Dining or Take Out options where possible.**
- 2. This Directive is intended to enable safer restaurant-style dining, not large social gatherings or lengthy gatherings where individuals are not wearing Face Coverings. Patrons or other members of the public congregating in or around a Dining**



## City and County of San Francisco

## Department of Public Health Health Officer Directive

### Health Officer Directive No. 2020-16d

Establishment, particularly without following Social Distancing Requirements or wearing Face Coverings are at a heightened risk of community transmission.

3. This Directive applies to all owners, operators, managers, and supervisors of any restaurant, or bar that provides a bona fide meal, as defined below (each a “Dining Establishment”). Each Dining Establishment must have received the necessary permits to serve meals, including any permits necessary to serve food outdoors (e.g. Shared Spaces permit), or catering permits to serve food (e.g. DPH Pop Up permit). Any Dining Establishment that serves alcoholic beverages must also serve a bona fide meal, and comply with all of the following:
  - a. The sale of alcoholic beverages without a bona fide meal is prohibited, and each patron ordering an alcoholic beverage must also order a bona fide meal.
  - b. A “bona fide meal” means a sufficient quantity of food that it would constitute a main course. Dining Establishments should consult guidance from the State Department of Alcoholic Beverage Control on what constitutes a bona fide meal. <https://www.abc.ca.gov/what-is-required-to-be-considered-a-meal/>.
  - c. Bona fide meals must be prepared and served by the Dining Establishment or another person or business operating under an agreement with the Dining Establishment and appropriate permits from the San Francisco Department of Public Health (“DPH”). Dining Establishments offering bona fide meals prepared and served by another person or business in this manner must receive or coordinate all orders for food and alcoholic beverages. Orders and payment from patrons for alcohol and food must be received by the Dining Establishment, which may then pass on the food order and a portion of the payment to the meal provider.
4. Attached as Exhibit A to this Directive is a list of best practices that apply to all Dining Establishments (the “Best Practices”). Each Dining Establishment must comply with all of the relevant requirements listed in the Best Practices.
5. Before engaging in any activity under this Directive, each Dining Establishment must create, adopt, and implement a written health and safety plan (a “Health and Safety Plan”). The Health and Safety Plan must be substantially in the form attached to this Directive as Exhibit B.
6. Guidance from the Department of Public Health related to Outdoor and Indoor Dining is attached to this Directive as Exhibit C, and available at <http://www.sfdph.org/directives>.
7. If an aspect, service, or operation of a Dining Establishment is also covered by another Health Officer directive (all of which are available at <http://www.sfdph.org/directives>), including Health Officer Directive 2020-05 for Food Preparation or Delivery Essential Businesses, then the Dining Establishment must comply with all applicable directives, and it must complete all relevant Health and Safety Plan forms.





## **City and County of San Francisco**

## **Department of Public Health Health Officer Directive**

### **Health Officer Directive No. 2020-16d**

- 8. Each Dining Establishment must (a) post its Health and Safety Plan at the entrance or another prominent location of every physical location it operates within the City, (b) provide a copy of the Health and Safety Plan to Personnel, and (c) make the Health and Safety Plan available to members of the public on request. Also, each Dining Establishment must provide a copy of the Health and Safety Plan and evidence of its implementation to any authority enforcing this Directive upon demand.**
- 9. Each Dining Establishment subject to this Directive must provide items such as Face Coverings (as provided in Health Officer Order No. C19-12c issued on July 22, 2020, and any future amendment to that order), hand sanitizer or handwashing stations, or both, and disinfectant and related cleaning supplies to Personnel, all as required by the Best Practices. If any such Dining Establishment is unable to provide these required items or otherwise fails to comply with required Best Practices or fails to abide by its Health and Safety Plan, then it must cease operating until it can fully comply and demonstrate its strict compliance. Further, as to any non-compliant Dining Establishment, any such Dining Establishment is subject to immediate closure and the fines and other legal remedies described below, as a violation of the Stay-Safer-At-Home Order.**
- 10. For purposes of this Directive, “Personnel” includes all of the following people who provide goods or services associated with a Dining Establishment: employees; contractors and sub-contractors (such as those who sell goods or perform services onsite or who deliver goods for the business); independent contractors; vendors who are allowed to sell goods onsite; volunteers; and other individuals who regularly provide services onsite at the request of the Dining Establishment. “Personnel” includes “gig workers” who perform work via the business’s app or other online interface, if any.**
- 11. This Directive and the attached Best Practices may be revised by the Health Officer, through revision of this Directive or another future directive or order, as conditions relating to COVID-19 require, in the discretion of the Health Officer. Each Dining Establishment must stay updated regarding any changes to the Stay-Safer-At-Home Order and this Directive by checking the Department of Public Health website (<https://www.sfdph.org/directives>) regularly.**
- 12. Implementation of this Directive augments—but does not limit—the obligations of each Dining Establishment under the Stay-Safer-At-Home Order including, but not limited to, the obligation to prepare, post, and implement a Social Distancing Protocol under Section 4.d and Appendix A of the Stay-Safer-At-Home Order. The Dining Establishment must follow these industry-specific Best Practices and update them as necessary for the duration of this Directive, including, without limitation, as this Directive is amended or extended in writing by the Health Officer and consistent with any extension of the Stay-Safer-At-Home Order, any other order that supersedes that order, and any Health Officer order that references this Directive.**
- 13. Dining Establishments must allow City representatives immediate full access to the entire premises, including the kitchen, to inspect for compliance, including surprise inspections.**



## City and County of San Francisco

## Department of Public Health Health Officer Directive

### Health Officer Directive No. 2020-16d

14. A violation of any condition contained in a permit issued to a Dining Establishment by the Entertainment Commission is a violation of this Directive and the Stay-Safe-at-Home Order, and may be enforced as such.
15. Dining Establishments that fail to comply with this Directive, including, but not limited to, preventing large social gatherings or lengthy gatherings where individuals are not wearing Face Coverings other than when eating or drinking, create public nuisances and a menace to public health. Accordingly, Dining Establishments must not permit or allow such gatherings, whether on public or private property. Any Dining Establishment that permits or allows such gatherings is injurious to public health within the meaning of Business & Professions Code section 25601 and is subject to reporting to the California Department of Alcoholic Beverage Control. Patrons or other members of the public who violate these requirements are subject to citation per Cal. Penal Code section 148(a), S.F. Admin. Code section 7.17, S.F. Police Code section 21, and Cal. Business & Professions Code section 25620.

This Directive is issued in furtherance of the purposes of the Stay-Safer-At-Home Order. Where a conflict exists between this Directive and any state, local, or federal public health order related to the COVID-19 pandemic, including, without limitation, the Social Distancing Protocol, the most restrictive provision controls. Failure to carry out this Directive is a violation of the Stay-Safer-At-Home Order, constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is a misdemeanor punishable by fine, imprisonment, or both.

A handwritten signature in blue ink that reads "Tomás Aragón".

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Tomás J. Aragón, MD, DrPH,  
Health Officer of the  
City and County of San Francisco

Date: November 3, 2020





## City and County of San Francisco

## Department of Public Health Health Officer Directive

*San Francisco is experiencing a rapid and significant surge of COVID-19 cases. Accordingly, beginning at 11:59 p.m. on November 13, 2020, and until there is a further order of the Health Officer, on-site cafeterias and other food service facilities in office buildings must temporarily cease operating for indoor dining (although they may operate for outdoor dining and take-out, including for consumption by office workers outside, offsite or in their individual offices). See Section 11 of Appendix C1 to Health Officer Order No. C19-07n. To the extent of any conflict or inconsistency with any other provision of this directive or guidance, this requirement controls.*

### **DIRECTIVE OF THE HEALTH OFFICER No. 2020-18b**

### **DIRECTIVE OF THE HEALTH OFFICER OF THE CITY AND COUNTY OF SAN FRANCISCO REGARDING REQUIRED BEST PRACTICES FOR BUSINESSES OPERATING OFFICE FACILITIES**

#### **(PUBLIC HEALTH DIRECTIVE)**

DATE OF DIRECTIVE: October 27, 2020

By this Directive, the Health Officer of the City and County of San Francisco (the “Health Officer”) issues industry-specific direction that businesses operating Office Facilities, as described below, must follow as part of the local response to the Coronavirus Disease 2019 (“COVID-19”) pandemic. This Directive constitutes industry-specific guidance as provided under Section 4.e of Health Officer Order No. C19-07I, including as it may be revised or amended in the future, (the “Stay-Safer-At-Home Order”) and, unless otherwise defined below, initially capitalized terms used in this Directive have the same meaning given them in that order. This Directive goes into effect immediately upon issuance and remains in effect until suspended, superseded, or amended by the Health Officer. This Directive has support in the bases and justifications set forth in the Stay-Safer-At-Home Order. As further provided below, this Directive automatically incorporates any revisions to the Stay-Safer-At-Home Order or other future orders issued by the Health Officer that supersede that order or reference this Directive. This Directive is intended to promote best practices as to Social Distancing Requirements and sanitation measures, helping prevent the transmission of COVID-19 and safeguard the health of workers, customers, and the community.

**UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE  
SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER DIRECTS AS  
FOLLOWS:**

1. This Directive applies to all owners, operators, managers, and supervisors of any business operating in an indoor office facility and that are otherwise authorized to operate under the terms of the Stay-Safer-At-Home Order, including Essential Businesses, Outdoor Businesses, and Additional Businesses that operate, at least in part, within any office space (“Office Facilities”). For clarity, this Directive applies to Office Facilities operated by the County.
2. Attached as Exhibit A to this Directive is a list of best practices that apply to Office Facilities (the “Best Practices”). Each Office Facility must comply with all of the relevant requirements listed in the Best Practices.



## City and County of San Francisco

## Department of Public Health Health Officer Directive

### Health Officer Directive No. 2020-18b

3. Each Office Facility, before it begins to permit Personnel or members of the public onsite, must create, adopt, and implement a written health and safety plan (a "Health and Safety Plan"). The Health and Safety Plan must be substantially in the form attached to this Directive as Exhibit B.
4. Guidance from the Department of Public Health related to Office Facilities is attached to this Directive as Exhibit C and at [www.sfdph.org/directives](http://www.sfdph.org/directives).
5. If an aspect, service, or operation of the Office Facility is also covered by another Health Officer directive (all of which are available at [www.sfdph.org/directives](http://www.sfdph.org/directives)), then the Office Facility must comply with all applicable directives, and it must complete all relevant Health and Safety Plan forms.
6. Each Office Facility must (a) make the Health and Safety Plan available to a member of the public and Personnel on request, (b) provide a summary of the Health and Safety Plan to all Personnel working on site or otherwise in the City in relation to its operations, and (c) post the Health and Safety Plan at each entrance to any Office Facility within the City. Also, each Office Facility must provide a copy of the Health and Safety Plan and evidence of its implementation to any authority enforcing this Directive upon demand.
7. Each Office Facility subject to this Directive must provide items such as Face Coverings (as provided in Health Officer Order No. C19-12c issued on July 22, 2020, and any future amendment to that order), hand sanitizer or handwashing stations, or both, and disinfectant and related cleaning supplies to Personnel and to the public, all as required by the Best Practices. If any such Office Facility is unable to provide these required items or otherwise fails to comply with required Best Practices or fails to abide by its Health and Safety Plan, then it must cease operating until it can fully comply and demonstrate its strict compliance. Further, as to any non-compliant Office Facility, any such Office Facility is subject to immediate closure and the fines and other legal remedies described below, as a violation of the Stay-Safe-At-Home Order.
8. For purposes of this Directive, "Personnel" includes all of the following people who provide goods or services associated with the Office Facility: employees; contractors and sub-contractors (such as those who sell goods or perform services onsite or who deliver goods for the business); independent contractors; vendors who are permitted to sell goods onsite; volunteers; and other individuals who regularly provide services onsite at the request of the Office Facility. "Personnel" includes "gig workers" who perform work via the business's app or other online interface, if any.
9. This Directive and the attached Best Practices may be revised by the Health Officer, through revision of this Directive or another future directive or order, as conditions relating to COVID-19 require, in the discretion of the Health Officer. Each Office Facility must stay updated regarding any changes to the Stay-Safer-At-Home Order and this Directive by checking the Department of Public Health website ([www.sfdph.org/directives](http://www.sfdph.org/directives)) regularly.
10. Implementation of this Directive augments—but does not limit—the obligations of each Office Facility under the Stay-Safer-At-Home Order including, but not limited to, the obligation to prepare, post, and implement a Social Distancing Protocol



## City and County of San Francisco

## Department of Public Health Health Officer Directive

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under Section 4.d and Appendix A of the Stay-Safer-At-Home Order. The Office Facility must follow these industry-specific Best Practices and update them as necessary for the duration of this Directive, including, without limitation, as this Directive is amended or extended in writing by the Health Officer and consistent with any extension of the Stay-Safer-At-Home Order, any other order that supersedes that order, and any Health Officer order that references this Directive.

This Directive is issued in furtherance of the purposes of the Stay-Safer-At-Home Order. Where a conflict exists between this Directive and any state, local, or federal public health order related to the COVID-19 pandemic, including, without limitation, the Social Distancing Protocol, the most restrictive provision controls. Failure to carry out this Directive is a violation of the Stay-Safer-At-Home Order, constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is a misdemeanor punishable by fine, imprisonment, or both.

A handwritten signature in blue ink that reads "Tomás Aragón".

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Tomás J. Aragón, MD, DrPH,  
Health Officer of the  
City and County of San Francisco

Date: October 27, 2020



*San Francisco is experiencing a rapid and significant surge of COVID-19 cases. Accordingly, beginning at 11:59 p.m. on November 13, 2020, and until there is a further order of the Health Officer, indoor restaurants and cafes within lodging facilities must temporarily cease operating for indoor dining (although they may operate for outdoor dining and take-out, including for consumption in patrons' rooms, offsite, or outdoors). See Sections 11 & 20 of Appendix C1 to Health Officer Order No. C19-07n. To the extent of any conflict or inconsistency with any other provision of this directive or guidance, this requirement controls.*

**DIRECTIVE OF THE HEALTH OFFICER No. 2020-29c**

**DIRECTIVE OF THE HEALTH OFFICER OF  
THE CITY AND COUNTY OF SAN FRANCISCO REGARDING REQUIRED BEST  
PRACTICES FOR LODGING FACILITIES, INCLUDING HOTELS, MOTELS AND  
SHORT-TERM RENTALS**

**(PUBLIC HEALTH DIRECTIVE)**

DATE OF DIRECTIVE: November 3, 2020

By this Directive, the Health Officer of the City and County of San Francisco (the "Health Officer") issues industry-specific direction that lodging facilities, as described below, must follow as part of the local response to the Coronavirus Disease 2019 ("COVID-19") pandemic. This Directive constitutes industry-specific guidance as provided under Sections 4.e and 11 of Health Officer Order No. C19-07m issued on November 3, 2020 (the "Stay-Safer-At-Home Order") and, unless otherwise defined below, initially capitalized terms used in this Directive have the same meaning given them in that order. This Directive goes into effect immediately upon issuance, and remains in effect until suspended, superseded, or amended by the Health Officer. This Directive has support in the bases and justifications set forth in the Stay-Safer-At-Home Order. As further provided below, this Directive automatically incorporates any revisions to the Stay-Safer-At-Home Order or other future orders issued by the Health Officer that supersede that order or reference this Directive. This Directive is intended to promote best practices as to Social Distancing Requirements and sanitation measures, helping prevent the transmission of COVID-19 and safeguard the health of workers, customers, and the community.

**UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE  
SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER DIRECTS AS  
FOLLOWS:**

- 1. Definitions.** For purposes of this Directive, the following terms shall have the meanings given below:
  - a. "Lodging Facility"** means any facility in San Francisco where members of the public can obtain lodging on a short-term basis, including, without limitation, hotels, motels, auto courts, bed and breakfasts, inns, cabins and cottages, hostels, and lodging provided for vacation or short-term rentals (i.e. rentals for fewer than 30 consecutive nights at a time) by owners through on-line services.
  - b. Lodging Facility does not include:**



**Health Officer Directive No. 2020-29c**

- i. homeless shelters or other facilities used to house persons who are experiencing homelessness or would otherwise become homeless;
    - ii. single room occupancy hotels, sometimes known as “SROs” or “residential hotels”;
    - iii. transitional housing designed for individuals or families seeking to transition to independent living;
    - iv. assisted living facilities and residential care facilities, including, but not limited to, skilled nursing facilities (sometimes known as nursing homes);
    - v. residential healthcare facilities;
    - vi. lodging facilities where the average duration of guest occupancy is more than 60 days;
    - vii. foster homes, including, but not limited to, foster group homes;
    - viii. lodging that is owned and operated by governmental entities; or
    - ix. lodging that is being used by governmental entities, or through contracts with governmental entities, for the purpose of responding to COVID-19.
  - c. A “Guest” of a Lodging Facility refers to any person who rents or stays in a room or rooms at a Lodging Facility.
  - d. “Isolation Area.” All Lodging Facilities must have an Isolation Area, which is a room or group of rooms set aside for Guests who are COVID-19 positive, exhibiting COVID-19 symptoms, or have recently come into close contact with someone who tested positive for COVID-19 in the last 14 days. The Isolation Area should consist of at least 5 percent of the total rooms available at the Lodging Facility, be all adjacent to one another, and all within a discrete and separable area of the facility. Lodging Facilities with 2 to 20 rooms may create an Isolation Area that contains one room. This requirement does not apply to Lodging Facilities with one room.
  - e. “Personnel” includes all of the following people who provide goods or services associated with a Lodging Facility: employees; contractors and sub-contractors (such as those who sell goods or perform services onsite or who deliver goods for the business); independent contractors; vendors who are permitted to sell goods onsite; volunteers; and other individuals who regularly provide services onsite at the request of the Lodging Facility. “Personnel” includes “gig workers” who perform work via the business’s app or other online interface, if any.
  - f. “Unoccupied Unit” means a residence or unit in a Lodging Facility that is rented while the operator is not physically present or has a separate exterior entrance and exit that does not require the use of shared facilities, and is otherwise unoccupied.
2. This Directive applies to all owners, operators, managers, and supervisors of any Lodging Facility. While hotels, motels, and other lodging facilities are critical for safe travel and business operation, Lodging Facilities can pose significant risks to



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public health in light of the COVID-19 pandemic. Because Lodging Facilities typically involve members of different households staying in close proximity within an enclosed area for days or weeks at a time, and often using shared equipment or spaces, Lodging Facilities must take extra precautions to reduce the risk of COVID-19 transmission for Personnel, Guests, and others. Because many individuals may be pre-symptomatic, or show no symptoms at all there is a heightened need for comprehensive and medical-based cleaning, disinfecting, and operating standards. To mitigate virus transmission risks, this Directive outlines minimum requirements for Lodging Facilities, including limitations on the use of common areas and gathering places, encouraging contactless interactions, and requiring thorough cleaning of commonly touched surfaces and appropriate precautions for the cleaning of rooms. Due to the transient nature of Guest stays at Lodging Facilities, this Directive also takes precautions to avoid unnecessary risks presented by cumulative or cross-contamination between individuals. This Directive, in combination with the incorporated CDC guidelines, and the California DPH guidelines, collectively represent the most stringent cleaning and disease prevention standards applicable to Lodging Facilities in San Francisco.

- a. Lodging Facilities are not required to screen Guests for COVID-19 symptoms. Lodging Facilities should not refuse to accept guests who are COVID-19 positive, exhibiting COVID-19 symptoms, or have recently come into close contact with someone who tested positive for COVID-19 in the last 14 days, unless the Guest needs immediate medical attention.
  - b. Lodging Facilities with conference facilities, convention centers or other meeting venues, and banquet halls, if applicable, must keep these areas closed until each of these types of establishments are allowed to resume modified or full operation by the Health Officer.
  - c. Property managers, timeshare operators, and other rental unit owners and operators are only allowed to rent Unoccupied Units and cannot rent rooms or spaces within an occupied residence until otherwise notified through a written directive from the Health Officer.
3. Attached as Exhibit A to this Directive is a list of best practices that apply to Lodging Facilities (the “Best Practices”). Each Lodging Facility must comply with all of the relevant requirements listed in the Best Practices.
4. Before it begins to offer lodging, services or allow Personnel onsite, each Lodging Facility, must create, adopt, and implement a written health and safety plan (a “Health and Safety Plan”). The Health and Safety Plan must be substantially in the form attached to this Directive as Exhibit B.
5. If an aspect, service, or operation of the Lodging Facility is also covered by another Health Officer directive (all of which are available at <http://www.sfdph.org/directives>), then the Lodging Facility must comply with all applicable directives, and it must complete all relevant Health and Safety Plan forms.
6. Each Lodging Facility must (a) make the Health and Safety Plan available to every Guest before check in, (b) provide a summary of the Health and Safety Plan to all Personnel working on site or otherwise in the City in relation to its operations and make the Health and Safety Plan available to Personnel upon request, and (c) post



# City and County of San Francisco

# Department of Public Health Health Officer Directive

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the Health and Safety Plan at each entrance to any physical business site within the City. Also, each Lodging Facility must provide a copy of the Health and Safety Plan and evidence of its implementation to any authority enforcing this Directive upon demand.

7. Each Lodging Facility subject to this Directive must provide items such as Face Coverings (as provided in Health Order No. C19-12c issued on July 22, 2020, and any future amendment to that order), hand sanitizer or handwashing stations, or both, and disinfectant and related cleaning supplies to Personnel, all as required by the Best Practices. If any such Lodging Facility is unable to provide these required items or otherwise fails to comply with required Best Practices or fails to abide by its Health and Safety Plan, then it must cease operating until it can fully comply and demonstrate its strict compliance. Further, as to any non-compliant Lodging Facility, any such Lodging Facility is subject to immediate closure and the fines and other legal remedies described below, as a violation of the Stay-Safer-At-Home Order.
8. This Directive and the attached Best Practices may be revised by the Health Officer, through revision of this Directive or another future directive or order, as conditions relating to COVID-19 require, in the discretion of the Health Officer. Each Lodging Facility must stay updated regarding any changes to the Stay-Safer-At-Home Order and this Directive by checking the Department of Public Health website (<https://www.sfdph.org/directives>) regularly.
9. Implementation of this Directive augments—but does not limit—the obligations of each Lodging Facility under the Stay-Safer-At-Home Order including, but not limited to, the obligation to prepare, post, and implement a Social Distancing Protocol under Section 4.d and Appendix A of the Stay-Safer-At-Home Order. The Lodging Facility must follow these industry-specific Best Practices and update them as necessary for the duration of this Directive, including, without limitation, as this Directive is amended or extended in writing by the Health Officer and consistent with any extension of the Stay-Safer-At-Home Order, any other order that supersedes that order, and any Health Officer order that references this Directive.

This Directive is issued in furtherance of the purposes of the Stay-Safer-At-Home Order. Where a conflict exists between this Directive and any state, local, or federal public health order related to the COVID-19 pandemic, including, without limitation, the Social Distancing Protocol, the most restrictive provision controls. Failure to carry out this Directive is a violation of the Stay-Safer-At-Home Order, constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is a misdemeanor punishable by fine, imprisonment, or both.

Tomás J. Aragón, MD, DrPH,  
Health Officer of the  
City and County of San Francisco

Date: November 3, 2020



## City and County of San Francisco

## Department of Public Health Health Officer Directive

*San Francisco is experiencing a rapid and significant surge of COVID-19 cases. Accordingly, beginning at 11:59 p.m. on November 13, 2020, and until there is a further order of the Health Officer: (A) gyms and fitness centers—including climbing walls and climbing gyms—must limit the number of people, including Personnel, who are present inside the facility to the lesser of (1) 25% of the facility's normal maximum occupancy and (2) 50 people; (B) indoor restaurants and cafes within such gyms and fitness centers must temporarily cease operating for indoor dining (although they may operate for outdoor dining and take-out). See Sections 11 & 16 of Appendix C1 to Health Officer Order No. C19-07n. To the extent of any conflict or inconsistency with any other provision of this directive or guidance, these requirements control.*

### **DIRECTIVE OF THE HEALTH OFFICER No. 2020-31b**

### **DIRECTIVE OF THE HEALTH OFFICER OF THE CITY AND COUNTY OF SAN FRANCISCO REGARDING REQUIRED BEST PRACTICES FOR INDOOR GYMS OR FITNESS CENTERS**

#### **(PUBLIC HEALTH DIRECTIVE)**

DATE OF DIRECTIVE: October 27, 2020

By this Directive, the Health Officer of the City and County of San Francisco (the “Health Officer”) issues industry-specific direction that indoor gym or fitness centers, as described below, must follow as part of the local response to the Coronavirus Disease 2019 (“COVID-19”) pandemic. This Directive constitutes industry-specific guidance as provided under Sections 4.e and 11 of Health Officer Order No. C19-07I issued on October 27, 2020 (the “Stay-Safer-At-Home Order”) and, unless otherwise defined below, initially capitalized terms used in this Directive have the same meaning given them in that order. This Directive goes into effect immediately upon issuance, and remains in effect until suspended, superseded, or amended by the Health Officer. This Directive has support in the bases and justifications set forth in the Stay-Safer-At-Home Order. As further provided below, this Directive automatically incorporates any revisions to the Stay-Safer-At-Home Order or other future orders issued by the Health Officer that supersede that order or reference this Directive. This Directive is intended to promote best practices as to Social Distancing Requirements and sanitation measures, helping prevent the transmission of COVID-19 and safeguard the health of workers, children, their families, and the community.

**UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER DIRECTS AS FOLLOWS:**

1. This Directive applies to all owners, operators and managers of indoor gyms or fitness centers operating under subsection 16 of Appendix C-1 of the Stay-Safer-At-Home Order (“Indoor Gyms or Fitness Centers”).
2. Attached as Exhibit A to this Directive is guidance from the Department of Public Health for Indoor Gyms or Fitness Centers (“Guidance”). All Indoor Gyms or Fitness Centers must comply with all applicable requirements listed in the Guidance.
3. Each Indoor Gym or Fitness Center must create, adopt, and implement a written health and safety plan (a “Health and Safety Plan”). The Health and Safety Plan must be substantially in the form attached to this Directive as Exhibit B.





## **City and County of San Francisco**

## **Department of Public Health Health Officer Directive**

### **Health Officer Directive No. 2020-31b**

- 4. Each Indoor Gym or Fitness Center must (a) make the Health and Safety Plan available upon request to all Personnel working on site and to the patrons, customers or members it serves, (b) provide a summary of the plan to all Personnel working on site or otherwise in the City in relation to its operations, and (c) post the plan online and at the entrance to any other physical location that the Indoor Gym or Fitness Center operates within the City. Also, each Indoor Gym or Fitness Center must provide a copy of the Health and Safety Plan and evidence of its implementation to any authority enforcing this Directive or the Stay-Safer-At-Home Order upon demand.**
- 5. Each Indoor Gym or Fitness Center subject to this Directive must provide items such as Face Coverings (as provided in Health Order No. C19-12c issued on July 22, 2020, and any future amendment to that order), hand sanitizer or handwashing stations, or both, and disinfectant and related supplies to any of that Indoor Gym or Fitness Center's Personnel. If any Indoor Gym or Fitness Center is unable to provide these required items to Personnel or otherwise fails to comply with required Guidance, then it must cease operating until it can fully comply and demonstrate its strict compliance. Further, as to any non-compliant operation, any such Indoor Gym or Fitness Center is subject to immediate closure and the fines and other legal remedies described below, as a violation of the Stay-Safer-At-Home Order.**
- 6. For purposes of this Directive, "Personnel" includes all of the following people who provide goods or services associated with the Indoor Gym or Fitness Center in the City: employees; contractors and sub-contractors (such as those who sell goods or perform services onsite or who deliver goods for the business); vendors who are permitted to sell goods onsite; volunteers; and other individuals who regularly provide services onsite at the request of the Host. "Personnel" includes "gig workers" who perform work via the business's app or other online interface, if any.**
- 7. This Directive may be revised by the Health Officer, through revision of this Directive or another future directive or order, as conditions relating to COVID-19 require, in the discretion of the Health Officer. All Indoor Gyms or Fitness Centers must stay updated regarding any changes to the Stay-Safer-At-Home Order and this Directive by checking the Department of Public Health website ([www.sfdph.org/healthorders](http://www.sfdph.org/healthorders); [www.sfdph.org/directives](http://www.sfdph.org/directives)) regularly.**
- 8. Implementation of this Directive augments—but does not limit—the obligations of each Indoor Gym or Fitness Center under the Stay-Safer-At-Home Order including, but not limited to, the obligation to prepare, post, and implement a Social Distancing Protocol under Section 4.d and Appendix A of the Stay-Safer-At-Home Order. Each Indoor Gym or Fitness Center must follow these industry-specific Best Practices and update them as necessary for the duration of this Directive, including, without limitation, as this Directive is amended or extended in writing by the Health Officer and consistent with any extension of the Stay-Safer-At-Home Order, any other order that supersedes that order, and any Health Officer order that references this Directive**

**This Directive is issued in furtherance of the purposes of the Stay-Safer-At-Home Order. Where a conflict exists between this Directive and any state, local, or federal public health order related to the COVID-19 pandemic, including, without limitation, the Social**



## City and County of San Francisco

## Department of Public Health Health Officer Directive

### Health Officer Directive No. 2020-31b

**Distancing Protocol, the most restrictive provision controls. Failure to carry out this Directive is a violation of the Stay-Safer-At-Home Order, constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is a misdemeanor punishable by fine, imprisonment, or both.**

A handwritten signature in blue ink that reads "Tomás Aragón".

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Tomás J. Aragón, MD, DrPH,  
Health Officer of the  
City and County of San Francisco

Date: October 27, 2020



*San Francisco is experiencing a rapid and significant surge of COVID-19 cases. Accordingly, beginning at 11:59 p.m. on November 13, 2020, and until there is a further order of the Health Officer, indoor movie theaters must limit the number of people, including Personnel, who are present inside the facility to the lesser of (1) 25% of the facility's normal maximum occupancy and (2) 50 people. See Sections 11 & 12 of Appendix C1 to Health Officer Order No. C19-07n. To the extent of any conflict or inconsistency with any other provision of this directive or guidance, this requirement controls.*

**DIRECTIVE OF THE HEALTH OFFICER No. 2020-35**

**DIRECTIVE OF THE HEALTH OFFICER OF  
THE CITY AND COUNTY OF SAN FRANCISCO REGARDING REQUIRED BEST  
PRACTICES FOR INDOOR MOVIE THEATERS**

**(PUBLIC HEALTH DIRECTIVE)**

DATE OF DIRECTIVE: October 7, 2020

By this Directive, the Health Officer of the City and County of San Francisco (the "Health Officer") issues industry-specific direction that indoor movie theaters, as described below, must follow as part of the local response to the Coronavirus Disease 2019 ("COVID-19") pandemic. This Directive constitutes industry-specific guidance as provided under Sections 4.e and 11 of Health Officer Order No. C19-07j issued on September 30, 2020 (the "Stay-Safer-At-Home Order") and, unless otherwise defined below, initially capitalized terms used in this Directive have the same meaning given them in that order. This Directive goes into effect immediately upon issuance, and remains in effect until suspended, superseded, or amended by the Health Officer. This Directive has support in the bases and justifications set forth in the Stay-Safer-At-Home Order. As further provided below, this Directive automatically incorporates any revisions to the Stay-Safer-At-Home Order or other future orders issued by the Health Officer that supersede that order or reference this Directive. This Directive is intended to promote best practices as to Social Distancing Requirements and sanitation measures, helping prevent the transmission of COVID-19 and safeguard the health of workers, children, their families, and the community.

**UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER DIRECTS AS FOLLOWS:**

1. This Directive applies to all owners, operators and managers of indoor movie theaters operating under subsection 21 of Appendix C-1 of the Stay-Safer-At-Home Order ("Indoor Movie Theaters").
2. Attached as Exhibit A to this Directive is guidance from the Department of Public Health for Indoor Movie Theaters ("Guidance"). All Indoor Movie Theaters must comply with all applicable requirements listed in the Guidance.
3. Each Indoor Movie Theater must create, adopt, and implement a written health and safety plan (a "Health and Safety Plan"). The Health and Safety Plan must be substantially in the form attached to this Directive as Exhibit B.



## **City and County of San Francisco**

## **Department of Public Health Health Officer Directive**

### **Health Officer Directive No. 2020-35**

- 4. Each Indoor Movie Theater must (a) make the Health and Safety Plan available upon request to all Personnel working on site and to the patrons, customers or members it serves, (b) provide a summary of the plan to all Personnel working on site or otherwise in the City in relation to its operations, and (c) post the plan online and at the entrance to any other physical location that the Indoor Movie Theater operates within the City. Also, each Indoor Movie Theater must provide a copy of the Health and Safety Plan and evidence of its implementation to any authority enforcing this Directive or the Stay-Safer-At-Home Order upon demand.**
- 5. Each Indoor Movie Theater subject to this Directive must provide items such as Face Coverings (as provided in Health Order No. C19-12c issued on July 22, 2020, and any future amendment to that order), hand sanitizer or handwashing stations, or both, and disinfectant and related supplies to any of that Indoor Movie Theater's Personnel. If any Indoor Movie Theater is unable to provide these required items to Personnel or otherwise fails to comply with required Guidance, then it must cease operating until it can fully comply and demonstrate its strict compliance. Further, as to any non-compliant operation, any such Indoor Movie Theater is subject to immediate closure and the fines and other legal remedies described below, as a violation of the Stay-Safer-At-Home Order.**
- 6. For purposes of this Directive, "Personnel" includes all of the following people who provide goods or services associated with the Indoor Movie Theater in the City: employees; contractors and sub-contractors (such as those who sell goods or perform services onsite or who deliver goods for the business); vendors who are permitted to sell goods onsite; volunteers; and other individuals who regularly provide services onsite at the request of the Host. "Personnel" includes "gig workers" who perform work via the business's app or other online interface, if any.**
- 7. This Directive may be revised by the Health Officer, through revision of this Directive or another future directive or order, as conditions relating to COVID-19 require, in the discretion of the Health Officer. All Indoor Movie Theaters must stay updated regarding any changes to the Stay-Safer-At-Home Order and this Directive by checking the Department of Public Health website ([www.sfdph.org/healthorders](http://www.sfdph.org/healthorders); [www.sfdph.org/directives](http://www.sfdph.org/directives)) regularly.**
- 8. Implementation of this Directive augments—but does not limit—the obligations of each Indoor Movie Theater under the Stay-Safer-At-Home Order including, but not limited to, the obligation to prepare, post, and implement a Social Distancing Protocol under Section 4.d and Appendix A of the Stay-Safer-At-Home Order. Each Indoor Movie Theater must follow this industry-specific guidance and update all guidance or other requirements as necessary for the duration of this Directive, including, without limitation, as this Directive is amended or extended in writing by the Health Officer and consistent with any extension of the Stay-Safer-At-Home Order, any other order that supersedes that order, and any Health Officer order that references this Directive**

**This Directive is issued in furtherance of the purposes of the Stay-Safer-At-Home Order. Where a conflict exists between this Directive and any state, local, or federal public health order related to the COVID-19 pandemic, including, without limitation, the Social Distancing Protocol, the most restrictive provision controls. Failure to carry out this Directive is a violation of the Stay-Safer-At-Home Order, constitutes an imminent threat**



# City and County of San Francisco

# Department of Public Health Health Officer Directive

## Health Officer Directive No. 2020-35

and menace to public health, constitutes a public nuisance, and is a misdemeanor punishable by fine, imprisonment, or both.

A handwritten signature in blue ink that reads "Tomás Aragón".

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Tomás J. Aragón, MD, DrPH,  
Health Officer of the  
City and County of San Francisco

Date: October 7, 2020

**Summary of Changes (November 10, 2020)**

Today the Health Officer issued an amendment to the Stay-Safer-At-Home Order implementing temporary rollbacks in some businesses and activities that have been allowed to open. Attached are the amended Order, related amendments to the companion health directives, and a “redlined” copy of the Order marked to show the changes from the previous order issued on November 3.

San Francisco is now experiencing a rapid and significant surge of COVID-19 cases and meets the criteria to fall within a more restrictive tier under the State’s blueprint for a safer recovery. Without changes that demonstrate objective signs of improvement San Francisco risks movement backwards. Accordingly, the Health Officer is restricting and or suspending certain activities summarized below. Those rollbacks become effective at 11:59 p.m. on Friday November 13. Also, the amendments to the Order make clear that if the surge continues, the Health Officer may further restrict and suspend other businesses and activities, beginning with additional indoor activities including, for instance, indoor religious services and cultural ceremonies at houses of worship, indoor retail, indoor museums, aquariums and zoos, indoor personal services and non-essential office. And if the surge in COVID-19 cases is reversed, the Health Officer will consider lifting the restrictions and suspensions to the extent supported by the COVID-19 Indicators and emerging scientific data, information, and evidence.

The rollbacks are as follows:

- **SUSPENDED.** Indoor dining in all business settings must temporarily close, including indoor dining in foot courts in enclosed shopping centers, in museums, aquariums and zoos, in hotels and other lodging facilities, and in gyms and fitness centers and cafeterias in office buildings.
  - Dining establishments, including restaurants and bars that serve meals, as well as dining establishments in all the business settings described above, may operate for take-out or outdoor dining consistent with the Order and health directives.
- **REDUCED CAPACITY.** Indoor movie theaters must reduce capacity to 25% or 50 people, whichever is fewer (reduced from 25% or 100 people, whichever is fewer)
- **REDUCED CAPACITY.** Indoor gyms and fitness centers must reduce capacity to 25% or 50 people, whichever is fewer (reduced from 25% or 100 people, whichever is fewer)
  - This reduction also covers indoor climbing walls.

**Summary of Changes (November 10, 2020)**

- SUSPENDED. Approval by the Health Officer of applications for high schools to reopen for indoor in-person education is suspended for the time being.
  - But high schools that have already opened and are providing indoor instruction may continue to do so. High schools that have approved applications but have not reopened must pause and not reopen. High schools interested in operating outdoor in-person programs should visit <https://www.sfdph.org/dph/covid-19/schools-education.asp> or email the Schools and Childcare Hub at [schools-childcaresites@sfdph.org](mailto:schools-childcaresites@sfdph.org) for more information. And the Department of Public Health will continue to work with them to prepare for indoor in-person instruction when the pause is lifted.

In connection with the increase in COVID-19 cases and the upcoming holidays, the Health Officer, in coordination with health officers from other Bay Area counties, has also issued a travel advisory. That advisory recommends against non-essential travel outside the Bay Area. It further recommends that if people do travel outside the Bay Area, they self-quarantine for 14 days after returning if their activities while travelling put them at higher risk of getting COVID-19, such as having a close contact or travelling by plane, bus or other vehicles with passengers not in their households. And it recommends people take precautions if hosting visitors from outside the Bay Area. For more details, see <https://www.sfdph.org/dph/alerts/covid-guidance/COVID-Travel-Advisory.pdf>.



**ORDER OF THE HEALTH OFFICER No. C19-07n**

**ORDER OF THE HEALTH OFFICER  
OF THE CITY AND COUNTY OF SAN FRANCISCO  
DIRECTING ALL INDIVIDUALS IN THE COUNTY TO CONTINUE  
STAYING SAFER AT THEIR PLACES OF RESIDENCE TO THE  
EXTENT THEY CAN EXCEPT FOR IDENTIFIED NEEDS AND  
ACTIVITIES, AND TO FOLLOW HEALTH RISK REDUCTION  
MEASURES OUTSIDE THEIR RESIDENCES; URGING GOVERNMENT  
AGENCIES TO PROVIDE SHELTER AND SANITATION FACILITIES  
TO INDIVIDUALS EXPERIENCING HOMELESSNESS; REQUIRING  
ALL BUSINESSES AND RECREATION FACILITIES THAT ARE  
ALLOWED TO OPERATE TO IMPLEMENT HEALTH RISK  
REDUCTION MEASURES; AND DIRECTING ALL BUSINESSES,  
FACILITY OPERATORS, AND GOVERNMENTAL AGENCIES TO  
CONTINUE THE TEMPORARY CLOSURE OF ALL OPERATIONS  
THAT ARE NOT YET SAFE ENOUGH TO RESUME**

**(STAY SAFER AT HOME)**

DATE OF ORDER: November 10, 2020

**Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295, *et seq.*; California Penal Code §§ 69, 148(a)(1); and San Francisco Administrative Code § 7.17(b))**

Summary: On February 25, 2020 the Mayor of the City and County of San Francisco (the “County”) declared a state of emergency to prepare for coronavirus disease 2019 (“COVID-19”). On March 5, 2020 there was the first reported case of COVID-19 in the County. On March 16, 2020 the County and five other Bay Area counties and the City of Berkeley, working together, were the first in the State to implement shelter-in-place orders in a collective effort to reduce the impact of the virus that causes COVID-19. That virus is easily transmitted, especially indoors or in group settings, and the disease can be extremely serious. It can require long hospital stays, and in some instances cause long-term health consequences or death. It can impact not only those who are older or have underlying health conditions and known to be at high risk, but also other people, regardless of age. And a major risk remains the spread of the virus that causes COVID-19 through asymptomatic and pre-symptomatic carriers, people who can spread the disease but do not even know they are infected and contagious. The spread of disease is a global pandemic causing untold societal, social, and economic harm.





**ORDER OF THE HEALTH OFFICER No. C19-07n**

Initially the shelter-in-place orders generally required individuals to stay in their residences except for essential needs like grocery shopping, working in essential businesses, providing essential government functions, or engaging in essential travel. Over time, and based on health data and a risk analysis, the County allowed the phased resumption of some businesses and activities, consistent with the roadmap that the State has established under its order. For instance, the County allowed businesses that had operated primarily outdoors before March 16, 2020, to resume outdoor business activities, and the County has allowed many outdoor recreation activities that do not involve physical contact or shared equipment. Later, the County allowed additional categories of businesses and activities to resume, such as outdoor dining, curbside pick-up, and in-store retail, with other businesses and activities to be added over time when safe to do so.

Through this gradual reopening process the County has adopted risk reduction measures for individuals and businesses as further described below. Beginning on April 17, 2020 and based on increasing evidence that face coverings help protect against the spread of the virus, the County adopted a requirement for people to wear face coverings. That requirement has since been updated to expand the requirement to most settings outside people's residences. The County Health Officer has also issued best practices health directives for a number of businesses and activities, and the County Department of Public Health has issued companion guidance documents.

Meanwhile, in March 2020 after the County and neighboring jurisdictions adopted their shelter-in-place orders, the State adopted its own shelter-in-place order that applied throughout California. And in mid-April 2020 the State established a four-stage roadmap for reopening that sets a baseline for all counties in California and allows counties to go at a slower pace. The State continued to revise its roadmap and eventually replaced it with a new blueprint as described below. Consistent with the State roadmap, the County created its own phased reopening plan. The County's plan provides for the incremental resumption of certain business and other activities to gradually increase the volume of person-to-person contact to help contain the risk of a surge in COVID-19 cases in the County and the region. The County's plan is available online at <https://sf.gov/topics/reopening>.

Because of the density of San Francisco and local health conditions, the County has moved more cautiously than the State otherwise allows. To help further protect workers and the public and give both more confidence in resuming day-to-day activities, the County has imposed health and safety measures that are more restrictive than the State's industry guidelines. In late June 2020, the County Health Officer, with support from the County Board of Supervisors, applied for and received a variance from the State that allowed the County more flexibility in its decision-making on the phases of reopening.

Our collective effort has had a positive impact on limiting the spread of the virus. Early on the County, along with the other Bay Area jurisdictions, were able to bend the curve and preserve hospital capacity. The County continues to work on building up its testing,



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case finding, case investigation, contact tracing capacity, and resources to protect vulnerable populations and address outbreaks. Still, the severe danger the virus poses to the health and welfare of all continues, we need to be vigilant and there remains a continuing risk of a surge that will overwhelm the capacity of our hospital system. We have come to learn that the virus can be transmitted in the air through aerosols and that the risk of such airborne transmission is generally higher indoors. Also, while the search continues, treatments for the disease are limited and a vaccine is not yet generally available. The vast majority of the population remains susceptible to infection, and local conditions could rapidly worsen if reopening steps are taken too quickly or if people fail to safely modify their behavior, including wearing face coverings, adhering to social distancing requirements, and avoiding gatherings.

Indeed, back in July 2020 the County and the region experienced a second surge in infections and hospitalizations, and took appropriate steps to respond, including pausing the reopening process. Along with all the other counties in the Bay Area, the County was placed on the State monitoring list and temporarily suspended certain additional business activities as required by the State Health Officer. Over the next month, with the collective efforts of businesses and residents, the County was able again to reduce its virus transmission rate and resume re-opening some businesses and other activities.

On August 28, 2020 the State adopted a new four-tiered, color-coded framework based on the prevalence of virus transmission in each county to guide reopening statewide—the Blueprint for a Safer Economy. That framework can be found online at <https://covid19.ca.gov/safer-economy>. As before counties can be more restrictive than this State framework allows. Under the blueprint the State initially assigned the County to the second most restrictive tier, substantial (red). On September 30, with improving case rates, the County advanced a tier to moderate (orange). Beginning on October 20, 2020, based on the State's new health equity metric, the State designated the County's risk of COVID-19 community transmission to be in the minimal (yellow) tier, accelerating San Francisco to the least restrictive tier. Most of the surrounding Bay Area counties have been assigned the red tier (the second most restrictive tier) or orange tier (the second least restrictive tier). And San Francisco is now experiencing a rapid and significant surge of COVID-19 cases and meets the criteria to fall within a more restrictive tier. Without changes that demonstrate objective signs of improvement San Francisco risks movement backwards. Accordingly, the County is restricting and suspending some additional businesses and activities and if the surge in COVID-19 cases continues may impose further restrictions or suspensions. When the surge is reversed, the County will continue to approach the reopening process in a measured way, based on local health indicators, and will continue to consider the restrictions that apply to the Bay Area region as a whole.

We are going to have to live with the threat of the virus for many months to come. And for us to be able to continue to reopen in-person schools as well as re-open and expand business and other activities and promote the recovery of our economy, we are all going to have to take responsibility to act safely, including wearing face coverings, keeping at



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least six feet from others who are not in our household, washing our hands frequently, conducting activities outdoors rather than indoors where possible and minimizing gatherings. We are all in this together, and each of us is going to have to make sacrifices for the good of the community as a whole, including for our most vulnerable members.

On August 14, 2020, the County shifted away from the prior shelter in place order and this Order continues that shift. In particular, the County will continue to focus more on risk reduction while as the same time keeping to an incremental plan for resuming business and other activity. This Order sets forth the local health data framework that along with the State's blueprint framework, and consistent with emerging scientific data, information, and evidence, will guide the Health Officer's "gating" decisions about whether to move forward with phases to reopen businesses and resume activities and otherwise modify this Order. Gating criteria are the benchmarks that, when met, will allow the County to move through the gate to the next level of reopening. In connection with those changes to the gating framework, this Order details the risk criteria that the Health Officer will apply to reopening decisions for specific business sectors and other activities. Those risk factors, described in more detail in the Order, include: the ability to modify behavior to reduce the risk; avoidance of risky activities; the nature of the setting; mixing of households; the number and nature of contacts; and the modification potential for the activity.

This Order includes the following requirements, and you should review the Order itself for additional details.

**General Requirements.** The Order:

- Urges all residents in the County to reduce the risk of COVID-19 transmission by staying in their residences to the extent possible and minimizing trips and activities outside the home;
- Allows people to engage in listed activities, including, for example, working for or going to the businesses listed below and certain governmental and essential infrastructure activities, as well as engaging in essential activities, outdoor activities, certain additional activities, and travel related to those activities;
- Urges older individuals and others who have serious underlying health conditions to remain home other than essential needs;
- Continues to require everyone to wear face coverings while outside their residences, subject to limited exceptions;
- Continues to require everyone to follow social distancing requirements, including staying at least six feet away from members outside of their household, subject to limited exceptions;
- Continues to urge government agencies to provide shelter and sanitation facilities for individuals experiencing homelessness;
- Continues to require everyone to comply with requirements issued by the State and other Health Officer orders and directives; and



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- Limits gatherings among different households to help reduce the transmission of the virus.

Requirements for All Businesses. The Order:

- Allows only listed businesses to operate onsite, including essential businesses, outdoor businesses, healthcare operations, and certain additional businesses;
- Allows other businesses only to operate Minimum Basic Operations (as defined in the Order) onsite;
- Requires that businesses continue to maximize the number of people who work remotely from home to the extent possible;
- Requires businesses to complete and post a Social Distancing Protocol checklist in the form attached to the Order as Appendix A;
- Requires businesses to direct personnel to stay home when sick and prohibits adverse action against personnel for doing so;
- Requires businesses and governmental entities to report to the San Francisco Department of Public Health when three or more personnel test positive for the virus that causes COVID-19 within a two-week period;
- Requires businesses to post certain signage, including signage regarding ventilation systems;
- Urges businesses that operate indoors to implement ventilation guidelines and requires at least one ventilation measure for certain of those businesses;
- Allows for customers to use reusable shopping bags at businesses; and
- Requires businesses to cancel reservations or appointments without a financial penalty when a customer has a COVID-19 related reason.

Mandatory Best Practices Health Officer Directives. The Order requires that businesses and other entities review and comply with any applicable Health Officer Directives, and many of them require a Health and Safety Plan be completed and posted. These requirements include measures to help protect health of workers and customers, such as face covering, social distancing and sanitation protocols and in many instances capacity limits. There are currently directives for many types of businesses and activities, including: construction projects; food delivery and take-out restaurants; residential delivery services; grocery stores, pharmacies, farmer's markets, and hardware stores; healthcare operations that offer elective surgeries, dental care, or ambulatory care; retail stores that offer curbside pickup; manufacturing and warehousing; summer camps; child care; golf and tennis facilities; outdoor dining; indoor retail sales and services; outdoor and indoor personal services; outdoor and indoor gyms and fitness facilities, lodging facilities; outdoor gatherings; and office environments. All directives are available online at [www.sfdph.org/directives](http://www.sfdph.org/directives).

Term. This Order will remain in effect, without a specific expiration date, for so long as the threat of the pandemic continues, or until this Order is otherwise extended, rescinded, superseded, or amended in writing by the Health Officer. But the Health Officer will continue to carefully monitor the evolving situation and will periodically revise this



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Order to loosen – or, if need be, tighten – restrictions as conditions warrant, to help further the safer economic recovery and resumption of activities.

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**ORDER OF THE HEALTH OFFICER No. C19-07n**

**UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE  
SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE CITY AND  
COUNTY OF SAN FRANCISCO (“HEALTH OFFICER”) ORDERS:**

**1. Purpose and Findings.**

- a. **Purpose.** As of the effective date and time set forth in Section 13, below, this Order supersedes the November 3, 2020 Order of the Health Officer, No. C19-07m, (the “Prior Order”), and all individuals, Businesses (as defined in Section 8.e below), and applicable government agencies in the County are required to follow the provisions of this Order. This Order continues to temporarily prohibit certain Businesses and activities from resuming and limits gatherings with individuals from other Households (as defined in Section 3.b below) until it is safer to do so. But it allows certain other Businesses, activities, travel and governmental functions to occur subject to specified health and safety restrictions, limitations, and conditions to limit the transmission of Novel Coronavirus Disease 2019 (“COVID-19”). COVID-19 continues to pose a severe risk to residents of our County, and significant safety measures are necessary to protect against a surge in COVID-19 cases, serious illnesses and deaths. Accordingly, this Order requires risk reduction measures to be in place across Business sectors and activities that are allowed to occur, ensuring necessary precautions are followed as we adapt the way we live and function in light of the ongoing threat that the virus now poses and is very likely to continue to pose for some time to come. The Health Officer will continue to monitor data regarding COVID-19 and the evolving scientific understanding of the risks COVID-19 poses and may amend or rescind this Order based on analysis of that data and knowledge.
- b. **Intent.** The primary intent of this Order is to ensure that County residents continue to stay safer in their Residences (as defined in Section 3.b, below) to the extent possible and that together as a community our residents, along with visitors and workers in the County, take appropriate risk reduction measures, especially while outside their Residences, to slow the spread of COVID-19 and mitigate its impact on the delivery of critical healthcare services in the County and the region. As further provided in Section 2, below, the Health Officer intends to allow the phased resumption of Businesses and activities to provide for a safer reopening, with specified risk reduction measures, all while the Health Officer continues to assess the transmissibility and clinical severity of COVID-19 in light of the COVID-19 Indicators and risk framework described in Section 2 below.
- c. **Interpretation.** All provisions of this Order must be interpreted to effectuate the intent of this Order as described in subsection (b) above. The summary at the beginning of this Order as well as the headings and subheadings of sections contained in this Order are for convenience only and may not be used to



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interpret this Order; in the event of any inconsistency between the summary, headings or subheadings and the text of this Order below, the text will control. Certain initially capitalized used in this Order have the meanings given them in Section 8 below. The interpretation of this Order in relation to the health orders of the State is described in Section 10 below.

- d. **Effect of Failure to Comply.** Failure to comply with any of the provisions of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both, as further provided in Section 12 below.
- e. **Continuing Severe Health and Safety Risk Posed by COVID-19.** This Order is issued based on evidence of continued significant community transmission of COVID-19 within the County and throughout the Bay Area; continued uncertainty regarding the degree of undetected asymptomatic transmission; scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically; evidence that the age, condition, and health of a significant portion of the population of the County places it at risk for serious health complications, including death, from COVID-19; and further evidence that others, including younger and otherwise healthy people, are also at risk for serious outcomes including death. Due to the outbreak of COVID-19 in the general public, which remains a pandemic according to the World Health Organization, there is a public health emergency throughout the County, region and State. That immediate threat to public health and safety is also reflected in the continuing declarations of emergency referenced in Section 9.a below. Making the problem worse, some individuals who contract the virus causing the COVID-19 disease have no symptoms or have mild symptoms, which means they may not be aware they carry the virus and are transmitting it to others. Further, evidence shows that the virus can survive for hours to days on surfaces and be indirectly transmitted between individuals and also may be transmitted through airborne micro-droplets. Because even people without symptoms can transmit the infection, and because evidence shows the infection is easily spread, gatherings of people and other direct or indirect interpersonal interactions, particularly those that occur indoors, can result in preventable transmission of the virus.
- f. **Local Health Conditions Relating to COVID-19.** The efforts taken beginning in March 2020 under the prior shelter-in-place orders of the Health Officer, along with those of health officers of five neighboring counties, slowed the virus's trajectory. While the public health emergency and threat to the County's population remain severe, the region has significantly increased its capacity to detect cases, contain spread, and treat infected patients through widespread testing; greatly expanded its case investigation and contact tracing program and workforce; and expanded hospital resources and capacity. At the same time, across the region and the rest of the State, there has been a significant reopening



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of Businesses and activities, accompanied by an increase in cases and hospitalizations, which increases carry risks to County residents and resources. As we continue to evolve our strategies for protecting residents of the County from COVID-19, we must consider both the trajectory of the virus in the County and across the region, and the increased health risks associated with the opening of many Businesses and activities under the Prior Order. To protect the community from COVID-19, we must ensure that when people engage in activities they are doing so as safely as possible.

- g. Cases, Hospitalizations and Deaths. As of November 8, 2020, there were 13,139 confirmed cases of COVID-19 in the County (up from 37 on March 16, 2020, the day before the first shelter-in-place order in the County went into effect) as well as at least 151 deaths (up from a single death on March 17, 2020). This information, as well as information regarding hospitalizations and hospital capacity, is regularly updated on the San Francisco Department of Public Health's website at <https://data.sfgov.org/stories/s/fjki-2fab>.

**2. Health Gating and Risk Criteria Framework for Reopening.**

- a. Health Gating. To inform decisions about whether and how to augment, limit, or temporarily prohibit Businesses or activities to slow the spread of COVID-19, the Health Officer will continually review (1) progress on the COVID-19 Indicators; (2) developments in epidemiological and diagnostic methods for tracing, diagnosing, treating, or testing for COVID-19; and (3) scientific understanding of the transmission dynamics and clinical impact of COVID-19.

The COVID-19 Indicators will be key drivers in the Health Officer's gating decisions. In particular, the number of new COVID-19 cases per 100,000 residents, the rate of change in COVID-19 hospitalizations, and the amount of available hospital capacity will help guide decisions. If any indicator or a collection of these and other indicators are orange or red, then the Health Officer will give serious consideration to pausing or even reversing openings if appropriate. Also, the total number of hospitalized COVID-19 patients, and whether this total number is significantly increasing, flat, or decreasing, will play a role in gating decisions, especially if these numbers become larger than the prior surge (e.g., more than 100 COVID-19 positive patients in the County's hospitals at one time). Modeling estimates of peak hospitalizations will also be considered.

Information about San Francisco's status under the COVID-19 Indicators is available on the City's website at <https://data.sfgov.org/stories/s/Key-Health-Indicators-on-Containing-COVID-19/epem-wyzb>.





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In addition to evaluating the COVID-19 Indicators in making gating decisions, the Health Officer will also consider the estimate of the effective reproductive number ( $R_e$ ), and whether there is evidence it is increasing, stable, or decreasing. The effective reproductive number ( $R_e$ ) is the average number of secondary cases per infectious case in the setting of public health interventions (e.g., sheltering in place, face coverings, physical distancing, etc.). When  $R_e > 1$ , the epidemic curve increases. When  $R_e < 1$ , the epidemic curve decreases. When  $R_e \sim 1$ , the epidemic curve is flat.

**b. Risk Criteria for Additional Businesses and Additional Activities Under Phased Reopening.**

In connection with the health indicators and other public health data discussed above, the Health Officer will consider the risk of transmission involved in Businesses or activities in determining when and how they can safely resume, or if they must remain or be ordered temporarily closed. The following risk criteria will inform this analysis:

- 1) *Ability to modify behavior to reduce risk*—whether individuals engaged in the Business or other activity can wear face coverings at all times, maintain at least six feet of physical distancing at all times, and comply with other Social Distancing Requirements, including hand washing and sanitation;
- 2) *Avoidance of risky activities*—whether the nature of the Business or activity necessarily involves eating or drinking (which requires removing face covering); gatherings with other Households (which presents risks as described in subsection d below); or singing, chanting, shouting, or playing wind/brass instruments (which all present significant risk of airborne transmission);
- 3) *Setting*—Outdoor Businesses and activities are safer than indoor businesses or activities, so outdoors is strongly preferred;
- 4) *Mixing of Households*—Mixing of people from different Households present higher risk of virus transmission and community spread, and the more different Households that mix, the greater the cumulative risk;
- 5) *Number, frequency, duration and distance of contacts*—The more people who interact, the higher the risk of virus transmission; and the more people who gather at a site, or the more sites involved in the business, possible interactions increase exponentially (number of contacts). The more often people interact, the higher the risk of virus transmission (frequency of contacts). The longer the duration of contacts, the higher the risk of virus transmission (duration of contacts). The closer the proximity of people, the higher the risk of virus transmission (distance of contacts); and



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- 6) *Modification potential*—the degree to which best practices health protocols can reduce the risk of transmission, where those protocols can be properly implemented.

**3. General Requirements for Individuals.**

- a. **Staying Safer At Home Is The Best Way To Control Risk.** All people are strongly reminded that continuing to stay home as much as possible is the best way to prevent the risk of COVID-19 transmission, and therefore minimizing trips and activities outside the home helps reduce risk to individuals and the community. All activities that involve contact with people from different Households increase the risk of transmission of COVID-19. Accordingly, all individuals currently living within the County are for the time being ordered to stay in their place of Residence to the extent possible. They are strongly urged to leave their Residence only to:
- Work for or access Businesses that are allowed to be open under this Order (Essential Businesses, Outdoor Businesses, and Additional Businesses, as those terms are defined in Sections 8.a, 8.b and 8.c);
  - Work for, volunteer at, or access services at Healthcare Operations, as that term is defined in Section 8.g;
  - Engage in activities that are allowed under this Order (Essential Activities, Outdoor Activities, and Additional Activities, as those terms are defined in Sections 8.h, 8.i and 8.j); and
  - Engage in Essential Travel, as that term is defined in Section 8.k; or
  - Provide any services or perform any work necessary to the operation maintenance of Essential Governmental Functions or Essential Infrastructure, as those terms are defined in Sections 8.l and 8.m.
- b. **Residences and Households.** For purposes of this Order, “Residences” include hotels, motels, shared rental units, and similar facilities. Residences also include living structures and outdoor spaces associated with those living structures, such as patios, porches, backyards, and front yards that are only accessible to a single family or Household. For purposes of this order “Household” means people living in a single Residence or shared living unit.
- c. **Individuals Experiencing Homelessness.** Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter. Government agencies and other entities operating shelters and other facilities that house or provide meals or other necessities of life for individuals experiencing homelessness are strongly urged to, as soon as possible, make such shelter available, and must take appropriate steps to help ensure compliance with Social Distancing Requirements, including adequate provision of hand sanitizer. Also, individuals experiencing homelessness who are unsheltered and



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living in encampments should, to the maximum extent feasible, abide by 12 foot by 12 foot distancing for the placement of tents, and government agencies should provide restroom and hand washing facilities for individuals in such encampments as set forth in Centers for Disease Control and Prevention Interim Guidance Responding to Coronavirus 2019 (COVID-19) Among People Experiencing Unsheltered Homelessness (<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/unsheltered-homelessness.html>).

- d. **Older Adults and Individuals of Any Age with Certain Medical Conditions.** Older adults and individuals with certain medical conditions—including cancer, chronic kidney disease, chronic obstructive pulmonary disease, immunocompromised state from solid organ transplant, obesity, serious heart conditions (such as heart failure, coronary artery disease, or cardiomyopathies), sickle cell disease, smoking, and Type 2 diabetes—are strongly urged to stay in their Residence except to access critical necessities such as food, and to seek or provide medical care or Essential Governmental Functions. Individuals with other medical conditions might be at increased risk for severe illness from COVID-19 and are encouraged to minimize activities and interactions with people outside their Household to the extent practicable, except as necessary to seek or provide medical care or Essential Governmental Functions. The most up-to-date information about who is at increased risk of severe illness and people who need to take extra precautions can be found at <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-increased-risk.html>.
- e. **Mandatory Risk Reduction Measures For Individuals Outside their Place of Residence.** When people leave their place of Residence, they must (1) strictly comply with the Social Distancing Requirements as defined in Section 8.o, including maintaining at least six feet of social distance from other people not in the same Household, except as expressly provided in this subsection below or elsewhere in this Order, and (2) wear Face Coverings as provided in, and subject to the limited exceptions in, Health Officer Order No. C19-12c issued July 22, 2020 (the “Face Covering Order”), including any future amendments to that order. The requirement to strictly comply with Social Distancing Requirements is subject to a limited exception as necessary to provide care (including childcare, adult or senior care, care to individuals with special needs, and patient care); as necessary to carry out the work of Essential Businesses, Essential Governmental Functions, or provide for Minimum Basic Operations; or as otherwise expressly provided in this Order. For clarity, individuals who do not currently reside in the County must comply with all applicable requirements of this Order when in the County.
- f. **Limitations on Gatherings that Involve Mixing of Different Households to Reduce Virus Transmission Risk.** Gatherings of individuals from different Households pose a significant risk of virus transmission to the community. The



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greater the number of people from different households in a gathering, the greater the risk of the spread of COVID-19. All public and private gatherings of any number of people occurring outside a single Household are prohibited, except as expressly permitted in this Order including, but not limited to, gatherings allowed as Additional Activities in Appendix C-2. If, despite this prohibition, people find themselves with members of other Households, they are required to follow the health guidelines for safer interactions set forth in the Tip Sheet for Safer Interactions During COVID-19 Pandemic, posted at: [www.sfdcp.org/communicable-disease/diseases-a-z/covid19whatsnew](http://www.sfdcp.org/communicable-disease/diseases-a-z/covid19whatsnew).

- g. Quarantine Recommendation Upon Entering or Reentering the Bay Area.** When moving to the Bay Area (i.e., the nine counties that make up the San Francisco Bay Area region) or returning after travel outside the Bay Area, individuals are urged to quarantine for 14 days if they engaged in activities while traveling or outside the Bay Area that would put them at higher risk of contracting the virus that causes COVID-19. These higher risk activities include those in which an individual was within six feet of individuals outside of their household for a total of 15 minutes or more in a 24 hour period, if they or those around them were not wearing Face Coverings at all times, especially if they were indoors (including traveling on planes, buses, or trains if Face Coverings were not worn at all times by the individual and those around them). The greater number of people outside the individual's household who are involved in these interactions, the greater the risk. To quarantine, individuals should follow the guidance of the jurisdiction they are moving to and the United States Centers for Disease Control and Prevention and Health Officer Directive No. 2020-02c, available at [www.sfdph.org/directives](http://www.sfdph.org/directives).
- h. Health Travel Advisories.** All individuals are strongly urged to comply with any health travel advisories and post-travel quarantine recommendations issued by the San Francisco Department of Public Health. See <https://www.sfdph.org/dph/alerts/covid-guidance/COVID-Travel-Advisory.pdf>.
- 4. General Requirements for Businesses and Business Activities.**

  - a. Allowed Businesses.** Essential Businesses, Outdoor Businesses, and Additional Businesses, as defined in Sections 8.a, 8.b and 8.c, are allowed to operate in the County under this Order. All other Businesses are temporarily required to cease all activities at facilities located within the County except Minimum Basic Operations, as defined in Section 8.d. Except as otherwise provided in Appendix C-1, Businesses that include allowed operations alongside other operations that are not yet allowed must, to the extent feasible, scale down their operations to the allowed components only.
  - b. Maximization of Telework.** All Businesses must continue to maximize the number of Personnel who work remotely from their place of Residence, subject



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to the conditions and limitations provided in Appendix C-1.

- c. **Activities that Can Occur Outdoors.** All Businesses are strongly urged to move as many operations as possible outdoors, to the extent permitted by local law and permitting requirements, where there is generally less risk of COVID-19 transmission. Businesses that operate outdoors may, subject to any applicable permit requirements, conduct their operations under a tent, canopy, or other sun or weather shelter, but only as long as no more than one side is closed, allowing sufficient outdoor air movement. Also, the number and composition of barriers used for all outdoor shelters must allow the free flow of air in the breathing zone consistent with guidance from the Department of Public Health, available at <https://www.sfdph.org/dph/files/ig/Guidance-Shared-Outdoor-Spaces.pdf>.
- d. **Social Distancing Protocol.** As a condition of operating under this Order, the operators of all Businesses allowed to operate must comply with the requirements of the Social Distancing Protocol attached to this Order as Appendix A and must complete a Social Distancing Protocol checklist for each of their facilities in the County frequented by Personnel or members of the public. The Social Distancing Protocol checklist must be posted at or near each public entrance of each of the Business facilities and must be easily viewable by the public and Personnel. A copy of the Social Distancing Protocol checklist must also be provided in hardcopy or electronic format to each person performing work at the facility. Each Business subject to this paragraph must provide evidence of its implementation of the Social Distancing Protocol requirements to any authority enforcing this Order upon demand. A copy of the Social Distancing Protocol checklist must also be provided by the Business or entity to any member of the public on request.

With the exception of construction activities—which must comply with the Construction Project Safety Protocols set forth in Appendix B—each Business must use the Social Distancing Protocol checklist included in Appendix A or a form that is substantially similar.

- e. **Industry Specific Requirements.** In addition to the Social Distancing Protocol, all Businesses allowed to operate under this Order must follow any industry or activity-specific guidance issued by the Health Officer related to COVID-19 (available online at [www.sfdph.org/directives](http://www.sfdph.org/directives)) and any conditions on operation specified in this Order, including those specified in Appendix C-1.
- f. **Businesses Must Allow Personnel to Stay Home When Sick.** As outlined in the Social Distancing Protocol, Businesses are required to allow Personnel to stay home if they have symptoms associated with COVID-19 that are new or not explained by another condition (see [www.sfdcp.org/covid19symptoms](http://www.sfdcp.org/covid19symptoms)), and Personnel are prohibited from coming to work if they are sick and may only



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return to work as outlined in the Social Distancing Protocol. Generally speaking, Personnel with any single COVID-19 symptom that is new or not explained by another condition must have a negative COVID-19 test OR stay out of work for at least 10 days since symptoms started in order to return to work. Those who are close contacts of someone with COVID-19 must remain out of work for 14 days since their last close contact. See Personnel Screening Attachment (A-1) of the Social Distancing Protocol for more details (also posted at [www.sfdcp.org/screening-handout](http://www.sfdcp.org/screening-handout)). Each Business that is required to comply with the Social Distancing Protocol is prohibited from taking any adverse action against any Personnel for staying home in the circumstances listed in the Social Distancing Protocol.

- g. Signage For Indoor Activities.** Although this Order allows certain indoor activities to resume, those activities are allowed subject to more stringent safety measures and, as a general matter, remain inherently riskier than activities that are done outdoors. All businesses that are allowed to be open indoors for the public must conspicuously post signage, including at all primary public entrances, reminding people to adhere to physical distancing, hygiene, and Face Covering requirements and to stay home when they feel ill. They must also post a stand-alone sign bearing the message that: (1) COVID-19 is transmitted through the air, and the risk is generally higher indoors, and (2) seniors and those with health risks should avoid indoor settings with crowds. The County is making templates for the signage available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>. The templates may be updated from time to time, and businesses are strongly urged to keep informed of those changes and update their signage accordingly.
- h. Signage For Employees To Report Unsafe Conditions Related To COVID-19.** Beginning on November 10, 2020, all businesses are required to post signs in employee break rooms or areas informing employees that they can report violations of COVID-19 health orders and directives by calling 311 or visiting [www.sf.gov/report-health-order-violation](http://www.sf.gov/report-health-order-violation). Signage should also state that the employee's identity will not be disclosed to the employer. Sample signage is available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>.
- i. Ventilation Requirements.**

  - i.** All businesses that are allowed to be open indoors must review SFDPH's Guidance on "Ventilation for Non-Healthcare Organizations During the COVID-19 Pandemic," available online at <https://www.sfdcp.org/COVID-Ventilation> ("Ventilation Guidance"). Those businesses must: (1) implement as many improvements in the Ventilation Guidance document as feasible, and (2) keep a hand-annotated copy of the Ventilation Guidance showing which improvements were considered and implemented. Ventilation guidance from recognized authorities such as the CDC, ASHRAE, or the state of





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California can be used as an alternate to the DPH Ventilation Guidance with an annotated version of the alternate guidance kept on hand.

- ii. Beginning on November 3, 2020, the businesses listed below must conspicuously post signage, including at all primary public entrances, indicating which of the following ventilation strategies are used at the facility: All available windows and doors accessible to fresh outdoor air are kept open; Fully Operational HVAC systems; Appropriately sized portable air cleaners in each room; or None of the above.

- Businesses that offer indoor dining,
- Indoor gyms and fitness centers, and
- Indoor personal service providers that will be providing services requiring the removal of clients' Face Coverings.

The County is making templates for the signage available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>. The templates may be updated from time to time, and businesses are strongly urged to keep informed of those changes and update their signage accordingly.

- iii. As soon as possible, but no later than November 17, 2020, the following businesses may only open or remain open to the public if they are using at least one of the following ventilation strategies: (1) All available windows and doors accessible to fresh outdoor air are kept open (doors and windows required to be kept closed for fire/life safety purposes are exempt; make sure open windows do not create falling hazards especially for children); (2) Fully operational HVAC systems; (3) Portable Air Cleaners in each room that are appropriately sized for the room or area they are deployed in (see Ventilation Guidance for more information).

- Dining establishments that offer indoor dining, and
- Indoor personal service providers that will be providing services requiring the removal of clients' Face Coverings.

If due to smoke or other conditions, the business cannot implement any of those measures, business that offer indoor dining must temporarily close and indoor personal service providers cannot have clients remove their Face Coverings until the ventilation measure(s) can be reinstated.

**5. Schools, Childcare, Youth Programs, and Higher Education**

- a. Schools. Transitional kindergarten (TK)-12 schools may open for in-person instruction subject to the following requirements and conditions.

- 1) All TK-12 schools must follow any applicable directives issued by the County Health Officer ([www.sfdph.org/directives](http://www.sfdph.org/directives)) and any applicable "COVID-19 Industry Guidance" issued by the California Department of Public Health, available at <https://covid19.ca.gov/industry-guidance/>.



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- 2) TK-8 schools and school districts may open for in-person instruction, but only upon advance written approval of the Health Officer or the Health Officer's designee of a plan to open for such purposes. More information about how to request approval of a plan by the Health Officer is available at <https://www.sfdph.org/dph/covid-19/schools-education.asp>.

Approval by the Health Officer of applications for high schools to reopen for indoor in-person education is temporarily suspended. High Schools that have already opened and are providing indoor instruction may continue to do so. High schools that have approved applications, but have not yet reopened, must pause and may not reopen for indoor instruction at this time. High schools interested in operating *outdoor* in-person programs should visit <https://www.sfdph.org/dph/covid-19/schools-education.asp> or email the Schools and Childcare Hub at [schools-childcaresites@sfdph.org](mailto:schools-childcaresites@sfdph.org) for more information.

- 3) **Specialized Targeted Support Services.** Beginning on September 8, 2020, TK-12 schools may operate to provide in-person specialized and targeted support services to vulnerable children and youth. Schools providing specialized targeted support services do not need to obtain a waiver or advance written approval of the Health Officer, but must comply with the Health Officer Directive No. 2020-26b. Additional information about what qualifies as specialized targeted support services and which students may be served in these specialized programs is available at <https://www.sfdph.org/dph/covid-19/schools-education.asp>.

For clarity, this subsection a applies to public and private schools operating in San Francisco, including independent, parochial and charter schools.

- b. **Home-Based Care for Children.** Home-based care for children is permitted under Section 8.a.xxi, below.
- c. **Childcare Programs for Young Children.** Group care facilities for children who are not yet in elementary school—including, for example, licensed childcare centers, daycares, family daycares, and preschools (including cooperative preschools)—may operate subject to, and to the extent permitted by, the health and safety requirements set forth in Section 3.b.1 of **Appendix C-1** and Health Officer Directive No. 2020-14e, as it may be amended in the future.
- d. **Out of School Time Programs.** With the exception of schools, which are addressed in subsection a above, educational or recreational institutions or programs that provide care or supervision for school-aged children and youth—including for example, learning hubs, other programs that support and supplement distance learning in schools, school-aged childcare programs, youth





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sports programs, and afterschool programs—may operate subject to, and to the extent permitted by, the health and safety requirements set forth in Section 3.b.3 of Appendix C-1 and Health Officer Directive No. 2020-21e, as it may be amended in the future.

- e. **Institutions of Higher Education** and Adult Education. Institutions of higher education (“IHEs”), such as colleges and universities, and other programs offering adult education—including, for example, programs offering job skills training and English as a second language classes to adults—may operate subject to, and to the extent permitted by, the health and safety requirements set forth in Section 14 of Appendix C-1, and any relevant industry-specific Health Officer directives.
- f. **Additional Information**. Additional information about the operational requirements and restrictions relating to COVID-19 for schools, childcare, and youth programs is available at <https://www.sfdph.org/dph/covid-19/schools-education.asp>.

**6. Public Transit**

- a. Transit agencies, people riding or waiting to ride on public transit, and people at or near a public transit stop or station must comply with Social Distancing Requirements, as defined in Section 8.o, except as provided in subsection (b) below. Personnel and passengers must wear Face Coverings as required by the Face Covering Order. Also, people riding or waiting to ride on public transit must follow any applicable directives issued by the County Health Officer ([www.sfdph.org/directives](http://www.sfdph.org/directives)) and any applicable “COVID-19 Industry Guidance” issued by the California Department of Public Health, available at <https://covid19.ca.gov/industry-guidance/>.
- b. Transit agencies that have submitted an acceptable health and safety plan to the Department of Public Health may relax the six-foot social distancing requirement between riders, provided that they encourage riders from different Households to maintain six feet social distance to the greatest extent feasible, and in no event shall the distance between riders from different Households be less than three feet. Transit agencies that have submitted an acceptable health plan must still ensure that there is at least six-feet social distance between transit operators and members of the public. The Department of Public Health has posted a template health and safety plan at [www.sfdph.org/directives](http://www.sfdph.org/directives).

**7. Mandatory Reporting by Businesses and Government Entities When Three or More Personnel Contract COVID-19 Within Two Weeks**

Businesses and governmental entities must require that all Personnel immediately alert the Business or governmental entity if they test positive for COVID-19 and



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were present in the workplace within the 48 hours before onset of symptoms or, if asymptomatic, within 48 hours of the date on which they were tested. Businesses and governmental entities can learn more about what to do after a positive COVID-19 case among Personnel at [www.sfdcp.org/covid19-positive-workplace](http://www.sfdcp.org/covid19-positive-workplace). If a Business or governmental entity has three or more Personnel who test positive for COVID-19 within a two-week period, then the Business or governmental entity is required to call the San Francisco Department of Public Health at 628-217-6100 immediately to report the cluster of cases. Businesses and governmental entities must also comply with all case investigation and contact tracing measures by the County, including providing any information requested.

**8. Definitions.**

For purposes of this Order, the following initially capitalized terms have the meanings given below.

**Allowed Businesses and Business Activities.**

**a. *Essential Businesses.* “Essential Businesses” means:**

- i. Healthcare Operations (as defined in subsection g below);**
- ii. Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of unprepared food, canned food, dry goods, non-alcoholic beverages, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, as well as hygienic products and household consumer products necessary for personal hygiene or the habitability, sanitation, or operation of Residences. The Businesses included in this subsection include establishments that sell multiple categories of products provided that they sell a significant amount of essential products identified in this subsection, such as liquor stores that also sell a significant amount of food;**
- iii. Food cultivation, including farming, livestock, and fishing;**
- iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;**
- v. Construction, but only as permitted under the State Shelter Order and only pursuant to the Construction Safety Protocols listed in Appendix B and incorporated into this Order by this reference. City public works projects shall also be subject to Appendix B, except if other protocols are specified by the Health Officer;**
- vi. Newspapers, television, radio, and other media services;**



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- vii. Gas stations and auto-supply, auto-repair (including, but not limited to, for cars, trucks, motorcycles and motorized scooters), and automotive dealerships, but only for the purpose of providing auto-supply and auto-repair services. This subsection (vii) does not restrict the on-line purchase of automobiles if they are delivered to a Residence or Essential Business;**
- viii. Bicycle repair and supply shops;**
- ix. Banks and related financial institutions;**
  - x. Service providers that enable real estate transactions (including rentals, leases, and home sales), including, but not limited to, real estate agents, escrow agents, notaries, and title companies, provided that appointments and other residential real estate viewings must only occur virtually or, if a virtual viewing is not feasible, by appointment with no more than two visitors at a time residing within the same Household and one individual showing the unit (except that in person visits are not allowed when the occupant is present in the Residence);**
- xi. Hardware stores;**
- xii. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the habitability, sanitation, or operation of Residences and Essential Businesses;**
- xiii. Businesses providing mailing and shipping services, including post office boxes;**
- xiv. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, or as allowed under subsection (xxvi), provided that social distancing of six feet per person is maintained to the greatest extent possible;**
- xv. Laundromats, drycleaners, and laundry service providers;**
- xvi. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;**
- xvii. Funeral home providers, mortuaries, cemeteries, and crematoriums, to the extent necessary for the transport, preparation, or processing of bodies or remains, and for those same entities, as well as for houses of worship, to hold funerals subject to the capacity limits for people allowed either for outdoor religious gatherings under Section (9)b.2 of Appendix C-2 (if the facility is fully compliant with Section (9)b.2 and also Health Officer**



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Directive No. 2020-19d) or for indoor religious services and cultural ceremonies under Section (9)b.3 of Appendix C-2 (if the facility is fully compliant with Section (9)b.3 and also Health Officer Directive No. 2020-34), but not for both indoor and outdoor concurrently for the funeral for the same individual;

- xviii. Businesses that supply other Essential Businesses and Outdoor Businesses with the support or supplies necessary to operate, but only to the extent that they support or supply these Businesses. This exemption shall not be used as a basis for engaging in sales to the general public from retail storefronts;
- xix. Businesses that have the primary function of shipping or delivering groceries, food, or other goods directly to Residences or Businesses. This exemption shall not be used to allow for manufacturing or assembly of non-essential products or for other functions besides those necessary to the delivery operation;
- xx. Airlines, taxis, rental car companies, rideshare services (including shared bicycles and scooters), and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
- xxi. Home-based care for seniors, adults, children, and pets;
- xxii. Residential facilities and shelters for seniors, adults, and children;
- xxiii. Professional services, such as legal, notary, or accounting services, when necessary to assist in compliance with non-elective, legally required activities or in relation to death or incapacity;
- xxiv. Services to assist individuals in finding employment with Essential Businesses;
- xxv. Moving services that facilitate residential or commercial moves that are allowed under this Order;
- xxvi. Childcare establishments and other educational or recreational institutions or programs providing care or supervision for children (with the exception of summer camps, which are addressed separately in Appendix C-1, and schools, which are addressed separately in Section 6.b, above) that enable owners and Personnel of Essential Businesses and providers of Essential Governmental Functions to work as allowed under this Order;
- xxvii. Businesses that operate, maintain, or repair Essential Infrastructure.

**b. *Outdoor Businesses.* “Outdoor Businesses” means:**

- i. The following Businesses that normally operated primarily outdoors before March 16, 2020, and where there is the ability to fully maintain social distancing of at least six feet between all persons:



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1. Businesses primarily operated outdoors, such as wholesale and retail plant nurseries, agricultural operations, and garden centers; and
2. Service providers that primarily provide outdoor services, such as landscaping and gardening services, and environmental site remediation services.

For clarity, “Outdoor Businesses” do not include outdoor restaurants, cafes, or bars. Except as otherwise provided in Appendix C-1, they also do not include Businesses that promote large, coordinated, and prolonged gatherings, such as outdoor concert venues and amusement parks.

Outdoor Businesses may conduct their operations under a tent, canopy, or other sun shelter as further provided in Section 4.c above.

- c. *Additional Businesses.* “Additional Business” means any Business identified as an Additional Business in Appendix C-1, which will be updated as warranted based on the Health Officer’s ongoing evaluation of the COVID-19 Indicators and other data. In addition to the other requirements in this Order, operation of those Additional Businesses is subject to any conditions and health and safety requirements set forth in Appendix C-1 and in any industry-specific guidance issued by the Health Officer.
- d. *Minimum Basic Operations.* “Minimum Basic Operations” means the following activities for Businesses, provided that owners, Personnel, and contractors comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:
  - i. The minimum necessary activities to maintain and protect the value of the Business’s inventory and facilities; ensure security, safety, and sanitation; process payroll and employee benefits; provide for the delivery of existing inventory directly to Residences or Businesses; and related functions. For clarity, this section does not permit Businesses to provide curbside pickup to customers; and
  - ii. The minimum necessary activities to facilitate owners, Personnel, and contractors of the Business being able to continue to work remotely from their Residences, and to ensure that the Business can deliver its service remotely.
- e. *Business.* A “Business” includes any for-profit, non-profit, or educational entity, whether a corporate entity, organization, partnership or sole proprietorship, and regardless of the nature of the service, the function it performs, or its corporate or entity structure.
- f. *Personnel.* “Personnel” means the following people who provide goods or services associated with the Business in the County: employees; contractors and



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sub-contractors (such as those who sell goods or perform services onsite or who deliver goods for the Business); independent contractors; vendors who are permitted to sell goods onsite; volunteers; and other individuals who regularly provide services onsite at the request of the Business. "Personnel" includes "gig workers" who perform work via the Business's app or other online interface, if any.

- g. *Healthcare Operations.*** "Healthcare Operations" includes, without limitation, hospitals, clinics, COVID-19 testing locations, dentists, pharmacies, blood banks and blood drives, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. "Healthcare Operations" also includes veterinary care and all healthcare services provided to animals. This exemption for Healthcare Operations must be construed broadly to avoid any interference with the delivery of healthcare, broadly defined. "Healthcare Operations" excludes fitness and exercise gyms and similar facilities.

**Allowed Activities.**

- h. *Essential Activities.*** "Essential Activities" means to:

- i.** Engage in activities or perform tasks important to their health and safety, or to the health and safety of their family or Household members (including pets);
- ii.** Obtain necessary services or supplies for themselves and their family or Household members, or to deliver those services or supplies to others;
- iii.** Provide necessary care for a family member or pet in another Household who has no other source of care;
- iv.** Attend a funeral with no more than 12 individuals present (or, if higher, the number of individuals allowed to gather for social gatherings under Appendix C-2); and
- v.** Move Residences.

- i. *Outdoor Activities.*** "Outdoor Activities" means:

- i.** To engage in outdoor recreation activity, including, by way of example and without limitation, walking, hiking, bicycling, and running, in compliance with Social Distancing Requirements and with the following limitations:
  - 1.** Outdoor recreation activity at parks, beaches, and other open spaces must comply with any restrictions on access and use established by the Health Officer, government, or other entity that manages such area to reduce crowding and risk of transmission of COVID-19;



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2. Except as otherwise provided in Appendix C-2 or as otherwise authorized in writing by the Health Officer, use of outdoor recreational areas and facilities with high-touch equipment or that encourage gathering—including playgrounds, gym equipment, climbing walls, pools, spas, and barbecue areas—is prohibited outside of Residences, and all such areas must be closed to public access including by signage and, as appropriate, by physical barriers; and
3. Except as otherwise provided in Appendix C-2, sports or activities that include the use of shared equipment or physical contact between participants may only be engaged in by members of the same Household.

Outdoor Activities may be conducted under a tent, canopy, or other sun shelter, but only as long as no more than one side is closed, allowing sufficient outdoor air movement.

j. *Additional Activities.* “Additional Activities” means:

- i. To engage in outdoor recreation activities or other activities set forth in Appendix C-2, subject to any conditions and health and safety requirements set forth there.

**Allowed Travel.**

k. *Essential Travel.* “Essential Travel” means travel for any of the following purposes:

- i. Travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, Minimum Basic Operations, Outdoor Activities, Outdoor Businesses, Additional Activities, and Additional Businesses;
- ii. Travel to care for any elderly, minors, dependents, or persons with disabilities;
- iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services;
- iv. Travel to return to a place of Residence from outside the County;
- v. Travel required by law enforcement or court order;
- vi. Travel required for non-residents to return to their place of Residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional before commencing such travel;
- vii. Travel to manage after-death arrangements and burial;



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- viii. Travel to arrange for shelter or avoid homelessness;
- ix. Travel to avoid domestic violence or child abuse;
- x. Travel for parental custody arrangements; and
- xi. Travel to a place to temporarily reside in a Residence or facility to avoid potentially exposing others to COVID-19, such as a hotel or other facility provided by a governmental authority for such purposes.

**Governmental Functions.**

- l. Essential Infrastructure.* “Essential Infrastructure,” including airports, utilities (including water, sewer, gas, and electrical), oil refining, roads and highways, public transportation, solid waste facilities (including collection, removal, disposal, recycling, and processing facilities), cemeteries, mortuaries, crematoriums, and telecommunications systems (including the provision of essential global, national, and local infrastructure for internet, computing services, Business infrastructure, communications, and web-based services).
- m. Essential Governmental Functions.* “Essential Governmental Functions” are determined by the governmental entity performing those functions in the County. Each governmental entity shall identify and designate appropriate Personnel, volunteers, or contractors to continue providing and carrying out any Essential Governmental Functions, including the hiring or retention of new personnel or contractors to perform such functions. Each governmental entity and its contractors must employ all necessary emergency protective measures to prevent, mitigate, respond to, and recover from the COVID-19 pandemic, and all Essential Governmental Functions must be performed in compliance with Social Distancing Requirements to the greatest extent feasible. All first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others who need to perform essential services are categorically exempt from this Order to the extent they are performing those essential services.

The County may operate facilities as needed to address health emergencies related to weather conditions or acts of nature, such as excessive heat or smoke from wildfires, even if those facilities are not otherwise allowed to open for their intended purposes under this Order, provided that the operation of such facilities must be done in compliance with any COVID-19 related guidance that the Health Officer may issue. Those facilities include, but are not limited to, cooling centers and smoke respite centers, and may be operated directly by the County or by other entities at the direction of or in coordination with the County or as otherwise provided for in such guidance.





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**Residences and Households.**

n. “Residences” and “Households” are defined as set forth in Section 3.b, above.

**Social Distancing.**

o. *Social Distancing Requirements.* “Social Distancing Requirements” mean:

- i. Maintaining at least six-foot social distancing from individuals who are not part of the same Household;
- ii. Frequently washing hands with soap and water for at least 20 seconds, or using hand sanitizer that is recognized by the Centers for Disease Control and Prevention as effective in combatting COVID-19;
- iii. Covering coughs and sneezes with a tissue or fabric or, if not possible, into the sleeve or elbow (but not into hands);
- iv. Wearing a face covering when out in public, consistent with the orders or guidance of the Health Officer; and
- v. Avoiding all non-essential interaction outside the Household when sick with any COVID-19 symptom listed at [www.sfdcp.org/covid19symptoms](http://www.sfdcp.org/covid19symptoms) that is new or not explained by another condition.

**9. Incorporation of State and Local Emergency Proclamations and State Health Orders.**

- a. **State and Local Emergency Proclamations.** This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the March 12, 2020 Executive Order (Executive Order N-25-20) issued by Governor Gavin Newsom, the February 25, 2020 Proclamation by the Mayor Declaring the Existence of a Local Emergency issued by Mayor London Breed, as supplemented on March 11, 2020, the March 6, 2020 Declaration of Local Health Emergency Regarding Novel Coronavirus 2019 (COVID-19) issued by the Health Officer, and guidance issued by the California Department of Public Health, as each of them have been and may be supplemented.
- b. **State Health Orders.** This Order is also issued in light of the March 19, 2020 Order of the State Public Health Officer (the “State Shelter Order”), which set baseline statewide restrictions on non-residential Business activities, effective until further notice, the Governor’s March 19, 2020 Executive Order N-33-20 directing California residents to follow the State Shelter Order, and the July 13, 2020 Order of the State Public Health Officer. The May 4, 2020 Executive Order issued by Governor Newsom and May 7, 2020 Order of the State Public Health Officer permit certain Businesses to reopen if a local health officer believes the conditions in that jurisdictions warrant it, but expressly acknowledge the authority of local health officers to establish and implement public health measures within their respective jurisdictions that are more



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restrictive than those implemented by the State Public Health Officer. Also on June 18, 2020 the State Department of Public Health issued guidance for the use of face coverings, requiring all people in the State to wear face coverings in certain high-risk situations, subject to limited exceptions.

**10. Obligation to Follow Stricter Requirements of Orders.**

This Order adopts certain health and safety restrictions that are more stringent than those contained in the State Shelter Order. Without this tailored set of restrictions that further reduces the number of interactions between persons, scientific evidence indicates that the public health crisis in the County will worsen to the point at which it may overtake available health care resources within the County and increase the death rate. Where a conflict exists between this Order and any state public health order related to the COVID-19 pandemic, the most restrictive provision (i.e., the more protective of public health) controls. Consistent with California Health and Safety Code section 131080 and the Health Officer Practice Guide for Communicable Disease Control in California, except where the State Health Officer may issue an order expressly directed at this Order and based on a finding that a provision of this Order constitutes a menace to public health, any more restrictive measures in this Order continue to apply and control in this County. Also, to the extent any federal guidelines allow activities that are not allowed by this Order, this Order controls and those activities are not allowed.

**11. Obligation to Follow Health Officer Directives and Mandatory State Guidance.**

In addition to complying with all provisions of this Order, all individuals and entities, including all Businesses and governmental entities, must also follow any applicable directives issued by the County Health Officer ([www.sfdph.org/directives](http://www.sfdph.org/directives)) and any applicable "COVID-19 Industry Guidance" issued by the California Department of Public Health, available at <https://covid19.ca.gov/industry-guidance/>. To the extent that provisions in the directives of the County Health Officer and the guidance of the State Health Officer conflict, the more restrictive provisions (i.e., the more protective of public health) apply.

**12. Enforcement.**

Under Government Code sections 26602 and 41601 and Health and Safety Code section 101029, the Health Officer requests that the Sheriff and the Chief of Police in the County ensure compliance with and enforce this Order. The violation of any provision of this Order (including, without limitation, any Health Directives) constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both. The San Francisco Department of Public Health is authorized to respond to such public nuisances by issuing Notice(s) of Violation and ordering premises vacated and closed until the



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owner, tenant, or manager submits a written plan to eliminate all violations and the Department of Public Health finds that plan satisfactory. Such Notice(s) of Violation and orders to vacate and close may be issued based on a written report made by any City employees writing the report within the scope of their duty. The Department of Public Health must give notice of such orders to vacate and close to the Chief of Police or the Chief's designee to be executed and enforced by officers in the same manner as provided by San Francisco Health Code section 597.

**13. Effective Date.**

This Order becomes effective at 11:59 p.m. on November 13, 2020, and will continue, as updated, to be in effect until it is rescinded, superseded, or amended in writing by the Health Officer.

**14. Relation to Other Orders of the San Francisco Health Officer.**

Effective as of the effective date and time in Section 13 above, this Order revises and replaces Order Number C19-07m, issued November 3, 2020. This Order also extends Order Nos. C19-04 (imposing cleaning standards for residential hotels) and C19-11 (placing Laguna Honda Hospital and Rehabilitation Center under protective quarantine) without any further need to amend those orders, with those listed orders otherwise remaining in effect until the specific listed order or this Order is extended, rescinded, superseded, or amended in writing by the Health Officer. This Order does not prohibit amendment of those orders separately. This Order also does not alter the end date of any other Health Officer order or directive having its own end date or which continues indefinitely.

**15. Copies.**

The County must promptly provide copies of this Order as follows: (1) by posting on the Department of Public Health website ([www.sfdph.org/healthorders](http://www.sfdph.org/healthorders)); (2) by posting at City Hall, located at 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102; and (3) by providing to any member of the public requesting a copy. Also, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy.

**16. Severability.**

If any provision of this Order or its application to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall



**City and County of  
San Francisco**

**Department of Public Health  
Order of the Health Officer**

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**continue in full force and effect. To this end, the provisions of this Order are severable.**

**IT IS SO ORDERED:**

A handwritten signature in blue ink that reads "Tomás Aragón".

\_\_\_\_\_  
Tomás J. Aragón, MD, DrPH,  
Health Officer of the  
City and County of San Francisco

Dated: November 10, 2020

**Attachments:**

- Appendix A – Social Distancing Protocol for Businesses (revised November 3, 2020)
- Appendix B-1 – Small Construction Project Safety Protocol (revised November 3, 2020)
- Appendix B-2 – Large Construction Project Safety Protocol (revised November 3, 2020)
- Appendix C-1 – Additional Businesses (revised November 10, 2020)
- Appendix C-2 – Additional Activities (revised November 10, 2020)

Each business allowed to operate in San Francisco must complete, post onsite, and follow this Social Distancing Protocol checklist. The attached **Instructions and Requirements** detail what is required and how to complete this checklist.

Check off all items below that apply and list other required information.

Business name:

Contact name:

Facility Address:

Email / telephone:

(You may contact the person listed above with any questions or comments about this protocol.)

## SIGNAGE & EDUCATION

- ☐ Post signage at each public entrance of the facility requiring of everyone:
  - (1) do not enter if experiencing COVID-19 symptoms. List the symptoms in the San Francisco COVID-19 Health Screening Form for non-personnel (**Attachment A-2**). The list of symptoms can also be found online at [www.sfcddcp.org/covid19symptoms](http://www.sfcddcp.org/covid19symptoms).
  - (2) maintain a minimum six-foot distance from others in line and in the facility;
  - (3) wear a face covering; and
  - (4) for self-brought bags, keep bags in a cart/basket or carry them and self-place items in bags after checkout
- ☐ Post a copy of this two-page Social Distancing Protocol checklist at each public entrance
- ☐ Post signage showing maximum number of patrons who can be in line and in the facility
- ☐ Educate Personnel about this Protocol and other COVID-19 related safety requirements

## PROTECTIVE MEASURES

- ☐ Follow Sections 2.1 through 2.4 below, including:
  - ☐ Ensure Personnel stay home or leave work if they are sick or have any single symptom of COVID-19 that is new or not explained by another condition. See [www.sfcddcp.org/covid19symptoms](http://www.sfcddcp.org/covid19symptoms) or the Personnel Screening Attachment (A-1).
  - ☐ Provide Personnel a copy of the Personnel Screening Attachment (A-1) to ensure they understand when to stay home and for how long. Generally speaking, Personnel with any single COVID-19 symptom that is new or not explained by another condition MUST have a negative COVID-19 test OR stay out of work for at least 10 days since symptoms started in order to return to work. Those who are close contacts of someone with COVID-19 must remain out of work for 14 days since their last close contact. Translated versions of the Personnel Screening Attachment (A-1) are available online at [www.sfcddcp.org/screen](http://www.sfcddcp.org/screen).
  - ☐ Ensure Personnel review health criteria on the Personnel Screening Attachment (A-1) before each shift and advise Personnel what to do if they are required to stay home.
- ☐ Require Personnel and patrons to wear a face covering as required by Health Officer orders
- ☐ Implement a plan to keep site Personnel safe, including by limiting the number of Personnel and patrons onsite to a number that ensures physical distancing and favoring allowing Personnel to carry out their duties from home when possible
- ☐ Require that patrons cancel or reschedule appointments or reservations for non-essential services if they have COVID-19 symptoms or exposure, as described in San Francisco COVID-19 Screening Form (Attachment A-2). Ensure that patrons can cancel an appointment or reservation for COVID-19 symptoms or exposure without financial penalty. You may offer to reschedule for another time if the patron wants to reschedule instead of to cancel,

## MEASURES TO PREVENT UNNECESSARY CONTACT

- ☐ Tell Personnel and patrons to maintain physical distancing of at least six feet, except Personnel may

momentarily come closer when necessary to accept payment, deliver goods or services, or as otherwise necessary

- ☐ Separate all used desks or individual work stations by at least six feet
- ☐ Place markings in patron line areas to ensure six feet physical distancing (inside and outside)
- ☐ Provide for contactless payment systems or, if not feasible, disinfect payment systems regularly. The Board of Supervisors has required businesses to accept cash—if cash is used encourage exact change.
- ☐ Maintain Plexiglas or other barriers between patrons and Personnel at point of payment (if not possible, then ensure at least six feet of distance)
- ☐ Limit the number of patrons in the business at any one time to: \_\_\_\_\_
- ☐ Separate ordering areas from delivery areas or similarly help distance patrons when possible
- ☐ Optional—Describe other measures:

### SANITIZING MEASURES

- ☐ Regularly disinfect high touch areas, and do so continuously for surfaces patrons touch (countertops, payment systems, pens, and styluses)
- ☐ Provide disinfecting wipes that are effective against SARS-CoV-2 near shopping carts, shopping baskets, and high-touch surfaces and provide hand sanitizer
- ☐ Have Personnel disinfect carts and baskets after each use
- ☐ Provide hand sanitizer, sink with soap and water, and/or disinfecting wipes to patrons and Personnel at or near the entrance of the facility, at checkout counters, and anywhere else where people have direct interactions
- ☐ Disinfect break rooms, bathrooms, and other common areas frequently, on the following schedule:
  - ☐ Break rooms:
  - ☐ Bathrooms:
  - ☐ Other:
- ☐ Prevent people from self-serving any items that are food-related:
  - ☐ Provide lids and utensils for food items by Personnel, not for patrons to grab
  - ☐ Limit access to bulk-item food bins to Personnel—no self-service use
- ☐ Require patrons and Personnel to follow requirements of Section 3.25 below for self-brought bags, and prohibit patrons from bringing any other reusable items such as coffee mugs.
- ☐ Prohibit Personnel from using shared food prep equipment for their own use (e.g., microwaves, water coolers), but microwaves may be used if disinfected between each use and hand sanitizer is available nearby and water coolers may be used as outlined in Section 3.14 below.
- ☐ Optional—Describe other measures (e.g., providing senior-only hours):

### INDUSTRY-SPECIFIC DIRECTIVES

- ☐ Ensure that you have read and implemented the attached list of requirements.
- ☐ In addition to complying with the Social Distancing Protocol, many businesses must comply with additional, industry-specific directives. Go to [www.sfdph.org/directives](http://www.sfdph.org/directives) and check to see if your business is subject to one or more additional directives. For each one, you must review the Health and Safety Plan (HSP) requirements and post an additional checklist for each one that applies. In the event that any directive changes the requirements of the Social Distancing Protocol, the more specific language of the directive controls, even if it is less restrictive. Check this box after you have checked the list of directives and posted any other required HSP.

\* Any additional measures may be listed on separate pages and attached.



**[You are not required to post these Instructions and Requirements]****Instructions:**

The two-page Social Distancing Protocol checklist above must reflect the business's completion of each requirement listed below unless an item is not applicable. Use the two-page checklist above to show compliance with these requirements. The business does not need to post these Instructions and Requirements, only the checklist above. The term "Personnel" is defined in Health Officer Order to which this Appendix is attached. The term "patron" includes customers, others seeking services, visitors, and guests.

**Requirements:**

In addition to the items below, this protocol requires the business to ensure that Personnel who perform work associated with the business are covered by the Social Distancing Protocol checklist and comply with those requirements. Each business is required to take certain steps in the protocol related to its Personnel, including the actions listed in Sections 2.1 through 2.4 below if Personnel are sick. Each business is prohibited from taking any adverse action against any Personnel for staying home in the circumstances listed in Sections 2.1 through 2.4 below. Personnel of each business are prohibited from coming to work if they are sick and must comply with the protocol, including the rules for returning to work listed in Sections 2.1 through 2.4 below.

**1. Signage and Education**

- 1.1. [Minor edits to this section 11/3/20] Post signage at each public entrance of the facility or location (if any) to inform all patrons that they must: not wait in line or enter the facility or location if they have a symptom of COVID-19 that is new or not explained by another condition, listing the symptoms from the Screening Form for non-personnel (Attachment A-2) or using the symptom list available online at [www.sfcddcp.org/covid19symptoms](http://www.sfcddcp.org/covid19symptoms); maintain a minimum six-foot distance from others while in line or in the facility or location; wear a face covering or barrier mask (a "Face Covering") at all times; not shake hands or engage in any unnecessary physical contact; and, if they bring their own reusable bags, leave the bags in a shopping cart/basket or carry them and bag their own items after checkout. Criteria for Face Coverings and the requirements related to their use are set forth in Health Officer Order No. C19-12, issued on April 17, 2020 (the "Face Covering Order"), including as that order is updated in the future. Sample signs are available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>. A list of common symptoms of COVID-19 can be found at <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>.
- 1.2. Post a copy of the Social Distancing Protocol checklist at each public entrance to the facility or location.
- 1.3. Distribute to all Personnel copies of the Social Distancing Protocol checklist in hardcopy or electronic format.
- 1.4. Educate all Personnel on the requirements of the Social Distancing Protocol and any other Health Officer directive that applies.

**2. Screening Requirements and Related Restrictions**

[Entire section revised 9/14/20; minor edits made 11/3/20] Businesses and other entities in the City that are allowed to operate must screen all Personnel each day using the screening process described in Sections 2.1 through 2.4 below. Attached to this Appendix is the Personnel

Screening Attachment (**Attachment A-1**) which provides the questions that must be used for that purpose. That form may be used, or the business may adapt the questions and the information contained in that form for use through another method such as by phone, text message, email, web interface, or app.

Separately, many businesses and other entities that are allowed to operate are required by separate directives to screen guests, visitors, customers, or others using similar questions. Attached to this Appendix is the San Francisco COVID-19 Health Screening Form for non-personnel (**Attachment A-2**) that may be used for this purpose. If a directive requires use of the San Francisco COVID-19 Health Screening Form, then that form must be used or the business or entity may adapt the questions and the information contained in that form for use through another method such as by phone, text message, email, web interface, or app.

A copy of the applicable screening form should be provided to anyone on request, although a poster or other large-format version of the form may be used to review the questions with people verbally at entrances. Businesses and organizations can use the guidance available online at <https://www.sfgcdcp.org/wp-content/uploads/2020/05/COVID19-Screening-Questions-UPDATE-05.26.2020.pdf> for determining how best to conduct screening. The City has flyers, posters, fact sheets, and social media graphics available in multiple languages for use by the community. These resources include posters regarding use of Face Coverings and screening. These resources are available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>.

The screening requirements listed in this Appendix are subject to any more specific (or different) requirements that apply under any other Health Officer directive or order.

#### Personnel Screening and Restrictions:

- 2.1. Instruct all Personnel orally and in writing not to come to work or the facility if they are sick or have any single symptom of COVID-19 that is new or not explained by another condition. See [www.sfgcdcp.org/covid19symptoms](http://www.sfgcdcp.org/covid19symptoms) or Personnel Screening Attachment (A-1).
- 2.2. Provide a copy of the Personnel Screening Attachment (**Attachment A-1**) to all Personnel who regularly work at the facility or location in hardcopy format or electronically. PDF and translated versions of the Personnel Screening Attachment can be found at [www.sfgcdcp.org/screen](http://www.sfgcdcp.org/screen). If the Personnel Screening Attachment is updated, provide an updated copy to all Personnel. Instead of sending out the attachment, Businesses may adopt the questions and information contained on the Personnel Screening Attachment and ask Personnel those questions and deliver the information through another format.
- 2.3. Review the criteria listed in Part 1 of the Personnel Screening Attachment on a daily basis with all Personnel in the City who work at the facility or location before each person enters work spaces or begins a shift. If such a review is not feasible because the business does not directly interact with some Personnel onsite daily, then that business must for those Personnel (1) instruct such Personnel to review the criteria before each shift in the City and (2) have such Personnel report to the business that they are okay to begin the shift such as through an app, website, or phone call.

Instruct any Personnel who answered yes to any question in Part 1 of the Personnel Screening Attachment to return home or not come to work and follow the directions on the Attachment. Generally speaking, Personnel with any single COVID-19 symptom that is new or not explained by another condition MUST have a negative COVID-19 test OR stay out of work for at least 10 days since symptoms started in order to return to work. Those who are



close contacts of someone with COVID-19 must remain out of work for 14 days since their last close contact.

- 2.4.** Instruct Personnel who stayed home or who went home based on the criteria listed on the Personnel Screening Attachment that they must follow the criteria as well as any applicable requirements from the quarantine and isolation directives (available at [www.sfdph.org/healthorders](http://www.sfdph.org/healthorders)) before returning to work. If they are required to self-quarantine or self-isolate, they may only return to work after they have completed self-quarantine or self-isolation. If they test negative for the virus (no virus found), they may only return to work if they meet the criteria explained on the Personnel Screening Attachment: [www.sfdcp.org/screen](http://www.sfdcp.org/screen). Personnel are not required to provide a medical clearance letter to return to work as long as they have met the requirements outlined on the Personnel Screening Attachment. Additional information about isolation and quarantine, including translations, is available online at [www.sfdcp.org/i&q](http://www.sfdcp.org/i&q).

#### Guest, Visitor, Customer, and Other People Screening and Restrictions:

- 2.5.** Health Officer directives may require screening of guests, visitors, customers, and others using the San Francisco COVID-19 Health Screening Form for non-personnel (**Attachment A-2**). In general, anyone who answers “yes” to any screening question on the San Francisco COVID-19 Health Screening Form should not enter the business or facility because they are at risk of having the virus that causes COVID-19. The form lists steps that should be taken by anyone who answers “yes” to a screening question. In some instances, a Health Officer directive will require that anyone who answers “yes” to be prevented from entry. In other situations, the Department of Public Health discourages organizations from denying essential services to those who may answer “yes” to any of the questions and encourages organizations to find alternative means to meet clients’ needs that would not require them to enter the facility.

### **3. Other Personnel and Patron Protection and Sanitation Requirements:**

- 3.1.** Businesses must periodically check the following website for any testing requirements for employers and businesses: [www.sfdcp.org/covid19](http://www.sfdcp.org/covid19). If requirements are added, ensure that the business and all Personnel comply with testing requirements.
- 3.2.** If an aspect of the business is allowed to operate and is covered by a Health Officer directive, then the business must comply with all applicable directives as well as this Social Distancing Protocol. Copies of other directives are available online at [www.sfdph.org/directives](http://www.sfdph.org/directives). For each directive that applies, review the Health and Safety Plan (HSP) requirements and post an additional HSP checklist for each one that applies. In the event that any directive changes the requirements of the Social Distancing Protocol, the more specific language of the directive controls, even if it is less restrictive.
- 3.3.** Instruct all Personnel and patrons to maintain at least a six-foot distance from others, including when in line and when shopping or collecting goods on behalf of patrons, except when momentarily necessary to facilitate or accept payment and hand off items or deliver goods. Note that if the business cannot ensure maintenance of a six-foot distance within the location or facility between Personnel or other people onsite, such as by moving work stations or spreading Personnel out, it must reduce the number of Personnel permitted in the location or facility accordingly.
- 3.4.** Provide Face Coverings for all Personnel, with instructions that they must wear Face Coverings at all times when at work, as further set forth in the Face Covering Order. A

sample sign is available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>. Allow Personnel to bring their own Face Covering if they bring one that has been cleaned before the shift. In general, people should have multiple Face Coverings (whether reusable or disposable) to ensure they use a clean one each day. The Face Covering Order permits certain exceptions, and the business should be aware of exceptions that allow a person not to wear a Face Covering (for example, children 12 years old or younger or based on a written medical excuse). When Personnel do not wear a Face Covering because of an exception, take steps to otherwise increase safety for all.

- 3.5. If patrons wait in line outside or inside any facility or location operated by the business, require patrons to wear a Face Covering while waiting in line outside or inside the facility or location. This includes taking steps to notify patrons they will not be served if they are in line without a Face Covering and refusing to serve a patron without a Face Covering, as further provided in the Face Covering Order. The business may provide a clean Face Covering to patrons while in line. For clarity, the transaction or service must be aborted if the patron is not wearing a Face Covering. But the business must permit a patron who is excused by the Face Covering Order from wearing a Face Covering to conduct their transaction or obtain service, including by taking steps that can otherwise increase safety for all.
- 3.6. Provide a sink with soap, water, and paper towels for handwashing for all Personnel working onsite at the facility or location and for patrons if sinks and restrooms are open to patrons. Require that all Personnel wash hands at least at the start and end of each shift, after sneezing, coughing, eating, drinking, smoking (to the extent smoking is allowed by law and the business), or using the restroom, when changing tasks, and, when possible, frequently during each shift. Personnel who work off-site, such as driving or delivering goods, must be required to use hand sanitizer throughout their shift.
- 3.7. Provide hand sanitizer effective against SARS-CoV-2, the virus that causes COVID-19, at appropriate locations for patrons and elsewhere at the facility or location for Personnel. Sanitizer must also be provided to Personnel who shop, deliver, or drive for use when they are shopping, delivering, or driving. If sanitizer cannot be obtained, a handwashing station with soap, water, and paper towels will suffice for Personnel who are on-site at the facility or location. But for Personnel who shop, deliver, or drive in relation to their work, the business must provide hand sanitizer effective against SARS-CoV-2 at all times; for any period during which the business does not provide sanitizer to such shopping, delivery, or driving Personnel, the business is not allowed for that aspect of its service to operate in the City. Information on hand sanitizer, including sanitizer effective against SARS-CoV-2 and how to obtain sanitizer, is available online from the Food and Drug Administration here: <https://www.fda.gov/drugs/information-drug-class/ga-consumers-hand-sanitizers-and-covid-19>.
- 3.8. Provide disinfectant and related supplies to Personnel and require Personnel to sanitize all high-touch surfaces under their control, including but not limited to: shopping carts and baskets used by Personnel and patrons; countertops, food/item display cases, refrigerator and freezer case doors, drawers with tools or hardware, and check-out areas; cash registers, payment equipment, and self-check-out kiosks; door handles; tools and equipment used by Personnel during a shift; and any inventory-tracking or delivery-tracking equipment or devices which require handling throughout a work shift. These items should be routinely disinfected during the course of the day, including as required below. A list of products listed by the United States Environmental Protection Agency as meeting criteria for use against SARS-CoV-2 can be found online here: <https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2>.

- 3.9.** Ensure that all shared devices and equipment are cleaned and/or sanitized by Personnel on frequent schedules, not less than at the beginning and end of each Personnel member's work shift and during the shift.
- 3.10.** Direct all Personnel to avoid touching unsanitized surfaces that may be frequently touched, such as door handles, tools, or credit cards, unless protective equipment such as gloves (provided by the business) are used and discarded after each use or hand sanitizer is used after each interaction.
- 3.11.** Frequently disinfect any break rooms, bathrooms, and other common areas. Create and use a daily checklist to document each time disinfection of these rooms or areas occurs. Conspicuously post the checklist inside each respective break room, bathroom, or other common area clearly detailing the dates and times the room was last cleaned, disinfected, or restocked.
- 3.12.** For any facility or location that has carts, baskets, or other equipment for use by Personnel, assign Personnel to disinfect carts, baskets, or other equipment after each use and take steps to prevent anyone from grabbing used carts, baskets, or other equipment before disinfection.
- 3.13.** Establish adequate time in the work day to allow for proper cleaning and decontamination throughout the facility or location by Personnel including, but not limited to, before closing for the day and opening in the morning.
- 3.14.** [Revised 8/14/20] Except as listed in this Section 3.14, suspend use of any microwaves, water coolers, drinking fountains, and other similar group equipment for breaks until further notice. Microwaves may be used if disinfected by wiping the interior and exterior with an approved disinfectant after each use. Water coolers may be used if: i) touch surfaces are wiped down with an approved disinfectant after each use; and ii) any person changing a container-type water cooler must wash their hands or use hand sanitizer immediately prior to handling/replacing the water container.
- 3.15.** When possible, provide a barrier between the patron and the cashier such as a plexi-glass temporary barrier. When not possible, create sufficient space to enable the patron to stand more than six feet away from the cashier while items are being scanned/tallied and bagged.
- 3.16.** Provide for contactless payment systems or, if not feasible, sanitize payment systems, including touch screens, payment portals, pens, and styluses, after each patron use. Patrons may pay with cash but to further limit person-to-person contact, Personnel should encourage patrons to use credit, debit, or gift cards for payment.
- 3.17.** For any larger facility or location, appoint a designated sanitation worker at all times to continuously clean and sanitize commonly touched surfaces and meet the environmental cleaning guidelines set by the Center for Disease Control and Prevention.
- 3.18.** If an employee or other Personnel tests positive for COVID-19 or SARS-CoV-2, follow the guidance on "Business guidance if a staff member tests positive for COVID-19," available at <https://sf.gov/business-guidance-if-staff-member-tests-positive-covid-19>.
- 3.19.** Post signs to advise patrons of the maximum line capacity to ensure that the maximum number of patrons in line is not exceeded. Once the maximum number of patrons is reached, patrons should be advised to return later to prevent buildup of congestion in the line.

- 3.20.** Place tape or other markings on the sidewalk or floor at least six feet apart in patron line areas with signs directing patrons to use the markings to maintain distance.
- 3.21.** When stocking shelves, if any, ensure that Personnel wash or sanitize hands before placing items on shelves, making sure to again wash or sanitize hands if they become contaminated by touching face or hair or being exposed to other soiled surfaces.
- 3.22.** Ensure that all Personnel who select items on behalf of patrons wear a Face Covering when selecting, packing, and/or delivering items.
- 3.23.** Require Personnel to wash hands frequently, including:
- When entering any kitchen or food preparation area
  - Before starting food preparation or handling
  - After touching their face, hair, or other areas of the body
  - After using the restroom
  - After coughing, sneezing, using a tissue, smoking, eating, or drinking
  - Before putting on gloves
  - After engaging in other activities that may contaminate the hands
- 3.24.** Assign Personnel to keep soap and paper towels stocked at sinks and handwashing stations at least every hour and to replenish other sanitizing products.
- 3.25.** [Added 7/13/20] If patrons bring their own reusable shopping bags, ensure that such bags, even in contexts other than grocery stores, are handled in a manner consistent with Cal/OSHA requirements available at <https://www.dir.ca.gov/dosh/Coronavirus/COVID-19-Infection-Prevention-in-Grocery-Stores.pdf>, including all of the following:
- Post signs at all entrances with infection control information to patrons, including requiring patrons to leave their own bags in the shopping cart or basket or carry them and bag their own items after checkout;
  - Ensure that Personnel do not touch the bags or place items in them;
  - Bags must not be placed on a conveyor belt, checkout area countertop, or other surface where patrons are served;
  - Ensure that patrons bag their own items if they bring their own bags;
  - Bags may not be loaded on the checkout area surface. Items can be left in a cart/basket and bagged elsewhere by the patron after checkout;
  - Ensure that patrons maintain physical distancing while bagging their items; and
  - Increase the frequency of disinfection in bagging areas and patron service areas frequented by patrons.
- 3.26.** [Added 7/13/20; updated 11/3/20] If a patron has symptoms of COVID-19 (see Section 1.1 above) or is otherwise unable to participate in an appointment or reservation for a COVID-19 related reason, the business must cancel the appointment or reservation if it is not for essential services (such as food, medicine, shelter, or social services) and allow the patron to cancel without any financial penalty. The business may offer to reschedule the appointment or reservation but cannot require rescheduling instead of allowing the patron to cancel. In the

healthcare context, more specific Health Officer directives may allow appointments when a patient or client is ill, and the requirements of the directive must be followed in that situation.

Note – Sections 3.14 and 3.26 control over any contrary language in Health Officer Directive Nos. 2020-05, 2020-06, and 2020-07 until each of them is amended or updated.

**ATTACHMENT A-1: Personnel Screening Form**  
(November 2, 2020)

Any business or entity that is allowed to operate in San Francisco during the COVID-19 pandemic **MUST** screen Personnel with the questions below on a daily basis as part of its Social Distancing Protocol compliance and provide this information to Personnel. Go to [www.sfgcdcp.org/screen](http://www.sfgcdcp.org/screen) for more information or a copy of this form. Do not use this form to screen customers, visitors, or guests. The screening form for Non-Personnel is available at [www.sfgcdcp.org/screen](http://www.sfgcdcp.org/screen). Health Officer orders or directives may provide additional screening requirements.

**PART 1 – You must answer the following questions before starting your work every day that you work.**

You may be required to provide the answers in person or via phone or other electronic means to the Business before the start of each shift. If any answers change while you are at work, notify the Business by phone and leave the workplace.

<p>1. In the last 10 days, have you been diagnosed with COVID-19 or had a test confirming you have the virus?</p>		
<p>2. In the past 14 days, have you had “<b>Close Contact</b>” with someone who was diagnosed with COVID-19 or had a test confirming they have the virus while they were contagious<sup>†</sup>?</p> <p style="margin-left: 20px;"><sup>†</sup> “Close Contact” means you had any of the following types of contact with the person with COVID-19 (regardless of whether you or the person with COVID-19 were masked) while they were contagious<sup>‡</sup>:</p> <table style="width: 100%; border: none;"><tr><td style="vertical-align: top; width: 50%;"><ul style="list-style-type: none"><li>• Were within 6 feet of them for a total of 15 minutes or more in a 24 hour period</li><li>• Lived or stayed overnight with them</li><li>• Were their intimate sex partner, including only kissing</li></ul></td><td style="vertical-align: top; width: 50%;"><ul style="list-style-type: none"><li>• Took care of them or they took care of you</li><li>• Had direct contact with their body fluids or secretions (e.g., they coughed or sneezed on you or you shared eating or drinking utensils with them)</li></ul></td></tr></table> <p style="margin-left: 20px;"><sup>‡</sup> Contagious Period: People with COVID-19 are considered contagious starting 48 hours before their symptoms began until 1) at least 10 days have passed since their symptoms began, 2) they haven’t had a fever for at least 24 hours AND 3) their symptom have improved. If the person with COVID-19 never had symptoms, they are considered contagious starting 48 hours before their positive COVID-19 test was collected until 10 days after they were tested.</p>	<ul style="list-style-type: none"><li>• Were within 6 feet of them for a total of 15 minutes or more in a 24 hour period</li><li>• Lived or stayed overnight with them</li><li>• Were their intimate sex partner, including only kissing</li></ul>	<ul style="list-style-type: none"><li>• Took care of them or they took care of you</li><li>• Had direct contact with their body fluids or secretions (e.g., they coughed or sneezed on you or you shared eating or drinking utensils with them)</li></ul>
<ul style="list-style-type: none"><li>• Were within 6 feet of them for a total of 15 minutes or more in a 24 hour period</li><li>• Lived or stayed overnight with them</li><li>• Were their intimate sex partner, including only kissing</li></ul>	<ul style="list-style-type: none"><li>• Took care of them or they took care of you</li><li>• Had direct contact with their body fluids or secretions (e.g., they coughed or sneezed on you or you shared eating or drinking utensils with them)</li></ul>	
<p>3. In the past 24 hours, including today, have you had one or more of these symptoms that is <u>new or not explained by another condition</u>?</p> <table style="width: 100%; border: none;"><tr><td style="vertical-align: top; width: 50%;"><ul style="list-style-type: none"><li>• Fever (100.4°F/38.0°C or greater), chills, repeated shaking/shivering</li><li>• Cough</li><li>• Sore throat</li><li>• Shortness of breath, difficulty breathing</li><li>• Feeling unusually weak or fatigued</li></ul></td><td style="vertical-align: top; width: 50%;"><ul style="list-style-type: none"><li>• Loss of taste or smell</li><li>• Muscle or body aches</li><li>• Headache</li><li>• Runny or congested nose</li><li>• Diarrhea</li><li>• Nausea or vomiting</li></ul></td></tr></table>	<ul style="list-style-type: none"><li>• Fever (100.4°F/38.0°C or greater), chills, repeated shaking/shivering</li><li>• Cough</li><li>• Sore throat</li><li>• Shortness of breath, difficulty breathing</li><li>• Feeling unusually weak or fatigued</li></ul>	<ul style="list-style-type: none"><li>• Loss of taste or smell</li><li>• Muscle or body aches</li><li>• Headache</li><li>• Runny or congested nose</li><li>• Diarrhea</li><li>• Nausea or vomiting</li></ul>
<ul style="list-style-type: none"><li>• Fever (100.4°F/38.0°C or greater), chills, repeated shaking/shivering</li><li>• Cough</li><li>• Sore throat</li><li>• Shortness of breath, difficulty breathing</li><li>• Feeling unusually weak or fatigued</li></ul>	<ul style="list-style-type: none"><li>• Loss of taste or smell</li><li>• Muscle or body aches</li><li>• Headache</li><li>• Runny or congested nose</li><li>• Diarrhea</li><li>• Nausea or vomiting</li></ul>	

If you answer “YES” to ANY of these 3 questions, do not enter any business or facility and follow the steps listed in Part 2 below.

**PART 2 –**

- If you answered **YES to Question 1 or Question 2. DO NOT GO TO WORK.** And:
  - **Follow Isolation/Quarantine Steps** at: [www.sfgcdcp.org/Home-Isolation-Quarantine-Guidelines](http://www.sfgcdcp.org/Home-Isolation-Quarantine-Guidelines)  
You **MUST** follow these isolation/quarantine rules, as **mandated** by the Health Directive No 2020-03c/02c.
  - Do not return to work until the Isolation or Quarantine Steps tell you it is safe to return!
- If you answered **YES to Question 3:** You may have COVID-19 and **must be tested for the virus** before returning to work. Without a test, the Business must treat you as being positive for COVID-19 and require you to stay out of work for at least **10** calendar days. To return to work sooner and protect others, **follow these steps:**
  1. **GET TESTED!** If you have insurance, contact your healthcare provider to get tested for COVID-19. If you do not have insurance, you can sign up for free testing at CityTestSF (<https://sf.gov/citytestsfsf>). If you live outside the City, check with the county where you live, get tested by your usual healthcare provider, or use CityTestSF.
  2. Wait for your results at home and follow the instructions at [www.sfgcdcp.org/Home-Isolation-Quarantine-Guidelines](http://www.sfgcdcp.org/Home-Isolation-Quarantine-Guidelines) to determine next steps. Only return to work when those guidelines say it is safe.

Your health on the job is important! To report a violation of San Francisco COVID-19 health orders and directives ([www.sfdph.org/healthorders](http://www.sfdph.org/healthorders)), including requirements to screen and exclude sick personnel from work as well as social distancing and facial covering requirements, call: 311 or 415-701-2311 (English) or 415-701-2322 (Español, 中文, TTY). You can request for your identity to remain confidential.



## **ATTACHMENT A-2: San Francisco COVID-19 Health Screening Form for Non-Personnel**

(November 2, 2020)

This handout is for screening clients, visitors and other non-personnel before letting them enter a location or business. **SFDPH discourages anyone from denying core essential services (such as food, medicine, shelter, or social services) to those who answer “yes” to any of the questions below and encourages people to find alternative means to meet clients’ needs that would not require them to enter the location.** Health Officer Directives may provide additional requirements regarding screening in a specific context. *This form, a screening form for personnel, and additional guidance on screening are available at [www.sfgcdcp.org/screen](http://www.sfgcdcp.org/screen)*

### **PART 1 – Please answer the following questions before entering this location.**

1. In the last 10 days, have you been diagnosed with COVID-19 or had a test confirming you have the virus?
2. In the past 14 days, have you had “**Close Contact**” with someone who was diagnosed with COVID-19 or had a test confirming they have the virus while they were contagious<sup>†</sup>?  
  
† “Close Contact” means you had any of the following types of contact with the person with COVID-19 (regardless of whether you or the person with COVID-19 were masked) while they were contagious<sup>‡</sup>:
  - Were within 6 feet of them for a total of 15 minutes or more in a 24 hour period
  - Lived or stayed overnight with them
  - Were their intimate sex partner, including only kissing
  - Took care of them or they took care of you
  - Had direct contact with their body fluids or secretions (e.g., they coughed or sneezed on you or you shared eating or drinking utensils with them)  
<sup>‡</sup> Contagious Period: People with COVID-19 are considered contagious starting 48 hours before their symptoms began until 1) at least 10 days have passed since their symptoms began, 2) they haven’t had a fever for at least 24 hours AND 3) their symptoms have improved. If the person with COVID-19 never had symptoms, they are considered contagious starting 48 hours before their positive COVID-19 test was collected until 10 days after they were tested.
3. In the past 24 hours, including today, have you had one or more of these symptoms that is new or not explained by another condition?
  - Fever (100.4°F/38.0°C or greater), chills, repeated shaking/shivering
  - Cough
  - Sore throat
  - Shortness of breath, difficulty breathing
  - Feeling unusually weak or fatigued\*
  - Loss of taste or smell
  - Muscle or body aches\*
  - Headache
  - Runny or congested nose\*
  - Diarrhea
  - Nausea or vomiting  
\* Children and youth under 18 years old do not need to be screened for these symptoms.

If you answer “YES” to ANY of these 3 questions, do not enter the location. Follow the steps listed in Part 2 below. If you are seeking core essential services (such as food, medicine, shelter, or social services), work with the organization to determine how you can receive services these services without entering the building.

### **PART 2**

- If you answered **YES to Question 1 or Question 2**:
  - **Follow Isolation/Quarantine Steps** at: [www.sfgcdcp.org/Home-Isolation-Quarantine-Guidelines](http://www.sfgcdcp.org/Home-Isolation-Quarantine-Guidelines)  
You **MUST** follow these isolation/quarantine rules, as **mandated** by Health Directive No 2020-03c/02c.
  - Do not leave your home to the extent possible until the Isolation/Quarantine Steps tell you it is safe to do so!
  - If you need help with essential services like food, housing, or other needs while you are isolating or quarantining, call 3-1-1.
- If you answered **YES to Question 3**: You may have COVID-19 and to keep others safe, you should isolate until you know whether you have COVID-19. **Follow these steps**:
  1. Follow the instructions at: [www.sfgcdcp.org/Home-Isolation-Quarantine-Guidelines](http://www.sfgcdcp.org/Home-Isolation-Quarantine-Guidelines)
  2. **GET TESTED!** If you have insurance, contact your healthcare provider to get tested for COVID-19. If you do not have insurance, you can sign up for free testing at CityTestSF (<https://sf.gov/citytests>).
    - Follow the instructions in [www.sfgcdcp.org/Home-Isolation-Quarantine-Guidelines](http://www.sfgcdcp.org/Home-Isolation-Quarantine-Guidelines) to determine next steps depending on your test result.

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**Small Construction Project Safety Protocol (revised November 3, 2020)**

1. Any construction project meeting any of the following specifications is subject to this Small Construction Project Safety Protocol (“SCP Protocol”), including public works projects unless otherwise specified by the Health Officer:
  - a. For residential projects, any single-family, multi-family, senior, student, or other residential construction, renovation, or remodel project consisting of 10 units or fewer. This SCP Protocol does not apply to construction projects where a person is performing construction on their current residence either alone or solely with members of their own household.
  - b. For commercial projects, any construction, renovation, or tenant improvement project consisting of 20,000 square feet of floor area or less.
  - c. For mixed-use projects, any project that meets both of the specifications in subsections 1.a and 1.b.
  - d. All other construction projects not subject to the Large Construction Project Safety Protocol set forth in Appendix B-2.
2. The following restrictions and requirements must be in place at all construction job sites subject to this SCP Protocol:
  - a. Comply with all applicable and current laws and regulations including but not limited to OSHA and Cal-OSHA. If there is any conflict, difference, or discrepancy between or among applicable laws and regulations and/or this SCP Protocol, the stricter standard shall apply.
  - b. Designate a site-specific COVID-19 supervisor or supervisors to enforce this guidance. A designated COVID-19 supervisor must be present on the construction site at all times during construction activities. A COVID-19 supervisor may be an on-site worker who is designated to serve in this role.
  - c. The COVID-19 supervisor must review this SCP Protocol with all workers and visitors to the construction site.
  - d. Establish a daily screening protocol for arriving staff to ensure that potentially infected staff do not enter the construction site. If workers leave the jobsite and return the same day, establish a cleaning and decontamination protocol prior to entry and exit of the jobsite. Post the daily screening protocol at all entrances and exits to the jobsite. More information on screening can be found online at: <https://www.cdc.gov/coronavirus/2019-ncov/community/index.html>.
  - e. Practice social distancing by maintaining a minimum six-foot distance between workers at all times, except as strictly necessary to carry out a task associated with the construction project.



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- f. In the event of a confirmed case of COVID-19 at any jobsite, the following must take place:
- i. Immediately remove the infected individual from the jobsite with directions to seek medical care.
  - ii. Decontaminate and sanitize all surfaces at each location at which the infected worker was present. Provide those performing the decontamination and sanitization work with medical-grade PPE, ensure the workers are trained in proper use of the PPE, require the workers to use the provided PPE, and prohibit any sharing of the PPE. Prohibit anyone from entering the possibly contaminated area, except those performing decontamination and sanitization work. Cease all work in these locations until decontamination and sanitization is complete.
  - iii. Each subcontractor, upon learning that one of its employees is infected, must notify the General Contractor immediately, if you have one, and provide all of the information specified below. The General Contractor or other appropriate supervisor must notify the County Public Health Department Communicable Disease Control (CD Control) at 628-217-6100 immediately of every project site worker found to have a confirmed case of COVID-19, and provide all the information specified below. Follow all directives and complete any additional requirements by County health officials, including full compliance with any tracing efforts by the County.
- Information to be reported to CD Control regarding the jobsite:
    - 1) Address of jobsite;
    - 2) Name of project, if any;
    - 3) Name of General Contractor; and
    - 4) General Contractor point of contact, role, phone number and email.
  - Information to be reported to CD Control regarding the COVID-19 case(s):
    - 5) First and last name;
    - 6) Date of birth;
    - 7) Phone;
    - 8) Date tested positive;
    - 9) Date last worked;
    - 10) City of residence; and
    - 11) If the case is an employee of a subcontractor, please provide the following information:
      - Subcontractor;
      - Subcontractor contact name;
      - Subcontractor contact phone; and
      - Subcontractor contact email.
  - Information to be reported to CD Control regarding Close Contacts. For each reported case(s) above, please provide the following information (if you are

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reporting more than one positive case, please include the name of the positive case for each close contact):

- 1) Close contact's first and last name;
- 2) Phone;
- 3) City of residence; and
- 4) Positive case name.

A "Close Contact" in the workplace is anyone who meets either of the following criteria:

- o Was within 6 feet of a person with COVID-19 for a period of time that adds up to at least 15 minutes in 24 hours, masked or unmasked, when that person was contagious. People with COVID-19 are considered contagious starting 48 hours before their symptoms began until 1) they haven't had a fever for at least 24 hours, 2) their symptoms have improved, AND 3) at least 10 days have passed since their symptoms began. If the person with COVID-19 never had symptoms, then they are considered contagious starting 48 hours before their test that confirmed they have COVID-19 until 10 days after the date of that test.

OR

- o Had direct contact for any amount of time with the body fluids and/or secretions of the Person With COVID-19 (for example, was coughed or sneezed on, shared utensils with, or was provided care or provided care for them without wearing a mask, gown, and gloves).

Close contacts are high risk exposures and need to quarantine for a full 14 days due to the 14 day incubation period of the virus. Even if a close contact tests negative within 14 days of their last exposure to the case, they must continue quarantining the full 14 day period to prevent transmission of the virus.

- g. Where construction work occurs within an occupied residential unit, separate work areas must be sealed off from the remainder of the unit with physical barriers such as plastic sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative entry/exit door to the entry/exit door used by residents. Available windows and exhaust fans must be used to ventilate the work area. If residents have access to the work area between workdays, the work area must be cleaned and sanitized at the beginning and at the end of workdays. Every effort must be taken to minimize contact between workers and residents, including maintaining a minimum of six feet of social distancing at all times.
- h. Where construction work occurs within common areas of an occupied residential or commercial building or a mixed-use building in use by on-site employees or residents,

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separate work areas must be sealed off from the rest of the common areas with physical barriers such as plastic sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative building entry/exit door to the building entry/exit door used by residents or other users of the building. Every effort must be taken to minimize contact between worker and building residents and users, including maintaining a minimum of six feet of social distancing at all times.

- i. Prohibit gatherings of any size on the jobsite, including gatherings for breaks or eating, except for meetings regarding compliance with this protocol or as strictly necessary to carry out a task associated with the construction project.
- j. Cal-OSHA requires employers to provide water, which should be provided in single-serve containers. Sharing of any of any food or beverage is strictly prohibited and if sharing is observed, the worker must be sent home for the day.
- k. Provide personal protective equipment (PPE) specifically for use in construction, including gloves, goggles, face shields, and face coverings as appropriate for the activity being performed. At no time may a contractor secure or use medical-grade PPE unless required due to the medical nature of a jobsite. Face coverings must be worn in compliance with Health Officer Order No. C19-12c, issued July 22, 2020, or any subsequently issued or amended order.
- l. Prohibit use of microwaves, water coolers, and other similar shared equipment except as allowed by the Social Distancing Protocol (Appendix A).
- m. Strictly control “choke points” and “high-risk areas” where workers are unable to maintain six-foot social distancing and prohibit or limit use to ensure that six-foot distance can easily be maintained between individuals.
- n. Minimize interactions and maintain social distancing with all site visitors, including delivery workers, design professional and other project consultants, government agency representatives, including building and fire inspectors, and residents at residential construction sites.
- o. Stagger trades as necessary to reduce density and allow for easy maintenance of minimum six-foot separation.
- p. Discourage workers from using others’ desks, work tools, and equipment. If more than one worker uses these items, the items must be cleaned and disinfected with disinfectants that are effective against COVID-19 in between use by each new worker. Prohibit sharing of PPE.
- q. If hand washing facilities are not available at the jobsite, place portable wash stations or hand sanitizers that are effective against COVID-19 at entrances to the jobsite and in multiple locations dispersed throughout the jobsite as warranted.

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- r. Clean and sanitize any hand washing facilities, portable wash stations, jobsite restroom areas, or other enclosed spaces daily with disinfectants that are effective against COVID-19. Frequently clean and disinfect all high touch areas, including entry and exit areas, high traffic areas, rest rooms, hand washing areas, high touch surfaces, tools, and equipment
- s. Maintain a daily attendance log of all workers and visitors that includes contact information, including name, phone number, address, and email.
- t. Post a notice in an area visible to all workers and visitors instructing workers and visitors to do the following:
  - i. Do not touch your face with unwashed hands or with gloves.
  - ii. Frequently wash your hands with soap and water for at least 20 seconds or use hand sanitizer with at least 60% alcohol.
  - iii. Clean and disinfect frequently touched objects and surfaces such as work stations, keyboards, telephones, handrails, machines, shared tools, elevator control buttons, and doorknobs.
  - iv. Cover your mouth and nose when coughing or sneezing, or cough or sneeze into the crook of your arm at your elbow/sleeve.
  - v. Do not enter the jobsite if you have a fever, cough, or other COVID-19 symptoms. If you feel sick, or have been exposed to anyone who is sick, stay at home.
  - vi. Constantly observe your work distances in relation to other staff. Maintain the recommended minimum six feet at all times when not wearing the necessary PPE for working in close proximity to another person.
  - vii. Do not carpool to and from the jobsite with anyone except members of your own household unit, or as necessary for workers who have no alternative means of transportation.
  - viii. Do not share phones or PPE.
- u. The notice in Section 2.t must be translated as necessary to ensure that all non-English speaking workers are able to understand the notice.

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**Appendix B-2**

**Large Construction Project Safety Protocol (revised November 3, 2020)**

1. Any construction project meeting any of the following specifications is subject to this Large Construction Project Safety Protocol (“LCP Protocol”), including public works projects unless otherwise specified by the Health Officer:
  - a. For residential construction projects, any single-family, multi-family, senior, student, or other residential construction, renovation, or remodel project consisting of more than 10 units.
  - b. For commercial construction projects, any construction, renovation, or tenant improvement project consisting of more than 20,000 square feet of floor area.
  - c. For construction of Essential Infrastructure, as defined in Section 8.1 of the Order, any project that requires twenty or more workers at the jobsite at any one time.
2. The following restrictions and requirements must be in place at all construction job sites subject to this LCP Protocol:
  - a. Comply with all applicable and current laws and regulations including but not limited to OSHA and Cal-OSHA. If there is any conflict, difference or discrepancy between or among applicable laws and regulations and/or this LCP Protocol, the stricter standard will apply.
  - b. Prepare a new or updated Site-Specific Health and Safety Plan to address COVID-19-related issues, post the Plan on-site at all entrances and exits, and produce a copy of the Plan to County governmental authorities upon request. The Plan must be translated as necessary to ensure that all non-English speaking workers are able to understand the Plan.
  - c. Provide personal protective equipment (PPE) specifically for use in construction, including gloves, goggles, face shields, and face coverings as appropriate for the activity being performed. At no time may a contractor secure or use medical-grade PPE, unless required due to the medical nature of a job site. Face Coverings must be worn in compliance with Health Officer Order No. C19-12c, issued July 22, 2020, or any subsequently issued or amended order.
  - d. Ensure that employees are trained in the use of PPE. Maintain and make available a log of all PPE training provided to employees and monitor all employees to ensure proper use of the PPE.
  - e. Prohibit sharing of PPE.
  - f. Implement social distancing requirements including, at minimum:

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### **Appendix B-2**

- i. Stagger stop- and start-times for shift schedules to reduce the quantity of workers at the jobsite at any one time to the extent feasible.
- ii. Stagger trade-specific work to minimize the quantity of workers at the jobsite at any one time.
- iii. Require social distancing by maintaining a minimum six-foot distance between workers at all times, except as strictly necessary to carry out a task associated with the project.
- iv. Prohibit gatherings of any size on the jobsite, except for safety meetings or as strictly necessary to carry out a task associated with the project.
- v. Strictly control “choke points” and “high-risk areas” where workers are unable to maintain minimum six-foot social distancing and prohibit or limit use to ensure that minimum six-foot distancing can easily be maintained between workers.
- vi. Minimize interactions and maintain social distancing with all site visitors, including delivery workers, design professional and other project consultants, government agency representatives, including building and fire inspectors, and residents at residential construction sites.
- vii. Prohibit workers from using others’ phones or desks. Any work tools or equipment that must be used by more than one worker must be cleaned with disinfectants that are effective against COVID-19 before use by a new worker.
- viii. Place wash stations or hand sanitizers that are effective against COVID-19 at entrances to the jobsite and in multiple locations dispersed throughout the jobsite as warranted.
- ix. Maintain a daily attendance log of all workers and visitors that includes contact information, including name, address, phone number, and email.
- x. Post a notice in an area visible to all workers and visitors instructing workers and visitors to do the following:
  1. Do not touch your face with unwashed hands or with gloves.
  2. Frequently wash your hands with soap and water for at least 20 seconds or use hand sanitizer with at least 60% alcohol.
  3. Clean and disinfect frequently touched objects and surfaces such as workstations, keyboards, telephones, handrails, machines, shared tools, elevator control buttons, and doorknobs.
  4. Cover your mouth and nose when coughing or sneezing or cough or sneeze into the crook of your arm at your elbow/sleeve.
  5. Do not enter the jobsite if you have a fever, cough, or other COVID-19 symptoms. If you feel sick, or have been exposed to anyone who is sick, stay at home.
  6. Constantly observe your work distances in relation to other staff. Maintain the recommended minimum six-feet distancing at all times when not wearing the necessary PPE for working in close proximity to another person.
  7. Do not share phones or PPE.

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- xi. The notice in section 2.f.x must be translated as necessary to ensure that all non-English speaking workers are able to understand the notice.
- g. Implement cleaning and sanitization practices in accordance with the following:
  - i. Frequently clean and sanitize, in accordance with CDC guidelines, all high-traffic and high-touch areas including, at a minimum: meeting areas, jobsite lunch and break areas, entrances and exits to the jobsite, jobsite trailers, hand-washing areas, tools, equipment, jobsite restroom areas, stairs, elevators, and lifts.
  - ii. Establish a cleaning and decontamination protocol prior to entry and exit of the jobsite and post the protocol at entrances and exits of jobsite.
  - iii. Supply all personnel performing cleaning and sanitization with proper PPE to prevent them from contracting COVID-19. Employees must not share PPE.
  - iv. Establish adequate time in the workday to allow for proper cleaning and decontamination including prior to starting at or leaving the jobsite for the day.
- h. Implement a COVID-19 community spread reduction plan as part of the Site-Specific Health and Safety Plan that includes, at minimum, the following restrictions and requirements:
  - i. Prohibit all carpooling to and from the jobsite except by workers living within the same household unit, or as necessary for workers who have no alternative means of transportation.
  - ii. Cal-OSHA requires employers to provide water, which should be provided in single-serve containers. Prohibit any sharing of any food or beverage and if sharing is observed, the worker must be sent home for the day.
  - iii. Prohibit use of microwaves, water coolers, and other similar shared equipment except as allowed by the Social Distancing Protocol (Appendix A).
- i. Assign a COVID-19 Safety Compliance Officer (SCO) to the jobsite and ensure the SCO's name is posted on the Site-Specific Health and Safety Plan. The SCO must:
  - i. Ensure implementation of all recommended safety and sanitation requirements regarding the COVID-19 virus at the jobsite.
  - ii. Compile daily written verification that each jobsite is compliant with the components of this LCP Protocol. Each written verification form must be copied, stored, and made immediately available upon request by any County official.
  - iii. Establish a daily screening protocol for arriving staff, to ensure that potentially infected staff do not enter the construction site. If workers leave the jobsite and return the same day, establish a cleaning and decontamination protocol prior to entry and exit of the jobsite. Post the daily screening protocol at all entrances and exit to the jobsite. More information on screening can be found online at: <https://www.cdc.gov/coronavirus/2019-ncov/community/index.html>.
  - iv. Conduct daily briefings in person or by teleconference that must cover the following topics:
    - 1. New jobsite rules and pre-job site travel restrictions for the prevention of COVID-19 community spread.
    - 2. Review of sanitation and hygiene procedures.
    - 3. Solicitation of worker feedback on improving safety and sanitation.

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4. Coordination of construction site daily cleaning/sanitation requirements.
5. Conveying updated information regarding COVID-19.
6. Emergency protocols in the event of an exposure or suspected exposure to COVID-19.
- v. Develop and ensure implementation of a remediation plan to address any non-compliance with this LCP Protocol and post remediation plan at entrance and exit of jobsite during remediation period. The remediation plan must be translated as necessary to ensure that all non-English speaking workers are able to understand the document.
- vi. The SCO must not permit any construction activity to continue without bringing such activity into compliance with these requirements.
- vii. Report repeated non-compliance with this LCP Protocol to the appropriate jobsite supervisors and a designated County official.
- j. Assign a COVID-19 Third-Party Jobsite Safety Accountability Supervisor (JSAS) for the jobsite, who at a minimum holds an OSHA-30 certificate and first-aid training within the past two years, who must be trained in the protocols herein and verify compliance, including by visual inspection and random interviews with workers, with this LCP Protocol.
  - i. Within seven calendar days of each jobsite visit, the JSAS must complete a written assessment identifying any failure to comply with this LCP Protocol. The written assessment must be copied, stored, and, upon request by the County, sent to a designated County official.
  - ii. If the JSAS discovers that a jobsite is not in compliance with this LCP Protocol, the JSAS must work with the SCO to develop and implement a remediation plan.
  - iii. The JSAS must coordinate with the SCO to prohibit continuation of any work activity not in compliance with rules stated herein until addressed and the continuing work is compliant.
  - iv. The remediation plan must be sent to a designated County official within five calendar days of the JSAS's discovery of the failure to comply.
- k. In the event of a confirmed case of COVID-19 at any jobsite, the following must take place:
  - i. Immediately remove the infected individual from the jobsite with directions to seek medical care.
  - ii. Decontaminate and sanitize all surfaces at each location at which the infected worker was present. Provide those performing the decontamination and sanitization work with medical-grade PPE, ensure the workers are trained in proper use of the PPE, require the workers to use the provided PPE, and prohibit any sharing of the PPE. Prohibit anyone from entering the possibly contaminated area, except those performing decontamination and sanitization work. Cease all work in these locations until decontamination and sanitization is complete.
  - iii. Notify the County Public Health Department Communicable Disease Control (CD Control) immediately at 628-217-6100 and provide the information



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below. Follow all directives and complete any additional requirements by County health officials, including full compliance with any tracing efforts by the County.

- Information to be reported to CD Control regarding the jobsite:
  - 1) Address of jobsite;
  - 2) Name of project, if any;
  - 3) Name of General Contractor; and
  - 4) General Contractor point of contact, role, phone number and email.
  
- Information to be reported to CD Control regarding the COVID-19 case(s):
  - 5) First and last name;
  - 6) Date of birth;
  - 7) Phone;
  - 8) Date tested positive;
  - 9) Date last worked;
  - 10) City of residence; and
  - 11) If the case is an employee of a subcontractor, please provide the following information:
    - Subcontractor;
    - Subcontractor contact name;
    - Subcontractor contact phone; and
    - Subcontractor contact email.
  
- Information to be reported to CD Control regarding Close Contacts. For each reported case(s) above, please provide the following information (if you are reporting more than one positive case, please include the name of the positive case for each close contact):
  - 1) Close contact's first and last name;
  - 2) Phone;
  - 3) City of residence; and
  - 4) Positive case name.

A "Close Contact" in the workplace is anyone who meets either of the following criteria:

- Was within 6 feet of a person with COVID-19 for a period of time that adds up to at least 15 minutes in 24 hours, masked or unmasked, when that person was contagious. People with COVID-19 are considered contagious starting 48 hours before their symptoms began until 1) they

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haven't had a fever for at least 24 hours, 2) their symptoms have improved, AND 3) at least 10 days have passed since their symptoms began. If the person with COVID-19 never had symptoms, then they are considered contagious starting 48 hours before their test that confirmed they have COVID-19 until 10 days after the date of that test.

OR

- Had direct contact for any amount of time with the body fluids and/or secretions of the Person With COVID-19 (for example, was coughed or sneezed on, shared utensils with, or was provided care or provided care for them without wearing a mask, gown, and gloves).

Close contacts are high risk exposures and need to quarantine for a full 14 days due to the 14 day incubation period of the virus. Even if a close contact tests negative within 14 days of their last exposure to the case, they must continue quarantining the full 14 day period to prevent transmission of the virus.

If you are unable to obtain the above case or close contact information from your subcontractor, please ensure your subcontractor is aware that they will need to report directly to SFDPH CD Control.

- l. Where construction work occurs within an occupied residential unit, any separate work area must be sealed off from the remainder of the unit with physical barriers such as plastic sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative entry/exit door to the entry/exit door used by residents. Available windows and exhaust fans must be used to ventilate the work area. If residents have access to the work area between workdays, the work area must be cleaned and sanitized at the beginning and at the end of workdays. Every effort must be taken to minimize contact between workers and residents, including maintaining a minimum of six feet of social distancing at all times.
- m. Where construction work occurs within common areas of an occupied residential or commercial building or a mixed-use building in use by on-site employees or residents, any separate work area must be sealed off from the rest of the common areas with physical barriers such as plastic sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative building entry/exit door to the building entry/exit door used by residents or other users of the building. Every effort must be taken to minimize contact between worker and building residents and users, including maintaining a minimum of six feet of social distancing at all times.

## **Order No. C19-07n – Appendix C-1: Additional Businesses Permitted to Operate**

**[Revised November 10, 2020]**

### **A. General Requirements**

The “Additional Businesses” listed below may begin operating, subject to the requirements set forth in the Order and to any additional requirements set forth below or in separate industry-specific guidance by the Health Officer. These businesses were selected based on current health-related information, the risk criteria set forth in Section 3 of the Order, and the overall impact that allowing these businesses to resume operation will have on mobility and volume of activity in the County.

To mitigate the risk of transmission to the greatest extent possible, before resuming operations, each Additional Business must:

- Comply with Social Distancing Requirements (Section 8.o of the Order) and prepare, post, implement, and distribute to their Personnel a Social Distancing Protocol checklist as specified in Section 5.d and Appendix A of the Order for each of their facilities in the County where Personnel or members of the public will be onsite;
- Prepare, post, implement, and distribute to their Personnel a written health and safety plan checklist that addresses all applicable best practices set forth in relevant Health Officer directives; and
- Comply with any relevant state guidance and local directives. If a conflict exists between state guidance and local public health directives related to the COVID-19 pandemic, the most restrictive provision shall be followed, as further provided in Section 10 of the Order.

Businesses that are permitted to operate outdoors may, subject to any applicable permit requirements, conduct their operations under a tent, canopy, or other sun or weather shelter, but only as long as no more than one side is closed, allowing sufficient outdoor air movement. Also, the number and composition of barriers used for all outdoor shelters must allow the free flow of air in the breathing zone consistent with guidance from the Department of Public Health. The health-related basis for selection of Additional Businesses and the specific requirements for risk mitigation are summarized below. The bases for the additions were amended on July 13, 2020, to reflect an updated and refined analysis under the risk criteria set forth in Section 3 of the amended Order.

On August 28, 2020 the State adopted a new four-tiered, color-coded framework to guide reopening statewide. Basic information about the State’s tiered system is available online at <https://covid19.ca.gov/safer-economy/>. Counties can be more restrictive than this State framework and the County has taken a more careful, incremental approach based on local COVID-19 Indicators. On October 20, 2020, the State assigned the County’s risk of COVID-19 community transmission to be in the minimal (yellow) tier (the least restrictive tier, or the “Yellow Tier”) under an accelerated health equity pathway. But San Francisco is now experiencing a rapid and significant surge of COVID-19 cases and meets the criteria to fall within a more restrictive tier. Without changes that demonstrate objective signs of improvement San Francisco risks movement backwards. Accordingly, the Health Officer is restricting and or suspending certain activities allowed to date under this Appendix. If the surge continues, the Health Officer may further restrict and suspend activities allowed under the Appendix, beginning with additional indoor activities including, for instance, indoor religious services and cultural ceremonies at houses of worship, indoor retail, indoor museums, aquariums and zoos, indoor personal services and non-essential office. And if the surge in COVID-19 cases is reversed, the Health Officer will consider lifting the restrictions and suspensions to the extent supported by the COVID-19 Indicators and emerging scientific data, information, and evidence.

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### **B. List of Additional Businesses**

For purposes of the Order, Additional Businesses include the following, subject to the stated limitations and conditions:

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(2) Manufacturing, Warehousing and Logistical Support .....	7
(3) Childcare and Youth Programs for All Children .....	8
(4) Curbside Pickup and Drop-Off for Low Contact Retail Services.....	10
(5) Equipment Rental Businesses .....	11
(6) Professional Sports Teams: Practices, Games, and Tournaments without In-Person Spectators with an Approved Plan .....	12
(7) Entertainment Venues: Live Streaming or Broadcasting Events without In-Person Audiences with an Approved Plan.....	13
(8) Dining—SUSPENDED IN PART .....	14
(9) Outdoor Fitness Classes .....	18
(10) Indoor Household Services .....	19
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(17) Indoor Museums, Aquariums, and Zoos—SUSPENDED IN PART .....	31
(18) Outdoor Family Entertainment Centers .....	33
(19) Open-Air Tour Bus Operators .....	35
(20) Lodging Facilities for Tourism—SUSPENDED IN PART.....	37
(21) Indoor Movie Theaters—REDUCED CAPACITY .....	39
(22) Film and Media Productions .....	41
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#### **(1) Retail Stores for Goods—SUSPENDED IN PART**

- a. Basis for Addition. Personnel and customers can wear Face Coverings at all times and maintain at least six feet of physical distance except for brief interactions (e.g., while paying for goods). No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. While shopping customers interact only with a small number of individuals from other Households. Although Personnel are interacting with a moderate number of people, the duration of those interactions are low and safety limitations can

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ensure adequate physical distancing and adherence with other Social Distancing Requirements (Section 8.o of the Order) and other worker protection measures and decrease the risk of virus transmission. Consistent with Section 5.c of the Order and to the extent possible, retail stores are urged to conduct curbside/outdoor pickup to further decrease the risk.

### **b. Description and Conditions to Operate.**

#### **1. Curbside/Outdoor Pickup:** Retail stores may operate for curbside/outside pickup of goods, subject to the following limitations:

- i. The store must limit the number of Personnel in the facility so that Personnel can comply with Social Distancing Requirements;
- ii. The store must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and must comply with Health Officer Directive No. 2020-10b, as that directive may be amended from time to time, regarding required best practices for retail businesses with curbside pickup—including the requirement to create a Health and Safety Plan;
- iii. If a store chooses to display merchandise for sale on tables or otherwise outside the store, it must comply with the following specific requirements:
  - The store must obtain any necessary permits from the County;
  - Customers must either use hand sanitizer before touching items or ask the vendor to hand items to them;
  - Only the number of customers who can maintain at least six feet of physical distancing may approach the table at a time;
  - Chalk demarcations must be placed on the ground to indicate where shoppers should stand behind others, while waiting to purchase items; and
  - The store must take measures to help ensure against congestion and blocking passage by pedestrians, including people with disabilities.

Stores may apply for a free temporary permit to use the sidewalk or parking lane for retail operations at <https://sf.gov/use-sidewalk-or-parking-lane-your-business>.

- iv. The store must have direct access to an immediately adjacent sidewalk, street, alley, or parking area for pickup by customers using any mode of travel, without blocking pedestrian access or causing pedestrian or vehicle congestion; and
- v. Retail stores that are in an enclosed Indoor Shopping Center (defined as a large building or group of buildings where customer access to stores is possible only through indoor passage ways or indoor common areas, such as Stonestown Galleria, and Westfield San Francisco Centre) and that do not have direct access to adjacent sidewalk, street, parking lot or alley area, may only reopen for curbside/outdoor pickup at this time if the Indoor Shopping

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Center operator submits to the Health Officer a proposed plan for reopening and that plan is approved as provided below. The proposed plan must include:

- a. the number of stores and businesses that would be resuming operation;
- b. the number of Personnel associated with each store or business;
- c. the number of customers expected daily; and
- d. the specific social distancing and sanitation measures the shopping center would employ to prevent congestion at the doorways and streets, and protect customers and Personnel.

Plans must be submitted to HealthPlan@sfcityatty.org. Subject to the advance written approval of the Health Officer or the Health Officer's designee, retailers in the Indoor Shopping Center may then operate for curbside pickup consistent with the approved plan.

2. In-Store Retail: Beginning at 6:00 a.m. on June 15, 2020, retail stores may begin to operate for indoor shopping, subject to the following limitations and conditions:
  - i. The store must reduce maximum occupancy to limit the number of people (including both customers and Personnel) to the lesser of: (1) 50% the store's normal maximum occupancy or (2) the number of people who can maintain at least six feet of physical distance from each other in the store at all times;
  - ii. Before opening for in-store shopping, the store must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and must comply with Health Officer Directive No. 2020-17, as that directive may be amended from time to time, regarding required best practices for retail businesses offering in-store shopping or services—including the requirement to create a Health and Safety Plan;
  - iii. If a store chooses to display merchandise for sale on tables or otherwise outside the store, it must comply with the following specific requirements:
    - The store must obtain any necessary permits from the County;
    - Customers must either use hand sanitizer before touching items or ask the vendor to hand items to them;
    - Only the number of customers who can maintain at least six feet physical distancing may approach the table at a time;
    - Chalk demarcations must be placed on the ground to indicate where shoppers should stand behind others, while waiting to purchase items; and
    - The store must take measures to help ensure against congestion and blocking passage by pedestrians, including people with disabilities.

Stores may apply for a free temporary permit to use the sidewalk or parking lane for retail operations at <https://sf.gov/use-sidewalk-or-parking-lane-your-business>.

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- iv. Retail stores that are in an enclosed Indoor Shopping Center (as defined in subsection 1.b.1.iv above) and that do not have direct access to adjacent sidewalk, street, parking lot or alley area, may only reopen for in-store retail as outlined in this subsection iv.

Initially any enclosed Indoor Shopping Center was allowed to operate at no more than 25% capacity if the Indoor Shopping Center submitted to the Health Officer a proposed plan for reopening and that plan was approved as provided below. Any Indoor Shopping Center with such an approved plan may continue to operate at that level (but may not allow a food court to operate under that plan).

Now that the County has been moved into a less restrictive tier by the State, an enclosed Indoor Shopping Center that submits to the Health Officer a new proposed plan for reopening (if none has already been submitted) and has that new plan approved or that submits a letter update to an existing approved plan as provided below is then allowed to

- (1) operate at no more than 50% capacity and

**San Francisco is experiencing a rapid and significant surge of COVID-19 cases. Accordingly, effective 11:59 p.m. on November 13, 2020, the following provision is suspended and food courts must temporarily cease operating inside Indoor Shopping Centers, until there is a further order of the Health Officer. To the extent of any conflict or inconsistency with any other provision of this Order or any health directives or guidance, this suspension controls.**

*[SUSPENDED: (2) operate food courts inside the Indoor Shopping Center at up to 25% occupancy or 100 people, whichever is fewer, subject to the same minimum safety precautions that apply to indoor dining listed below in Section (8) including but not limited to the requirements to complete and post a Social Distancing Protocol checklist (Appendix A to this Order) and comply with Health Officer Directive No. 2020-16c (and complete and post a Health and Safety Plan) for indoor dining.]*

If the County is later returned to a more restrictive tier by the State or other local COVID-19 conditions change in a manner that puts the public health at increased risk, the Health Officer may reduce or suspend the ability for Indoor Shopping Centers to operate.

The proposed plan must include:

- a. the number of stores and businesses that would be resuming operation;
- b. the number of Personnel associated with each store or business;

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- c. the number of customers expected daily;
- d. confirmation that the Indoor Shopping Center will close all food courts for indoor dining and a description of how that closure will be effectuated;
- e. how the Indoor Shopping Center will regulate the number of people in the paths of travel of the shopping center and close any common gathering areas;
- f. how the Indoor Shopping Center will address HVAC/circulated air, use of elevators, use and cleaning of bathrooms;
- g. any special considerations for indoor parking garages and access points;
- h. whether the Indoor Shopping Center will permit curbside pickup;
- i. adoption of a Health and Safety Plan addressing the requirements of Appendix A to the Order;
- j. if approval for operation of a food court is sought, a plan to cordon off or otherwise physically separate any food court area to limit entry; and
- k. if approval for operation of a food court is sought, inclusion in the Health and Safety Plan each of the following in relation to the food court operation: limiting entry by patrons to the food court area; screening for COVID-19 symptoms and close contacts before patrons enter; personnel who monitor compliance with the health and safety requirements including wearing Face Coverings except when eating and drinking; and signage that warns of the transmission risk at the entrance to the food court area.

A letter update to a previously-approved plan must outline what changes will be made to ensure safety of Personnel, customers, and other visitors at the higher occupancy level and/or all changes that will be made consistent with Section (8) below regarding indoor dining if food court operation is being proposed. If the facility believes no changes are required, that position must be explained. The Indoor Shopping Center may immediately begin operating at the new capacity limit and/or an indoor food court upon submission of a letter update but must work with the City and the Department of Public Health to resolve any issues or concerns regarding the letter once it has been reviewed.

Plans and letter updates must be submitted to [HealthPlan@sfcityatty.org](mailto:HealthPlan@sfcityatty.org). Subject to the written advance approval of the Health Officer or the Health Officer's designee, the Indoor Shopping Center may then operate for in-store retail consistent with the approved plan or letter update.



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For clarity, operation of retail stores under category (1) and (2), above, applies only to the sale of goods and not to the provision of services or the rental of equipment, which are covered separately in Sections (4) and (5), below.

(Added May 17, 2020; Revised June 1, 2020, June 11, 2020, and September 30, 2020; Non-substantive revisions July 13, 2020, October, 20, 2020, and November 3, 2020; Subsection suspended July 20, 2020, with minor update on August 14, 2020; Subsection reinstated with amendments on September 1, 2020; Subsection suspended November 10, 2020)

### **(2) Manufacturing, Warehousing and Logistical Support**

- a. Basis for Addition. Personnel can wear Face Coverings and maintain at least six feet of physical distance at all times. No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. Personnel will interact only with a consistent and moderately sized group of people (i.e., the business's other Personnel) as members of the public do not generally frequent these businesses. Finally, risks of virus transmission associated with this activity can be mitigated through Social Distancing Requirements (Order Section 8.o) and sanitation, and other worker safety protocols.
- b. Description and Conditions to Operate.
  1. Manufacturing: Manufacturing businesses—including non-essential manufacturing businesses—may operate, subject to the following limitations and conditions:
    - i. The business must limit the number of Personnel in the facility so that Personnel can comply with Social Distancing Requirements; and
    - ii. The business must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and must comply with Health Officer Directive No. 2020-11, as that directive may be amended from time to time, regarding required best practices for manufacturing businesses—including the requirement to create a Health and Safety Plan.
  2. Warehousing and Logistical Support: Businesses that provide warehousing and logistical support—including non-essential businesses —may operate, subject to the following limitations and conditions:
    - i. The business must limit the number of Personnel in the facility so that Personnel can comply with Social Distancing Requirements; and
    - ii. The business must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and must comply with Health Officer Directive No. 2020-12, as that directive may be amended from time to time, regarding required best practices for warehouse and logistical support businesses—including the requirement to create a Health and Safety Plan.

**[Revised November 10, 2020]**

(Added May 17, 2020; Revised June 1, 2020, and June 11, 2020; Non-substantive revisions July 13, 2020)

**(3) Childcare and Youth Programs for All Children**

- a. Basis for Addition. Childcare and educational or recreational programs for youth are critical to early education and developmental equity, family social and economic wellbeing, and economic recovery from the pandemic. More specifically, such programs are an important element for a child's social and emotional development, as well as for a child's physical health and wellness. Also, childcare and youth programs are often necessary to allow parents or guardians to work, making the availability of such programs important for individual families as well as the local economy. Although attendance at a childcare or youth program involves a high number of close contacts that may be of lengthy duration, the risks of virus transmission can be reduced by mitigation measures, as generally described below. But children's inability to consistently follow social distancing and sanitation recommendations means that even with the mitigation measures the risk of transmission is higher than in interactions exclusively among adults. And while based on available evidence, children do not appear to be at higher risk for COVID-19 than adults, medical knowledge about the possible health effects of COVID-19 on children is evolving. Accordingly, the decision about whether to enroll a child in a childcare or youth program is an individualized inquiry that should be made by parents/guardians with an understanding of the risks that such enrollment entails. Parents/guardians may discuss these risks and their concerns with their pediatrician. The Health Officer will continue to monitor the changing situation and may amend this section as necessary to protect the public health.
- b. Description and Conditions to Operate.
  1. Childcare Programs: Group care facilities for very young children who are not yet in elementary school—including, for example, licensed childcare centers, daycares, family daycares, and preschools (including cooperative preschools)—(collectively, “Childcare Programs”) may open and operate, subject to the following limitations and conditions:
    - i. Childcare Programs may not enroll children for fewer than three weeks;
    - ii. Childcare Programs must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and comply with all of the requirements set forth in Health Officer Directive No. 2020-14c, including any limits on the number of children that can be in a group, and the requirements to have the parent(s) or guardian(s) of any child attending the program sign an acknowledgement of health risks, and to prepare and implement a written health and safety plan to mitigate the risk of virus transmission to the greatest extent feasible.
  2. Summer Camps: Summer camps and summer learning programs that operate exclusively outside of the academic school year (“Summer Camps”) may operate for

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all children over the age of six and school-aged children currently in grades transitional kindergarten (TK) and above who are under age six, subject to the following limitations and conditions:

- i. Summer Camps must limit group size to 12 children (a “pod”) per room or space;
  - ii. Summer Camp sessions must last at least three weeks;
  - iii. Children must remain in the same pod for at least three weeks, and preferably for the entire time throughout the summer.
  - iv. Summer Camps may not begin to operate until they have created, posted and implemented a Social Distancing Protocol checklist (Appendix A to this Order) and complied with all of the requirements set forth in relevant industry-specific Health Officer directives (*see* Health Officer Directive No. 2020-13b) including the requirements to complete an online form with general information about the program and required certifications, to have the parent(s) or guardian(s) of any child attending the program sign an acknowledgement of health risks, and to prepare and implement a written health and safety plan to mitigate the risk of virus transmission to the greatest extent feasible.
3. Out of School Time Programs: Educational or recreational institutions or programs that provide care or supervision for school-aged children and youth—including for example, learning hubs, other programs that support distance learning, school-aged childcare programs, youth sports programs, and afterschool programs (“Out of School Time Programs” or “OST Programs”) may open for all children, subject to the following limitations and conditions:
- i. OST Program sessions must be at least three weeks long, and programs without set sessions may not enroll children for fewer than three weeks;
  - ii. OST Programs must create, post, and implement a Social Distancing Protocol checklist (Appendix A to this Order) and comply with all of the requirements set forth in Health Officer Directive No. 2020-21, including any limits on the number of children that can be in a group, and also the requirements to complete an online form with general information about the program and required certifications, to have the parent(s) or guardian(s) of any child attending the program sign an acknowledgement of health risks, and to prepare and implement a written Health and Safety Plan to mitigate the risk of virus transmission to the greatest extent feasible.

For clarity, this Section does not apply to schools, which are addressed separately in Section 6.b of the Order; Childcare Programs, which are addressed separately in subsection b.1 of this Appendix above; or Summer Camps, which are addressed separately in subsection b.2 of this Appendix above. OST Programs are intended to supplement, rather than replace, school programming.

(Added May 22, 2020; Revised June 1, 2020, July 13, 2020, and August 14, 2020; Non-substantive revisions June 11, 2020)

**[Revised November 10, 2020]**

**(4) Curbside Pickup and Drop-Off for Low Contact Retail Services**

- a. Basis for Addition. Personnel and customers can wear Face Coverings at all times and maintain at least six feet of physical distance except for brief interactions (e.g., in some instances where remote payment is not feasible, while paying for services). No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. Customers interact only with a small number of individuals from other Households, and although Personnel are interacting with a moderate number of people, the duration of those interactions are low and safety limitations can ensure adequate social distancing and decrease the risk of virus transmission. The majority of interactions can occur outdoors, which further decreases risk—and consistent with Section 5.c of the Order, businesses are strongly urged to conduct interactions outdoors to the largest extent possible.
- b. Description and Conditions to Operate. Services that do not generally require close customer contact (e.g., dog grooming and shoe or electronics repair) may operate, subject to the following limitations and conditions:
  - i. To the extent feasible, all interactions and transactions between Personnel and customers should occur outdoors;
  - ii. The store must limit the number of Personnel in the facility so that Personnel can comply with Social Distancing Requirements (Section 8.o of the Order);
  - iii. The businesses must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and comply with Health Officer Directive No. 2020-10b, as that directive may be amended from time to time, regarding required best practices for retail businesses with curbside pickup and drop-off;
  - iv. The stores must have direct access to an immediately adjacent sidewalk, street, alley, or parking area for pickup by customers using any mode of travel, without blocking pedestrian access or causing pedestrian or vehicle congestion; and
  - v. Stores in an enclosed indoor shopping center that do not have direct access to adjacent sidewalk, street, parking lot or alley area may not reopen at this time unless they are located in an approved Indoor Shopping Center as described in 1.b above.

For clarity, this provision does not apply to personal service businesses, such as hair salons, barbershops, nail salons, or piercing or tattoo parlors.

As discussed in Section 1.b above regarding retail stores and Indoor Shopping Centers, stores within enclosed shopping centers may operate only upon advance written approval by the Health Officer or the Health Officer's designee of a plan submitted by the Indoor Shopping Center operator. Plans must be submitted to [HealthPlan@sfcityatty.org](mailto:HealthPlan@sfcityatty.org).

(Added June 1, 2020; Revised June 11, 2020, and July 20, 2020; Non-substantive revisions July 13, 2020)

**[Revised November 10, 2020]**

**(5) Equipment Rental Businesses**

- a. Basis for Addition. Personnel and customers can wear Face Coverings at all times and maintain at least six feet of physical distance except for brief interactions (e.g., while paying for services). No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. Customers interact only with a small number of individuals from other Households, and although Personnel are interacting with a moderate number of people, the duration of those interactions are low and safety limitations can ensure adequate social distancing and decrease the risk of virus transmission. The majority of interactions can occur outdoors, which further decreases risk—and businesses are strongly urged to conduct interactions outdoors to the largest extent possible. Also, the risk of multiple individuals using shared equipment can be mitigated through sanitation measures. Finally, resumption of these businesses is expected to result in only a small increase in the number of people reentering the workforce and the overall volume of commercial activity.
- b. Description and Conditions to Operate. Businesses that rent equipment for permissible recreational activities (e.g., bicycles, kayaks, paddleboards, boats, horseback riding, climbing equipment, or fishing equipment) may operate, subject to the following limitations and conditions:
  - i. To the extent feasible, all interactions and transactions between Personnel and customers should occur outdoors;
  - ii. The store must limit the number of Personnel in the facility so that Personnel can comply with Social Distancing Requirements (Section 8.o of the Order);
  - iii. The business must have created, posted and implemented a Social Distancing Protocol checklist (Appendix A to this Order) and must comply with Health Officer Directive No. 2020-10b, as that directive may be amended from time to time, regarding required best practices for retail businesses with curbside pickup and drop-off;
  - iv. The business must have direct access to an immediately adjacent sidewalk, street, alley, or parking area for pickup by customers using any mode of travel, without blocking pedestrian access or causing pedestrian or vehicle congestion;
  - v. Businesses in an enclosed indoor shopping center that do not have direct access to adjacent sidewalk, street, parking lot or alley area may not reopen at this time unless they are in an approved Shopping Center as described in 1.b above; and
  - vi. All equipment must be thoroughly cleaned and disinfected between each use with procedures effective against the Novel Coronavirus SARS-CoV-2 in accordance with the following guidelines, which may be modified by the Health Officer as new information becomes available:
    - For hard non-porous surfaces, clean with detergent or soap and water if the surfaces are visibly dirty, before applying disinfectant. For these purposes, appropriate disinfectants include:

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- Products listed on the Environmental Protection Agency’s list of Disinfectants for Use Against SARS-CoV-2 (COVID-19), which can be found online at <https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2-covid-19>. Follow the manufacturer’s instructions for concentration, application method, and contact time for all cleaning and disinfection products.
- Diluted household bleach solutions prepared according to the manufacturer’s label for disinfection, if appropriate for the surface. Follow manufacturer’s instructions for application and proper ventilation. Check to ensure the product is not past its expiration date. Never mix household bleach with ammonia or any other cleanser.
- Alcohol solutions with at least 70% alcohol.
- For soft or porous surfaces, remove any visible contamination, if present, and clean with appropriate cleaners indicated for use on these surfaces. After cleaning, use products that are EPA-approved as effective against SARS-CoV-2 (COVID-19) (see link above) and that are suitable for porous surfaces.
- For frequently touched electronic surfaces, remove visible dirt, then disinfect following the manufacturer’s instructions for all cleaning and disinfection products. If no manufacturer guidance is available, then consider the using alcohol-based wipes or sprays containing at least 70% alcohol to disinfect.
- Gloves and any other disposable PPE used for cleaning and disinfecting the vehicle must be removed and disposed of after cleaning; wash hands immediately after removing gloves and PPE with soap and water for at least 20 seconds, or use an alcohol-based hand sanitizer with at least 60% alcohol if soap and water are not available. If a disposable gown was not worn, work uniforms/clothes worn during cleaning and disinfecting should be laundered afterwards using the warmest appropriate water setting and dry items completely. Wash hands after handling laundry.

As discussed in Section 1.b above regarding retail stores and Indoor Shopping Centers, stores within Indoor Shopping Centers may operate only upon the advance written approval by the Health Officer or the Health Officer’s designee of a plan submitted by the Indoor Shopping Center operator. Proposed plans must be submitted to [HealthPlan@sfcityatty.org](mailto:HealthPlan@sfcityatty.org).

(Added June 1, 2020; Revised June 11, 2020, and October 27, 2020; Non-substantive revisions July 13, 2020; Suspension note added July 20, 2020 and removed September 1, 2020)

### **(6) Professional Sports Teams: Practices, Games, and Tournaments without In-Person Spectators with an Approved Plan**

- a. Basis for Addition. Although contact sports may present a significant risk of virus transmission, those risks can be mitigated by stringent social distancing, sanitation, and

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testing measures. Resuming such events—without a live audience and subject to strict health controls and mitigation measures—represents a first step toward the resumption of professional sports exhibitions that can be broadcast for the entertainment of the public and viewed by the public remotely in a safe manner.

- b. **Description and Conditions to Operate.** Professional sports teams that wish to resume practices, games, or tournaments and broadcasting of those events in San Francisco, without in-person spectators, may submit to the Health Officer a proposed plan detailing the sanitation, social distancing, health screening, and other procedures that will be implemented to minimize the risk of transmission among players, staff, media, broadcast crew, and any others who will be in the facility. The plan must include a proposal for interval testing (without using City resources) of all players and coaching staff who will be present in the facility. Plans must be submitted to HealthPlan@sfcityattys.org. Subject to the advance written approval of the Health Officer or the Health Officer's designee, the team may then resume activities consistent with the approved plan, including any conditions to approval of the Health Officer or the Health Officer's designee. Teams, games, exhibitions, and tournaments must also comply with any applicable Health Officer directives to the extent they are consistent with the approved plan; in the event of an inconsistency, the approved plan controls. Finally, crew, athletes, coaching staff and other workers should also abide by protocols agreed to by labor and management, to the extent they are at least as protective of health as the approved plan.

(Added June 1, 2020; Revised June 11, 2020; Non-substantive revisions June 26, 2020; Suspension note added July 20, 2020)

### **(7) Entertainment Venues: Live Streaming or Broadcasting Events without In-Person Audiences with an Approved Plan**

- a. **Basis for Addition.** Although some types of live entertainment and cultural events, such as music, dance and comedy performances, may present a risk of virus transmission, those risks can be mitigated by stringent social distancing, sanitation, and testing measures. Resuming such events—without a live audience and subject to strict health controls and mitigation measures—represents a first step toward the resumption of these entertainment and cultural activities that can be broadcast and watched by the public remotely in a safe manner.
- b. **Description and Conditions to Operate.**
  1. Operators of entertainment venues may film, stream, or otherwise broadcast small scale events so long as:
    - i. the venue remains closed to the public;
    - ii. the live stream is limited to the fewest number of Personnel needed (up to a maximum of 12 people in the facility, including, without limitation, media Personnel needed for the broadcast);



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- iii. doors and windows are left open to the extent possible, or mechanical ventilation systems are run, to increase ventilation;
- iv. the venue complies with the Social Distancing Requirements set forth in Section 8.o of this Order; and
- v. Because singing and playing wind or brass instruments can transmit particles farther in the air than breathing or speaking quietly, people must be in an isolation booth or in a separate room from others in the facility while singing or playing wind or brass instruments.

To further reduce the risk of transmission, it is strongly recommended that all events allowed under this section be conducted and filmed, streamed, or otherwise broadcast from outdoors. The same outdoors recommendation applies to all other operations that are allowed under the Order to be filmed, live streamed or otherwise broadcast indoors with health restrictions.

- 2. Operators of entertainment venues that wish to film, stream, or otherwise broadcast events that require more than 12 people to be on site at the facility at any one time may submit to the Health Officer a proposed plan detailing the sanitation, social distancing, health screening, and other procedures that will be implemented to minimize the risk of transmission among participants. If the event involves singing, playing wind or brass instruments, or physical contact, the plan must include a proposal for interval testing (without using City resources) of those individuals. Proposed plans must be submitted to [HealthPlan@sfcityattty.org](mailto:HealthPlan@sfcityattty.org). Subject to the advance written approval of the Health Officer or the Health Officer's designee, the venue may then begin operating consistent with the approved plan, including any conditions to approval of the Health Officer or the Health Officer's designee. Cast, crew, and other workers should also abide by protocols agreed to by labor and management, to the extent they are at least as protective of health as the approved plan.

(Added June 11, 2020; Non-substantive revisions June 26, 2020; Revised July 20, 2020)

### **(8) Dining—SUSPENDED IN PART**

- a. Basis for Addition. Dining has been added in three phases, take-out, then outdoor, and then indoor, based on the relative risk levels. Any dining with small groups of people potentially involves mixing of Households and a moderate number of contacts. Accordingly, and because Face Coverings must be removed to eat and drink, the risk of virus transmission is slightly higher than in other allowable interactions. But outdoor interactions carry a significantly lower risk of transmission than most indoor interactions, and mitigation measures in outdoor dining establishments can significantly decrease the transmission risk. Indoor dining has an increased risk of transmission because of the transmission of the virus through aerosols. When coupled with strong mitigation measures, indoor dining, which is riskier than outdoor dining, can present manageable

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risks, although outdoor dining or take-away are safer options, especially for seniors and those who are vulnerable to complications from COVID-19.

- b. All Dining – General Conditions to Operate. All restaurants and bars that operate under this Section (8), whether for service outdoors, indoors, or both, must comply with all of the following limitations and conditions in relation to all such operations:

- i. All patrons must be seated at a table to eat or drink—except briefly, standing or lingering between tables or in other areas of the restaurant’s outdoor or indoor space is not allowed;
- ii. Patrons must be seated to be served food or beverages;
- iii. Patrons must wear Face Coverings any time they are not eating or drinking, including but not limited to: while they are waiting to be seated; while reviewing the menu and ordering; while socializing at a table waiting for their food and drinks to be served or after courses or the meal is complete; and any time they leave the table, such as to use a restroom. Customers must also wear Face Coverings any time servers, bussers, or other Personnel approach their table;
- iv. Each dining establishment must use signs and verbal directions to notify patrons of the requirements for dining (whether indoor or outdoor), including, but not limited to, the requirements for when to wear a face covering;
- v. No more than six patrons may be seated at a single table, unless all are members of the same household—it is strongly encouraged that only individuals in the same household sit together at a single table;
- vi. No dining establishment is permitted to provide alcoholic beverage service without also providing real meal service in a bona fide manner. Bona fide meals must be prepared and served by the dining establishment or another person or business operating under an agreement with the dining establishment. The service of prepackaged food like sandwiches or salads, or simply heating frozen or prepared meals, is not deemed as compliant with this requirement;
- vii. Each patron at a table must order a bona fide meal to receive alcoholic beverage service, and dining establishments must deliver alcoholic beverages to patrons only when they are seated;
- viii. No patrons are allowed to eat or drink indoors in the dining establishment except when seated at an indoor table under the indoor dining rules below;
- ix. No patrons are allowed to use self-serve items (such as buffets or self-serve continental breakfasts);
- x. Areas that may lead to patrons gathering, congregating, or dancing must be closed;
- xi. New tabletop signage must be used, and information about where to obtain signage will be found in Health Officer Directive No. 2020-16c, including as that directive is amended in the future;

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- xii. The dining establishment must screen all patrons and other visitors on a daily basis using the standard screening questions attached to the Order as Appendix A and Attachment A-2 (the “Screening Handout for Non-Personnel”). Screening must occur before people are seated at the dining establishment to prevent the inadvertent spread of the SARS-CoV-2 virus. A copy of the Screening Handout for Non-Personnel must be provided to anyone on request, although a poster or other large-format version of the Screening Handout for Non-Personnel may be used to review the questions with people verbally. Any person who answers “yes” to any screening question is at risk of having the SARS-CoV-2 virus, must be prohibited from entering or being seated by the establishment, and should be referred for appropriate support as outlined on the Screening Handout for Non-Personnel. The establishment can use the guidance available online at [www.sfcddcp.org/screen](http://www.sfcddcp.org/screen) for determining how best to conduct screening. Patrons who are feeling ill, have exhibited symptoms of COVID-19 within 24 hours of arriving at the establishment, or answer “yes” to any screening question must cancel or reschedule their reservation. In such cases, patrons must not be charged a cancellation fee or other financial penalty; and
  - xiii. Each dining establishment must (1) comply with the sections that follow that are applicable to the type of dining being offered by the establishment regarding outdoor dining, indoor dining, or both, (2) have created, posted, and implemented a Social Distancing Protocol checklist (Appendix A to this Order), and (3) also comply with Health Officer Directive No. 2020-16c, as that directive may be amended from time to time, regarding required best practices for outdoor dining and/or indoor dining, as applicable.
- c. Outdoor Dining – Description and Conditions to Operate. Restaurants and bars that serve food may operate for outdoor dining (“outdoor dining establishments”) subject to the following limitations and conditions:
- i. The outdoor dining establishment must comply with all General Conditions to Operate listed in Section (8)b above; and
  - ii. Patrons must remain outside the outdoor dining establishment and may enter the establishment only (1) to access a bathroom, (2) to access an outdoor space that is only accessible by traveling through the restaurant, or (3) to order or pickup food at an indoor counter.

Outdoor dining establishments may apply for a free temporary permit to use the sidewalk or parking lane for business operations at <https://sf.gov/use-sidewalk-or-parking-lane-your-business>.

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**d. Indoor Dining – Description and Conditions to Operate.**

**San Francisco is experiencing a rapid and significant surge of COVID-19 cases. Accordingly, effective 11:59 p.m. on November 13, 2020, this provision is suspended. Indoor restaurants and bars that serve food must temporarily close and cease operating at any capacity until there is a further order of the Health Officer (although food items may continue to be sold for consumption offsite or outdoors). To the extent of any conflict or inconsistency with any other provision of this Order or any health directives or guidance, this suspension controls.**

*[SUSPENDED: Restaurants and bars that serve food may operate for indoor dining (“indoor dining establishments”) once the County was been placed in the Orange Tier by the State and after the requirements of this Order and the requirements of Health Officer Directive No. 2020-16c are met. If the County is later returned to a more restrictive tier by the State or other local COVID-19 conditions change in a manner that puts the public health at increased risk, the Health Officer may reduce or suspend the ability for indoor dining establishments to operate.*

*These rules for indoor dining establishments do not allow any of the following to occur, each of which is still prohibited by the Order: eating indoors at gyms, fitness centers, or museums, aquariums and zoos (although food items may be sold for consumption offsite or outdoors); indoor food-related gatherings at businesses, organizations, or houses of worship; the operation of bars, breweries, or distilleries that do not serve bona fide meals; and eating inside movie theatres (see Section (21) below for movie theatres). For restaurants and other foodservice entities that are part of an Indoor Shopping Center, such establishments may operate for indoor dining so long as both (1) they are located in an Indoor Shopping Center that is allowed to operate under Section (1)b.2 above and (2) they follow the requirements for indoor dining in Health Officer Directive No. 2020-16c.*

*The operation of indoor dining establishments is subject to the following limitations and conditions:*

- i. The indoor dining establishment must comply with all General Conditions to Operate listed in Section (8)b above;*
- ii. The indoor dining establishment must limit the number of patrons who are present inside the indoor space of the dining establishment to the lesser of: (1) 25% of the maximum occupancy or (2) 100 patrons. Indoor dining establishments with indoor spaces consisting of more than one room must limit the occupancy in each room to 25% of the maximum occupancy for that room. The occupancy limit includes patrons in the interior dining space, but it excludes Personnel and patrons when seated outside. The number of Personnel allowed in the back of the house areas, like kitchens, must be determined based on the amount of space required to provide for physical distancing;*
- iii. Patrons should be encouraged to use outdoor dining or take-out options based on the decreased risk of those activities, and facilities that offer indoor dining are*

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*strongly encouraged to continue offering outdoor dining whenever possible in order to give patrons a choice;*

- iv. Patrons must remain outside the indoor dining establishment until they are ready to be seated indoors and may otherwise enter the establishment only (1) to access a bathroom, (2) to access an outdoor space that is only accessible by traveling through the restaurant, or (3) to order or pickup food at an indoor counter;*
- v. Tables used to seat patrons indoors must be spaced to ensure that patrons are at least six feet apart from other patrons seated at different service tables, and although an impermeable physical barrier may be placed between tables, all patrons must be separated from other groups of patrons by at least six feet—the use of impermeable physical barriers is not a substitute for full physical distancing between groups indoors. Customers may not be seated at bars or food preparation areas where six feet of distance from in use common-use work stations cannot be maintained;*
- vi. Unless City zoning or other laws require an earlier closing, all indoor service of food and beverages must end at midnight. Indoor dining establishments that cease indoor food service at midnight may allow patrons to finish their meals for an additional 30 minutes. All indoor dining establishments must close to the public by 12:30 a.m.; and*
- vii. The establishment must add all COVID-19 related signage to the establishment as required by Sections 4.g and 4.h of the Stay-Safer-At-Home Order. The County is making available templates for the signage available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>.]*

(Added June 11, 2020; Revised July 13, 2020, September 30, 2020, and October 27, 2020; Non-substantive revisions October 20, 2020; Subsection suspended November 10, 2020)

### **(9) Outdoor Fitness Classes**

- a. Basis for Addition. Outdoor fitness classes involve mixing of Households and a moderate number of contacts. Also, the contacts are often of relatively long duration. Accordingly, and because exercise causes people to more forcefully expel airborne particles, the risk of virus transmission is higher than in other allowable interactions. But participants can—and must—wear Face Coverings and maintain at least six feet of physical distance at all times and not share equipment. Further, outdoor interactions carry a lower risk of transmission than most indoor interactions, and health protocols in outdoor fitness classes can significantly decrease the transmission risk.
- b. Description and Conditions to Operate. Outdoor fitness classes (e.g., outdoor boot camp, non-contact dance classes, tai chi, pilates, and yoga classes) may operate subject to the following limitations and conditions:
  - i. No more than 25 people, including the instructor(s), may participate in an outdoor fitness class at the same time;

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- ii. The business/instructor must ask each participant using the standard screening questions attached to the Order as Appendix A and Attachment A-2 (the “Screening Handout for Non-Personnel”). Screening must occur before people are allowed to join the class to prevent the inadvertent spread of the SARS-CoV-2 virus. A copy of the Screening Handout for Non-Personnel must be provided to anyone on request, although a poster or other large-format version of the Screening Handout for Non-Personnel may be used to review the questions with people verbally. Any person who answers “yes” to any screening question is at risk of having the SARS-CoV-2 virus, must not be allowed to participate, and must cancel or reschedule their class. The instructor can use the guidance available online at [www.sfdcpc.org/screen](http://www.sfdcpc.org/screen) for determining how best to conduct screening;
- iii. All participants must maintain a physical distance of at least six feet from each other, from the instructor(s), and from members of the public at all times;
- iv. The business/instructor must have permission of the property owner to use the space;
- v. All participants and instructors must wear a Face Covering at all times, unless they are specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020, as that order may be amended from time to time; and
- vi. Equipment (e.g., medicine balls, resistance bands, mats, weights, or yoga blocks) may not be shared by members of the class and must be thoroughly cleaned and disinfected between each use with procedures effective against the Novel Coronavirus SARS-CoV-2 in accordance with CDC guidelines (<https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>).

For clarity, this section does not allow contact sports (e.g., football) or fitness classes that involve physical contact (e.g., jiu jitsu or boxing with sparring) to resume. Also, this section does not cover childcare or summer camp programs for children or youth, which are governed by section 3 above and Health Officer Directive Nos. 2020-13b and 2020-14b.

Additional guidance about outdoor fitness classes from the San Francisco Department of Public Health is available at <http://www.sfdph.org/directives>.

(Added June 11, 2020; Non-substantive revisions July 13, 2020, and August 14, 2020; Revised September 30, 2020, October 20, 2020, and November 3, 2020)

### **(10) Indoor Household Services**

- a. Basis for Addition. Household service providers and residents can wear Face Coverings and maintain at least six feet of physical distance at all times. No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. Although indoor

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household services may involve mixing of Households (if the resident is at home) and occurs indoors, the number of contacts is low. Finally, risks of virus transmission can be mitigated through adherence to other Social Distancing Requirements and to sanitation, and other safety protocols.

- b. **Description and Conditions to Operate.** Providers of indoor household services that can be provided while maintaining social distancing (e.g., house cleaners and cooks) may operate, subject to the following limitations and conditions:
- i. Household service providers may not enter a residence to provide services if either the household service provider or anyone in the residence has recent COVID-19 infection, exposure or symptoms, as listed in the standard screening questions attached to the Order as Attachment A-2 (the “Screening Handout for Non-Personnel”). Screening must occur before the household service provider enters the home;
  - ii. When feasible, residents should leave the premises when household services providers are in their home—if leaving the premises is not feasible, residents should try to be in a different room than the household service provider to the greatest extent possible;
  - iii. When feasible, leave windows and doors open to increase ventilation or run mechanical ventilation systems;
  - iv. High touch surfaces and any shared implements or tools should be cleaned at the beginning and end of any service visit;
  - v. Both residents and household service providers must wear a Face Covering at all times, unless they are specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020.

For clarity, this section does not allow personal service providers, such as hair dressers or personal trainers, to provide in-home services. Also, this section does not apply to in-home childcare, which is independently permissible under Section 8.a.xxi of the Order.

Additional guidance about indoor household services from the San Francisco Department of Public Health is available at <http://www.sfdph.org/directives>.

(Added June 11, 2020; Non-substantive revisions July 13, 2020, and August 14, 2020; Revised November 3, 2020)

### **(11) Offices for Non-Essential Businesses: Individuals Necessary for Operations Where Telecommuting is not Feasible**

- a. **Basis for Addition.** Personnel can wear Face Coverings and maintain at least six feet of physical distance at all times. No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. Personnel will interact only with a consistent and



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moderately sized group of people (i.e., the business's other Personnel). Finally, risks of virus transmission associated with this activity can be mitigated through adherence to other Social Distancing Requirements and to sanitation, and other safety protocols.

- b. Description and Conditions to Operate. Office workplaces that are not otherwise permitted to operate under this Order may open, subject to the following conditions:
- i. All workers who are able to telecommute are strongly encouraged to continue to do so to the greatest extent feasible;
  - ii. Office Facilities must adjust their maximum occupancy rules based on the size of the facility to limit the number of people (including Personnel and members of the public), as follows:
    - Office Facilities with fewer than 20 Personnel must reduce their maximum occupancy to the number of people who can maintain at least six feet of physical distance from each other in the facility at all times,
    - Office Facilities with 20 or more Personnel must reduce their maximum occupancy to the **lesser** of: (1) 25% the facility's normal maximum occupancy or (2) the number of people who can maintain at least six feet of physical distance from each other in the facility at all times; and
  - iii. The business must have created, posted and implemented a Social Distancing Protocol checklist (Appendix A to this Order) and must comply with Health Officer Directive No. 2020-18b, as that directive may be amended from time to time, regarding required best practices for businesses operating office facilities.

(Added June 11, 2020; Non-substantive revisions July 13, 2020; Suspended July 20, 2020; Suspension revised September 14, 2020; Reinstated and revised October 27, 2020)

### **(12) Outdoor Zoos with an Approved Plan**

- a. Basis for Addition. Zoo Personnel and visitors can wear Face Coverings and maintain at least six feet of physical distance from people in different households at all times. No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. And outdoor businesses—like the outdoor areas of the zoo—are safer than indoor businesses. Finally, the number, frequency and proximity of contacts can be minimized through capacity limitations and the risk of virus transmission can be reduced through other health protocols.
- b. Description and Conditions to Operate. Zoos that wish to resume operations for visits by the public solely in their outdoor spaces may submit to the Health Officer a proposed plan detailing the sanitation, social distancing, health screening, and other procedures that will be implemented to minimize the risk of transmission among Personnel and visitors.

The plan must be submitted to [HealthPlan@sfcityatty.org](mailto:HealthPlan@sfcityatty.org), and must include detailed descriptions of how the business intends to address the following safety precautions.

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- Ensuring that the facility remains below the lesser of: (a) 50% of the maximum capacity for the outdoor space that is permitted to open; or (b) the capacity based on the ability of Personnel and patrons to comply with the Social Distancing Requirements;
- Signage regarding Social Distancing Requirements (to include at least six feet of distance, handwashing/sanitizer practices, Face Covering policy);
- Ensuring Personnel and patrons wear Face Coverings at all times, unless they are specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020, as that order may be amended from time to time;
- Ticketing booths and payment systems;
- Personnel safety precautions;
- HVAC systems (e.g., quality and level of filtration, percentage of air exchange with outside air can HVAC be run at 100% capacity to increase ventilation);
- Compliance with applicable Health Officer directives (e.g. regarding Food and beverage concessions, and retail gift shops);
- Social distancing in elevators;
- Monitoring and limiting patrons to ensure physical distancing between members of different Households;
- Paths of travel through the establishment and wayfinding signage;
- Sanitation for restrooms;
- Tours and audio self-tour equipment;
- Coat/personal property check services;
- Sanitation for high-touch surfaces and areas; and
- Closing interactive exhibits or modifying those exhibits to prevent common touching.

Beginning at 10 a.m. on July 13, 2020, and subject to the advance written approval of the Health Officer or the Health Officer's designee, the zoo may resume operating its outdoor spaces for visits by the public at the lesser of: (a) 50% of the maximum capacity for the outdoor space that is permitted to open; or (b) the capacity based on the ability of Personnel and patrons to comply with the Social Distancing Requirements, consistent with the approved plan, including any conditions to approval of the Health Officer or the Health Officer's designee.

(Added July 13, 2020; Non-substantive revisions August 14, 2020)

### **(13) Open Air Boat Operators**

- a. Basis for Addition. Personnel and passengers can wear Face Coverings and maintain six feet of physical distance from people in different households at all times. No inherently

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risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. And open-air boat excursions occur outside, which is safer than indoor interactions, and have additional air-flow from continual movement. Finally, outdoor boating excursions of socially distanced groups involve only a moderate number of contacts, and health mitigation measures in small boating excursions can significantly decrease the transmission risk.

- b. **Description and Conditions to Operate.** Individuals or businesses that offer open-air boat excursions (“Open-Air Boat Operators”) may operate, subject to the following limitations and conditions:
- i. If the total number of passengers is greater than 12, then the Open-Air Boat Operator must assign each passenger to a group of no more than 12 people. Multiple groups of 12 may be on an Open-Air Boat simultaneously, subject to the following requirements:
    - Each group of 12 must be kept at least 12 feet apart from each other,
    - The Open-Air Boat Operator must prohibit mingling among passengers in different groups, and
    - Passengers must have a clear path to the restroom and exit without being required to travel through the space occupied by another group.
  - ii. All passengers must maintain a physical distance of at least six feet from each other, from the captain, and from Personnel, at all times;
  - iii. Before boarding, passengers must wait on the dock at least six feet apart and must not board the vessel until the captain or crew allow boarding;
  - iv. For fishing, rod holders must be spaced at least six feet apart from each other;
  - v. Bathrooms (if any) must be sanitized frequently following EPA guidelines;
  - vi. Passengers must stay in the open-air portion of the boat except for brief periods, such as to use the bathroom;
  - vii. Open-Air Boat Operators should ask passengers to voluntarily provide their name and phone number for potential contact tracing purposes—the operator should keep this information on file for at least three weeks;
  - viii. Open-Air Boat Operators must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order);
  - ix. Open-Air Boat Operators must ensure daily COVID-19 symptom and exposure screening is completed for all Personnel as required by the Social Distancing Protocol and its Attachment A-1. In general, Personnel with any single COVID-19 symptom that is new or not explained by another condition **MUST** have a negative COVID-19 test **OR** stay out of work for at least 10 days since symptoms started in order to return to work. Those who are close contacts of someone with COVID-19 must remain out of work for 14 days since their last close contact;

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- x. Open-Air Boat Operators must Screen all customers and other visitors on the day of the boat excursion as outlined by the Social Distancing Protocol and its Attachment A-2. Any person who answers “yes” to a screening question must not be allowed to board the boat. No cancellation or rescheduling fee may be charged in that situation;
- xi. All passengers and Personnel must wear a Face Covering at all times while waiting to board, at all times while on board—except when eating or drinking, and at all times when disembarking from the vessel, unless they are specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020, as that order may be amended from time to time;
- xii. Passengers from different households should not shake hands, share food or drinks, or engage in any unnecessary physical contact—the captain and crew must instruct passengers about these requirements;
- xiii. Open-Air Boat Operators must make hand sanitizer available throughout the boat and at each rod station (if any);
- xiv. Equipment (e.g., fishing equipment) may not be shared by people outside of a single household, and the boat and all equipment belonging to the Open-Air Boat Operator or otherwise provided by the Open-Air Boat Operator must be thoroughly cleaned and disinfected after each trip with procedures effective against the Novel Coronavirus SARS-CoV-2 in accordance with CDC guidelines (<https://www.cdc.gov/coronavirus/2019-ncov/community/cleaning-disinfecting-decision-tool.html>).

For clarity, this section does not cover vessels used exclusively for Essential Travel (such as ferries and water taxis) and such vessels do not need to follow the conditions set forth in this section.

(Added July 13, 2020; Non-substantive revisions August 14, 2020; Revised September 14, 2020, October 20, 2020, and November 3, 2020)

### **(14) Institutions of Higher Education and Adult Education**

- a. Basis for Addition. Personnel and students can wear Face Coverings and maintain at least six feet of physical distance from people in different households at all times. Restrictions can be placed to ensure that few inherently risky activities (e.g., singing, shouting, etc.) are involved. And to the extent classes occur outdoors with distancing and Face Coverings, these interactions are safer than indoor interactions. If indoor in person instruction is authorized by the Health Officer for adult education programs under the limited conditions set forth below, then health mitigation measures adopted under detailed prevention plan can decrease the transmission risk.

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- b. Description and Conditions to Operate. Institutions of Higher Education (“IHEs”) and other programs offering adult education—including, for example, programs offering job skills training and English as a second language classes (“Adult Education Programs”) (IHEs and Adult Education Programs are collectively referred to below as “Higher Education Programs”)—may operate, subject to the following limitations and conditions:
- i. Higher Education Programs may operate for purposes of facilitating distance learning and themselves performing essential functions, as set forth in Section 8.a.xiv of the Order;
  - ii. Higher Education Programs must screen all Personnel and students for COVID-19 symptoms and exposure to COVID-19 every day before they enter the campus, whether for indoor or outdoor classes or other purposes. Higher Education Programs must use the standard screening questions attached to the Order as Appendix A and Attachment A-2 (the “Screening Handout for Non-Personnel”). A copy of the Screening Handout for Non-Personnel must be provided to anyone on request, although a poster or other large-format version of the Screening Handout for Non-Personnel may be used to review the questions with people verbally. Any person who answers “yes” to any screening question is at risk of having the SARS-CoV-2 virus, must be prohibited from entering the IHE, and should be referred for appropriate support as outlined on the Screening Handout for Non-Personnel. The Higher Education Program can use the guidance available online at [www.sfdcp.org/screen](http://www.sfdcp.org/screen) for determining how best to conduct screening;
  - iii. Higher Education Programs may offer in-person instruction *outdoors* in groups of no more than 25 people, including the instructor(s), so long as they follow Social Distancing Requirements and wear Face Coverings and subject to any other relevant health and safety requirements contained in any relevant industry-specific Health Officer directives;
  - iv. Face Coverings are required at all times but they can be briefly removed if necessary as a component of the class, such as tasting food in a cooking school;
  - v. No singing, chanting or shouting, or wind instruments are allowed during in-person instruction (indoors and outdoors) at this time;
  - vi. Class capacity must be limited to ensure physical distancing at all times;
  - vii. Classes must be limited in duration to two hours indoors, but there is no time limit on outdoor classes. Higher Education Programs that seek to offer indoor courses exceeding the two-hour limit may submit a written request to do so at [schools-childcaresites@sfdph.org](mailto:schools-childcaresites@sfdph.org). The request must include the following information:
    - a) the type of class(es) the Higher Education Program is seeking to hold that will exceed the two-hour time limit;
    - b) the number of students proposed for each class;

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- c) an explanation as to why the class cannot be limited to two-hours, such as any State-mandated course requirements;
- d) a statement that the Higher Education Program is enforcing social distancing and Face Covering requirements;
- e) a statement that the program is complying with SFDPH's ventilation requirements; and
- f) a statement that students will not be permitted to eat or drink in any class exceeding the two-hour time limit.

Higher Education Programs may exceed the two-hour limit only upon receiving approval in writing by SFDPH and upon satisfying any conditions of approval.

- viii. Higher Education Programs may not offer in-person instruction indoors unless the specific class:

- (1) cannot be held remotely or outdoors due to the need for access to specialized equipment or space, and

- (2) is offered in specialized indoor settings whose design imposes substantial physical distancing on participants.

Higher Education Programs that wish to resume indoor classes that meet these criteria must comply with Health Officer Directive No. 2020-22d, including as that directive is updated in the future and including assembly and implementation of a written, campus-specific COVID-19 prevention plan ("Prevention Plan"). Requirements and limitations for such indoor instruction include but are not limited to all of the following:

- a) Indoor lectures are not allowed at this time;
  - b) A copy of the Prevention Plan must be posted and be made readily available to students, Personnel, and SFDPH; and
  - c) The Prevention Plan must address all requirements listed in Directive No. 2020-22d, including but not limited to: articulating the need for indoor classes; enforcement of physical distancing requirements; protocols for airing out and sanitizing classrooms between use; provision of stable cohorts, face coverings, health screening, and testing; educating students about risk mitigation; and addressing violations of safety protocols;
- ix. Required health and safety plans are subject to audit by DPH, including on-site inspections, and Higher Education Programs must assess their plans monthly and update them as needed;
  - x. Individual student use of an indoor facility due to the need for access to specialized equipment or space that is not available outside (such as a music practice room or fine arts studio) is allowed subject to safety protocols;

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- xi. Collegiate athletics teams that wish to resume practices, games, or tournaments in San Francisco, without in-person spectators, may submit to the Health Officer a proposed plan detailing the sanitation, social distancing, health screening, and other procedures that will be implemented to minimize the risk of transmission among players, staff, and any others who will be in the facility. The plan must include a proposal for interval testing (without using City resources) of all players and coaching staff who will be present in the facility. The plan must also include a commitment to comply with local directives governing isolation and quarantine of individuals who are diagnosed with, or have had close contact with a person who is diagnosed with, COVID-19. Plans must be submitted to [healthplan@sfcityatty.org](mailto:healthplan@sfcityatty.org). Subject to the advance written approval of the Health Officer or the Health Officer's designee, the team may then resume activities consistent with the approved plan, including any conditions to approval of the Health Officer or the Health Officer's designee. But in connection with an approved plan no in-person spectators will be allowed under any circumstances;
- xii. Subject to applicable land use laws and regulations, housing controlled or operated by Higher Education Programs or restricted for the use of students attending a Higher Education Program is permitted to open and operate for students in compliance with any relevant health and safety requirements contained in any relevant industry-specific Health Officer directives. Except for family housing, students must be housed in single rooms (i.e., without a roommate) unless the student specifically requests to be housed with a roommate; and
- xiii. All Higher Education Programs must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and comply with relevant health and safety requirements contained in any relevant industry-specific Health Officer directives, including, but not limited to, Health Officer Directive No. 2020-22d.

(Added August 14, 2020; Revised September 1, 2020, and September 30, 2020; Non-substantive revisions November 3, 2020)

**(15) Personal Service Providers**

- a. Basis for Addition. Although personal services such as hair and nail salons involve moderate to high contact intensity and a moderate number of contacts, the risk of transmission can be significantly lessened for by requiring that all providers and customers to wear a Face Covering at all times except as may be temporarily necessary to allow for certain personal services. No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. Finally, the risk of virus transmission can be reduced through other health and sanitation protocols. Consistent with Section 5.c of the Order and to the extent possible, Personal Service Providers are urged to provide services outdoors to further decrease the risk.

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**b. Description and Conditions to Operate.**

1. **Outdoors.** Personal service providers regulated by Division 3, Chapter 10 of the California Business and Professions Code, Division 104, Part 15, Chapter 7 of the California Health and Safety Code, or San Francisco Health Code Article 29 (collectively, “Personal Service Providers”) that can safely offer services outside, including, for example, hair salons, barber shops, nail salons, massage (in a non-healthcare setting), estheticians, skin care, and cosmetology services (collectively, “Outdoor Personal Services”), may operate outdoors, subject to all of the following limitations and conditions:
  - i. The following personal services cannot be offered outside because they cannot be done safely in an outdoor setting: electrolysis, tattooing, piercing, microblading, permanent make-up, and other forms of body art that are invasive and require a controlled hygienic environment. Also, shampooing and chemical hair services are not permitted outside;
  - ii. Outdoor Personal Service Providers may, subject to any applicable permit requirements, conduct their operations under a tent, canopy, or other sun or weather shelter, but only as long as no more than one side is closed, allowing sufficient outdoor air movement. Also, the number and composition of barriers used for all outdoor shelters must allow the free flow of air in the breathing zone consistent with guidance from the Department of Public Health;
  - iii. Both Outdoor Personal Service Providers and clients/customers must wear a Face Covering at all times except when: (a) they are specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020, as that order may be amended from time to time or (b) when the Face Covering must be removed to perform services involving that part of the face and then only during such procedure and subject to compliance with applicable safety precautions set forth in Directive 2020-23b, as that directive may be amended from time to time; and
  - iv. The Outdoor Personal Service Provider must have created, posted and implemented a Social Distancing Protocol and must comply with Health Officer Directive No. 2020-23b, as that directive may be amended from time to time, regarding required best practices for outdoor personal services.
2. **Indoors.** Personal service providers regulated by Division 3, Chapter 10 of the California Business and Professions Code, Division 104, Part 15, Chapter 7 of the California Health and Safety Code, or San Francisco Health Code Article 29 including, for example, hair salons, barber shops, nail salons, massage (in a non-healthcare setting), estheticians, skin care, and cosmetology services, electrolysis, tattooing, piercing, and microblading, may operate indoors (collectively, “Indoor Personal Services,” subject to all of the following limitations and conditions:
  - i. Both Indoor Personal Service Providers and clients/customers must wear a Face Covering at all times except when: (a) they are specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July



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22, 2020 or (b) the Face Covering must be removed to perform services involving that part of the face and then only during such procedure and subject to compliance with applicable safety precautions set forth in Directive 2020-30b, as that directive may be amended from time to time. Under current State guidelines, customers may not remove their face coverings for purposes of massage (non-healthcare setting), tattoo, or piercing;

- ii. The Indoor Personal Service Provider must have created, posted and implemented a Social Distancing Protocol and must comply with Health Officer Directive No. 2020-30b, as that directive may be amended from time to time, regarding required best practices for Indoor Personal Services; and
- iii. Only the number of people who can safely fit inside the facility while maintaining social distance as required by Directive No. 2020-30b may be inside the facility at a time.

(Added September 1, 2020; Revised September 14, 2020, and October 27, 2020; Non-substantive revision September 30, 2020)

**(16) Gyms and Fitness Centers—SUSPENDED IN PART, REDUCED CAPACITY**

- a. Basis for Addition. Although gyms and fitness centers involve moderate contact intensity and a moderate number of contacts, the risk of transmission can be significantly lessened by requiring that everyone wear a Face Covering and maintain at least six feet of physical distance at all times. Also, the risk of virus transmission can be reduced through other health and sanitation protocols. Consistent with Section 5.c of the Order and to the extent possible, gyms and fitness centers are urged to provide services outdoors to further decrease the risk.
- b. Description and Conditions to Operate.
  - 1. Outdoors. Gyms and fitness centers offering space or equipment for customer-directed exercise may operate outdoors, subject to all of the following limitations and conditions:
    - i. Gyms and fitness centers may, subject to any applicable permit requirements, conduct their operations under a tent, canopy, or other sun or weather shelter, but only as long as no more than one side is closed, allowing sufficient outdoor air movement. Also, the number and composition of barriers used for all outdoor shelters must allow the free flow of air in the breathing zone consistent with guidance from the Department of Public Health.
    - ii. Everyone in the outdoor gym or fitness center facilities must maintain at least six feet of physical distance from people outside of their Household at all times;
    - iii. Gyms and fitness centers must limit the number of people, including Personnel, who are present in the space to ensure that six feet of physical distance can be maintained at all times;

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- iv. Everyone in the outdoor gym or fitness center facilities must wear a Face Covering at all times, unless they are specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020; and
  - v. The gym or fitness center must have created, posted and implemented a Social Distancing Protocol and must comply with any and all requirements contained in Health Officer Directive No. 2020-27, regarding outdoor gyms and fitness centers including, without limitation, all enhanced cleaning requirements.
2. Indoors. Gyms—including climbing wall gyms—and fitness centers offering space or equipment for customer-directed exercise may operate indoors, subject to all of the following limitations and conditions:
- i. Gyms and fitness centers must limit the number of people, including Personnel, who are present in the space to the **lesser** of: (1) 25% of the facility's normal maximum occupancy, (2) 50 people, or (3) the number of people who can maintain at least six feet of physical distance from each other in the facility at all times;
  - ii. Everyone in the gym or fitness center facility must maintain at least six feet of physical distance from people outside of their Household at all times;
  - iii. Individuals engaged in an activity that may increase breathing rate and/or intensity (including but not limited to cardio/aerobic activities or weight-lifting), must maintain at least 12 feet of physical distance from people outside of their Household while engaging in those activities;
  - iv. Group cardio/aerobic fitness classes (such as spinning, kickboxing, etc.) are not permitted indoors at this time;
  - v. Everyone in the gym or fitness center facility must wear a Face Covering at all times, unless they are specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020;
  - vi. The establishment must add all COVID-19 related signage to the establishment as required by Sections 4.g and 4.h of the Stay-Safer-At-Home Order. The County is making available templates for the signage available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>; and
  - vii. The gym or fitness center must have created, posted and implemented a Social Distancing Protocol and must comply with any and all requirements contained in Health Officer Directive No. 2020-31, regarding indoor gyms and fitness centers including, without limitation, all enhanced cleaning requirements.

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**NOTE: San Francisco is experiencing a rapid and significant surge of COVID-19 cases. Accordingly, effective 11:59 p.m. on November 13, 2020, indoor restaurants and cafes within gyms and fitness centers must temporarily close and cease operating at any capacity until there is a further order of the Health Officer (although food items may continue to be sold for consumption offsite or outdoors). To the extent of any conflict or inconsistency with any other provision of this Order or any health directives or guidance, this suspension controls.**

(Added September 1, 2020; Revised September 14, 2020, September 30, 2020, October 27, 2020, and November 10, 2020)

**(17) Indoor Museums, Aquariums, and Zoos—SUSPENDED IN PART**

- a. Basis for Addition. As long as patrons move through exhibits and refrain from staying or gathering in an indoor or other enclosed space for a sustained period of time, and capacity and other health safety mitigation measures are used, indoor museums, aquariums and zoos (which have indoor and outdoor spaces) involve low contact intensity and a low number of contacts. Accordingly, the risk of transmission is low as long as adequate precautions are taken.
- b. Description and Conditions to Operate. Indoor museums (including art galleries), aquariums, and zoos may resume operations, subject to all of the following limitations and conditions:
  - i. Establishments must limit the number of people, including Personnel, who are present in the facility to the **lesser** of: (1) 25% of the facility's normal maximum occupancy or (2) the number of people who can maintain at least six feet of physical distance from each other in the facility at all times;
  - ii. Establishments must limit the number of people, including Personnel, who are present in individual galleries or public spaces to the **lesser** of: (1) 25% of the room's normal maximum occupancy or (2) the number of people who can maintain at least six feet of physical distance from each other in the room at all times;
  - iii. Everyone in the facility must maintain at least six feet of physical distance from people outside of their Household at all times;
  - iv. Everyone in facility must wear a Face Covering at all times, unless they are specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020; and

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- v. The following must remain closed:
- Common area gathering places such as meeting rooms and lounge areas;
  - Auditoriums;
  - Guided tours, events, classes, and other gatherings; and
  - Coat/personal property check services.

**San Francisco is experiencing a rapid and significant surge of COVID-19 cases. Accordingly, effective 11:59 p.m. on November 13, 2020, the following provision regarding indoor dining is suspended. Indoor restaurants and cafes within museums, aquariums, and zoos must temporarily close and cease operating at any capacity until there is a further order of the Health Officer (although food items may continue to be sold for consumption offsite or outdoors). To the extent of any conflict or inconsistency with any other provision of this Order or any health directives or guidance, this suspension controls.**

- vi. *[SUSPENDED: Indoor restaurants and cafes within the museum, aquarium, or zoo may operate for indoor dining so long as they fully comply with the requirements listed in Section (8) of this Appendix C-1 as well as Health Officer Directive No. 2020-16, including as that directive is updated in the future.]*
- vii. Before resuming operations, the museum, aquarium, or zoo must have created, posted and implemented a Social Distancing Protocol and must comply with any and all requirements contained in any relevant Health Officer Directives, including, for example, Directive Nos. 2020-05 and 2020-16c (if food is prepared and sold on-site for take-away, indoor, or outdoor dining), Directive No. 2020-17 (if there is a gift-shop or other retail on-site), and Directive No. 2020-32.
- viii. Also, in addition to the Social Distancing Protocol, before resuming operations, the museum, aquarium, or zoo must submit a plan to the Department of Public Health, including a detailed description of how the business intends to address safety precautions in the follow areas.
- Ensuring that facility and individual galleries and rooms remain below 25% maximum capacity;
  - Signage regarding Social Distancing Requirements (to include at least six feet of distance, handwashing/sanitizer practices, face covering policy);
  - Ensuring Personnel and patrons wear face coverings at all times, unless they are specifically exempted from the face covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020, as that order may be amended from time to time;
  - Ticketing booths and payment systems;
  - Personnel safety precautions;
  - HVAC systems (an explanation of alterations and upgrades to ventilation to increase supply of fresh air and decrease stale or recirculated air, or an

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explanation of why alterations or upgrades were either (1) unnecessary or (2) unfeasible);

- Food and beverage concessions;
- Retail (e.g., gift shops);
- Social distancing in elevators;
- Monitoring and limiting patrons to ensure physical distancing between members of different households or living units;
- Paths of travel through the establishment and wayfinding signage;
- Plans for preventing patrons from gathering in an enclosed space for a sustained period of time;
- Sanitation for restrooms;
- Sanitation for high-touch surfaces and areas; and
- Closing interactive exhibits or exhibits in enclosed spaces or modifying those exhibits to prevent common touching.

A plan template, which sets forth additional requirements and conditions for operation, will be available at [sfdph.org/directives](https://sfdph.org/directives). It is strongly encouraged that businesses review the requirements set forth in the template and use the template to create their plan.

The plan must be submitted to [HealthPlan@sfcityatty.org](mailto:HealthPlan@sfcityatty.org), posted on the business's website, and made available at the facility. The permanent URL at which the plan will be posted must be provided to SFDPH.

For clarity, the museum, aquarium or zoo does not need SFDPH to approve its plan before it may resume operations in accordance with the proposed plan. But in the event SFDPH identifies deficiencies in the plan, SFDPH will follow up with the business.

- viii. The establishment must add all COVID-19 related signage to the establishment as required by Sections 4.g and 4.h of the Stay-Safer-At-Home Order. The County is making available templates for the signage available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>.

(Added September 21, 2020; Revised September 30, 2020, October 27, 2020, and November 3, 2020; Subsection suspended November 10, 2020)

**(18) Outdoor Family Entertainment Centers**

- a. Basis for Addition. Certain outdoor Family Entertainment Centers involve only moderate risk given that they occur outside, they involve moderate contact intensity and a moderate number of contacts, and the risk of transmission can be significantly lessened by requiring that everyone wear a Face Covering and maintain at least six feet of physical

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distance at all times. The risk of virus transmission can also be reduced through other health and sanitation protocols. And because the State of California has included outdoor family entertainment centers on the list of options for the Red Tier, this Appendix lists those that can be done now with appropriate safety protocols. More information about the State of California's designation can be found online at <https://covid19.ca.gov/safer-economy/>.

- b. Description and Conditions to Operate. Family Entertainment Centers, as defined by this Section may begin to operate outdoors, subject to all of the limitations and conditions listed below. The term "Family Entertainment Centers" includes only those activities and businesses that are listed by the State of California as examples for the Red Tier, which are: kart racing; mini-golf; and batting cages, and the limited outdoor amusement park rides described below. Even if the County is placed on a less restrictive tier, this term will not be changed until this Section is revised. Conditions for outdoor Family Entertainment Centers are as follows:

- i. All operations must be outdoors. Operations that cannot be safely performed outdoors are not permitted;
- ii. Family Entertainment Centers may conduct their operations under a tent, canopy, or other sun or weather shelter, but only as long as no more than one side is closed, allowing sufficient outdoor air movement. Also, the number and composition of barriers used for all outdoor shelters must allow the free flow of air in the breathing zone consistent with guidance from the Department of Public Health.
- iii. Everyone in the Family Entertainment Center facilities must maintain at least six feet of physical distance from people outside of their Household at all times;
- iv. Family Entertainment Centers must limit the number of people, including Personnel, who are present in the space to ensure that six feet of physical distance can be maintained at all times;
- v. Everyone in the Family Entertainment Center facility must wear a Face Covering at all times, unless they are specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020, including as that order is amended; and
- vi. The Family Entertainment Center must have created, posted, and implemented a Social Distancing Protocol and must comply with any and all requirements contained in relevant Health Officer directives, including, without limitation, all enhanced cleaning requirements.

In addition to the requirements listed above, the following other requirements must be met, as listed:

- vii. For kart racing, services must be provided in compliance with the requirements for outdoor activity equipment rental businesses listed in Section (5) of this Appendix.

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- viii. For mini-golf, services must be provided in compliance with the requirements for outdoor golf listed in Section (2) of Appendix C-2 as well as Directive No. 2020-15, including as that directive is updated in the future.
- ix. For batting cages, services must be provided in compliance with the requirements for “Other Outdoor Recreation and Athletic Activities” listed in Section (6) of Appendix C-2.
- x. For outdoor amusement park-type rides, consisting of Ferris wheels, carousels, and miniature train rides, the following additional requirements must be met:
  - a. Screen all customers and other visitors prior to entry to the ride as outlined by the Social Distancing Protocol and its Attachment A-2. Any person who answers “yes” to a screening question must have the ride cancelled or rescheduled. No cancellation or rescheduling fee may be charged in that situation, and the price of any ticket must be refunded if the ride is not rescheduled;
  - b. Operators must regulate access by patrons to the equipment to ensure physical distancing;
  - c. Any enclosed passenger capsule or seating area must include only members of the same household, and ventilation must be maximized;
  - d. High touch surfaces and equipment must be sanitized in between uses by different households; and
  - e. Hand sanitizer must be placed at the entrances and exits to rides.

Note that at the current time many outdoor family entertainment activities are allowed under other sections and directives, including zoos, outdoor swimming pools, outdoor tennis and pickleball, outdoor golf, outdoor lawn bowling, outdoor museums, and outdoor fitness centers. See Section (11) of Appendix C-2 regarding outdoor playgrounds.

Also, other activities are not yet allowed because they cannot yet be done safely in the current context due to the difficulty of regularly cleaning high-touch surfaces and of keeping people from different homes physically distant and/or are prohibited by the State under the Red Tier or Orange Tier, including: indoor amusement park rides; indoor bowling alleys; indoor ice and rolling skating rinks; indoor arcade games; and indoor playgrounds.

(Added September 14, 2020; Revised September 30, 2020)

**(19) Open-Air Tour Bus Operators**

- a. Basis for Addition. Personnel and passengers can wear Face Coverings and maintain six feet of physical distance from people in different Households at all times. No inherently

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risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. And open-air bus tours occur outside, which is safer than indoor interactions, and have additional air-flow from continual movement. Finally, outdoor tour bus excursions of small, socially distanced groups involve only a moderate number of contacts, and health mitigation measures can significantly decrease the transmission risk.

- b. **Description and Conditions to Operate.** Individuals or businesses that offer open-air bus tours (“Open-Air Tour Bus Operators”) may operate, subject to the following limitations and conditions:
- i. If the total number of passengers is greater than 12, the Open-Air Tour Bus Operator must assign each passenger to a group of no more than 12 people. Multiple groups of 12 may be on an Open-Air Tour Bus simultaneously, subject to the following requirements:
    - Each group of 12 must be kept at least 12 feet apart from each other,
    - The Open-Air Tour Bus Operator must prohibit mingling among passengers in different groups, and
    - Passengers must have a clear path to the restroom and exit without being required to travel through the space occupied by another group.
  - ii. All passengers must maintain a physical distance of at least six feet from each other, from the driver, and from Personnel, at all times;
  - iii. Before boarding, passengers must wait at least six feet apart and must not board the bus until the driver or other Personnel allow boarding;
  - iv. Bathrooms (if any) must be sanitized frequently following EPA guidelines;
  - v. Passengers must stay in the open-air portion of the bus except for brief periods, such as to board, disembark and use the bathroom;
  - vi. Open-Air Tour Bus Operators should ask passengers to voluntarily provide their name and phone number for potential contact tracing purposes—the operator should keep this information on file for at least three weeks;
  - vii. Open-Air Tour Bus Operators must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order);
  - viii. Open-Air Tour Bus Operators must ensure daily COVID-19 symptom and exposure screening is completed for all Personnel as required by the Social Distancing Protocol and its Attachment A-1. In general, Personnel with any single COVID-19 symptom that is new or not explained by another condition **MUST** have a negative COVID-19 test **OR** stay out of work for at least 10 days since symptoms started in order to return to work. Those who are close contacts of someone with COVID-19 must remain out of work for 14 days since their last close contact;



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- ix. Open-Air Tour Bus Operators must Screen all customers and other visitors on the day of the tour as outlined by the Social Distancing Protocol and its Attachment A-2. Any person who answers “yes” to a screening question must not be allowed to board the bus. No cancellation or rescheduling fee may be charged in that situation;
- x. All passengers and Personnel must wear a Face Covering at all times while waiting to board, at all times while on board—except when eating or drinking, and at all times when disembarking from the bus, unless they are specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020, as that order may be amended from time to time;
- xi. Passengers from different households should not shake hands, share food or drinks, or engage in any unnecessary physical contact—Personnel must instruct passengers about these requirements;
- xii. Open-Air Tour Bus Operators must make hand sanitizer available;
- xiii. The bus and all equipment belonging to the Open-Air Tour Bus Operator or otherwise provided by the Open-Air Tour Bus Operator must be thoroughly cleaned and disinfected after each trip with procedures effective against the Novel Coronavirus SARS-CoV-2 in accordance with CDC guidelines (<https://www.cdc.gov/coronavirus/2019-ncov/community/cleaning-disinfecting-decision-tool.html>).

(Added September 14, 2020; Revised November 3, 2020)

### **(20) Lodging Facilities for Tourism—SUSPENDED IN PART**

- a. Basis for Addition. As long as guests refrain from congregating in common areas, and capacity and other health safety mitigation measures are used, lodging facilities involve low contact intensity and a low number of contacts. Personnel and guests can wear Face Coverings whenever they are in common areas and can maintain at least six feet of physical distance except for brief interactions (e.g., while checking in). In indoor common areas, no inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved.
- b. Description and Conditions to Operate. Lodging facilities, including hotels, motels, hostels, bed and breakfasts, inns and short-term rentals, may operate for tourist use, subject to all of the following limitations and conditions:
  - i. Indoor pools, ballrooms, conference rooms, business centers, lounge areas, and other indoor gathering places must remain closed. But a lodging facility may operate the services listed in this subsection b.i after updating its Social Distancing Protocol and complying with the listed requirements for each listed

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type of service. If the County is later returned to a more restrictive tier by the State or other local COVID-19 conditions change in a manner that puts the public health at increased risk, the Health Officer may reduce or suspend the ability for operation of these services by the lodging facility.

- a. Gyms or fitness centers. The lodging facility may operate a gym or fitness center so long as it fully complies with the requirements listed in Section (16) of this Appendix C-1 as well as Health Officer Directive Nos. 2020-27 (for outdoor gyms or fitness centers, if applicable) and 2020-31 (for indoor gyms or fitness centers, if applicable), including as those directives are updated in the future. At present, that includes a maximum limit of 25% capacity or 50 people, whichever is lower, on any indoor gym or fitness center. Also, any gym or fitness center must be staffed by lodging facility personnel at all times that it is open for operation.

**San Francisco is experiencing a rapid and significant surge of COVID-19 cases. Accordingly, effective 11:59 p.m. on November 13, 2020, the following provision regarding indoor dining is suspended. Indoor restaurants and cafes within lodging facilities must temporarily close and cease operating at any capacity until there is a further order of the Health Officer (although food items may continue to be sold for consumption in individuals' rooms, offsite, or outdoors). To the extent of any conflict or inconsistency with any other provision of this Order or any health directives or guidance, this suspension controls.**

- b. *[SUSPENDED: Indoor dining. The lodging facility may operate indoor dining so long as it fully complies with the requirements listed in Section (8) of this Appendix C-1 as well as Health Officer Directive No. 2020-16c, including as that directive is updated in the future. At present, that includes a maximum limit of 25% occupancy or 100 people, whichever is lower. For clarity, a lodging facility is not allowed to operate self-serve stations, whether staffed by personnel or not, including buffets or continental breakfast bars.]*
- ii. The Lodging Facility must have created, posted and implemented a Social Distancing Protocol and must comply with any and all requirements contained in Health Officer Directive No. 2020-29 regarding best practices for lodging facilities, as well as any other relevant Health Officer Directives, including, for example, Directive Nos. 2020-05 and 2020-16c (if food is prepared and sold on-site for take-away or outdoor dining or for indoor dining), Directive No. 2020-17 (if there is a gift-shop or other retail on-site), and Directive Nos. 2020-27 and 2020-31 (if gyms or fitness centers are opened).

(Added September 14, 2020; Revised September 30, 2020, and October 27, 2020; Non-substantive revisions October 20, 2020 and November 3, 2020; Revised and subsection suspended November 10, 2020)

**[Revised November 10, 2020]**

**(21) Indoor Movie Theaters—REDUCED CAPACITY**

- a. Basis for Addition. Viewing movies or other projected entertainment indoors in an enclosed space involves multiple risk factors, including the nearby seating of groups of people from different Households, the enclosed nature of the space, and the duration of the entertainment. When coupled with strong mitigation measures such as screening of patrons, mandatory use of Face Coverings, avoiding eating, maintaining physical distancing between different groups, and following other protocols, the risks associated with indoor movie theatres can present manageable risks, although avoiding indoor theaters is safer, especially for seniors and those who are vulnerable to complications from COVID-19.
- b. Description and Conditions to Operate. Any facility that projects entertainment onto a large-format screen indoors (an “indoor movie theater”) may operate subject to the following limitations and conditions:
  - i. The indoor movie theater must limit the number of people, including Personnel, who are present in the space to the **lesser** of: (1) 25% of the facility’s normal maximum occupancy, (2) 50 people, or (3) the number of people who can maintain at least six feet of physical distance from each other in the facility at all times. If a movie theater complex has multiple individual indoor movie theaters the 25% occupancy limit applies to the complex as a whole and to each individual theater, and the 50-person maximum applies to each individual theater. Operators should stagger start and end times to ensure that there is not mixing of patrons in common areas;
  - ii. The indoor movie theater facility must screen all patrons and other visitors on a daily basis using the standard screening questions attached to the Order as Appendix A and Attachment A-2 (the “Screening Handout for Non-Personnel”). Screening must occur before people are allowed to enter to prevent the inadvertent spread of the SARS-CoV-2 virus. A copy of the Screening Handout for Non-Personnel must be provided to anyone on request, although a poster or other large-format version of the Screening Handout for Non-Personnel may be used to review the questions with people verbally. Any person who answers “yes” to any screening question is at risk of having the SARS-CoV-2 virus, must be prohibited from entering or being seated in the indoor movie theater, and should be referred for appropriate support as outlined on the Screening Handout for Non-Personnel. The indoor movie theater can use the guidance available online at [www.sfdcp.org/screen](http://www.sfdcp.org/screen) for determining how best to conduct screening. People who are feeling ill, have exhibited symptoms of COVID-19 within 24 hours of arriving at the indoor movie theater or answer “yes” to any screening must be kept from entry and must cancel or reschedule their ticket. In such cases, patrons must not be charged a cancellation fee or other financial penalty and must be given a full refund;
  - iii. The indoor movie theater must keep food and beverage concessions closed (also including vending machines) for now;

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- iv. The indoor movie theater must ensure that all Personnel and patrons wear a Face Covering at all times as required by Health Officer Order No. C19-12c, issued on July 22, 2020, including as that order may be amended from time to time, unless the person is specifically exempted from the face covering requirements;
- v. The indoor movie theater must post signs at all entrances notifying patrons of the rules, including the requirement to wear a face covering at all times and that consuming food or drink onsite (including if brought in from outside) is prohibited given the risk associated with removing a face covering when eating or drinking;
- vi. The indoor movie theater must prevent patrons from gathering in common areas and must close lounges, arcades, or other areas designed for casual gathering;
- vii. Patrons must remain outside the indoor movie theater until they are ready to be seated, and the indoor movie theater is prohibited from allowing customers to line up in advance of opening doors for individual showings (which may require the indoor movie theater to space out showings to allow sufficient time for cleaning and seating between shows);
- viii. The establishment must add all COVID-19 related signage to the establishment as required by Sections 4.g and 4.h of the Stay-Safer-At-Home Order. The County is making available templates for the signage available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>; and
- ix. Each indoor movie theater must have created, posted, and implemented a Social Distancing Protocol checklist (Appendix A to this Order) and also comply with Health Officer Directive No. 2020-35, including as that directive may be amended from time to time, regarding required best practices for indoor movie theaters.

For clarity, these rules for indoor movie theaters do not allow any of the following to occur, each of which is still prohibited by the Order: indoor bars (except as allowed under Section (8) above for indoor dining) or dance clubs, regardless of whether they use large-format screens as part of their entertainment or décor; indoor social events where large-format screens are used but are not the primary focus of the gathering; live indoor in-person entertainment, including concerts, plays, musicals, ballet, or other artistic events (except as allowed for recording or streaming under the Order); and the operation of any food service bar, beverage bar, or restaurant operated within the indoor movie theater facility or by the indoor movie theaters in an adjoining space.

(Added September 30, 2020; Non-substantive revisions October 20, 2020 and November 3, 2020; Revised October 27, 2020 and November 10, 2020)

**[Revised November 10, 2020]**

**(22) Film and Media Productions**

- a. Basis for Addition. When capacity is limited and health safety mitigation measures are used, film and media productions involve relatively low contact intensity and number of contacts. Restrictions can be placed to ensure that few inherently risky activities (e.g., singing, shouting, etc.) are involved. And when such activities are involved, additional preventive measures—such as physical distancing, improved ventilation, and surveillance testing—can be used to address the resulting risk. Accordingly, the risk of transmission is relatively low as long as adequate precautions are taken.
- b. Description and Conditions to Operate.
  1. Film and Media Productions covered by the September 21, 2020 “COVID-19 Return To Work Agreement With DGA, IATSE, SAG-AFTRA and Teamsters/Basic Crafts” ([https://www.sagaftra.org/files/sa\\_documents/ReturnToWorkAgreement\\_wAMPTP.pdf](https://www.sagaftra.org/files/sa_documents/ReturnToWorkAgreement_wAMPTP.pdf)) (“Return to Work Agreement”) may operate subject to compliance with all of the terms and conditions set forth in that agreement, except that:
    - i. The cast, crew, and other Personnel on location is limited to the fewest number of Personnel needed (up to a maximum of 25 people in one location); and
    - ii. if the production is complying with the pre-employment testing requirement by using two rapid tests conducted within 48 hours before the start of employment, as provided in Section 2.a.i.(3) of the Return to Work Agreement, the two samples must be collected at different times: one 24-48 hours before the start of employment and one within 24 hours before the start of employment.
  2. Outdoor Film and Media Productions: Outdoor film and media production that are not covered by the Return to Work Agreement may operate, subject to the following conditions:
    - i. The cast, crew, and other Personnel on location is limited to the fewest number of Personnel needed (up to a maximum of 25 people in one location, subject to clause v below);
    - ii. The film or media production must ensure COVID-19 symptom and exposure screening is completed for all cast, crew, and other Personnel on each day of the production as outlined by the Social Distancing Protocol and its Attachment A-2. Any person who answers “yes” to a screening question must not be permitted to enter the location;
    - iii. Face Coverings must be worn at all times, except (a) as specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020, as that order may be amended from time to time, (b) while filming outdoors as long as the person remains at least six feet from other talent, crew, and other Personnel, and the public at all time, or (c) while personal services (e.g., makeup or hair) are being provided, in which case the

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safety precautions set forth in Section 1.11 of Exhibit A to Health Officer Directive 2020-23b, as that directive may be amended or revised, must be followed;

- iv. Because singing and playing wind or brass instruments can transmit particles farther in the air than breathing or speaking quietly, singing and playing wind or brass instruments is not allowed outdoors unless (a) the individual is at least 12-feet away from crew, cast, and other Personnel, and public and uses a Face Covering for singing or a mask or other fabric over the wind instrument's bells or openings where air/sound exit, or (b) the individuals is at least 30 feet from all crew, cast, and other Personnel, and the public; and
  - v. The production must comply with the Social Distancing Requirements set forth in Section 8.o of this Order.
3. Indoor Film and Media Productions: Indoor film and media production that are not covered by the Return to Work Agreement may operate, subject to the following conditions:
- i. The cast, crew, and other Personnel on location is limited to the fewest number of Personnel needed (up to a maximum of 25 people in one location, subject to clause v below);
  - ii. The film or media production must ensure COVID-19 symptom and exposure screening is completed for all cast, crew, and other Personnel before they enter the location on each day of the production as outlined by the Social Distancing Protocol and its Attachment A-2. Any person who answers "yes" to a screening question must not be permitted to enter the location;
  - iii. Except as provided below, Face Coverings must be worn by all cast, crew, and other Personnel at all times:
    - a) Individuals who are specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020, as that order may be amended from time to time are excused from the Face Covering requirement;
    - b) Cast members may remove Face Coverings personal services (e.g., makeup or hair) are being provided, in compliance with the safety precautions set forth in Section 1.10 of Exhibit A to Health Officer Directive 2020-30b, as that directive may be amended or revised;
    - c) Cast members may remove Face Coverings while filming if all of the following conditions are met:
      - (1) All other crew and Personnel in the room must wear a non-vented N-95 mask to provide maximum protection;

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(2) The production must increase ventilation as much as possible, including by implementing at least one of the following ventilation measures:

- All available windows and doors are kept open (Doors and Windows required to be kept closed for fire/life safety purposes are exempt. Make sure open windows do not create falling hazards especially for children. )
- HVAC systems fully operational
- Appropriately sized Portable Air Cleaners

If due to smoke or other conditions the production cannot implement any of those measures for a period of time, face coverings cannot be removed until ventilation measures can be reinstated; and

(3) The production must adhere to the following testing requirements:

- If the shoot is scheduled to last one or two days, the cast member(s) who will be removing their Face Coverings must receive a negative nucleic acid diagnostic test for COVID-19 within 72 hours before the shoot starts.
- If the shoot is scheduled to last between three and seven days, the cast member(s) who will be removing their Face Coverings must receive a (a) negative nucleic acid diagnostic test for COVID-19 within 72 hours before the shoot starts and (b) a negative nucleic acid diagnostic test or rapid test every other day starting on the third day of the production.
- If the shoot is scheduled to last more than seven days, the Production must submit a plan to the Health Officer for pre-approval, as discussed below.
- All testing must be done using tests that are approved by the United States Food and Drug Administration or by the California Department of Public Health.
- All processing of tests must be conducted by a lab that complies with Health Officer Order No. C19-10 (available online at [www.sfdph.org/healthorders](http://www.sfdph.org/healthorders)), including that the lab must meet the requirements to perform testing classified as high complexity under the Clinical Laboratory Improvement Amendments (“CLIA”) of Section 353 of the Public Health Service Act (including but not limited to having a CLIA waiver to perform such tests). Any lab that processes tests must also

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submit all results (not just positive results) via the State of California's California Reportable Disease Information Exchange ("CalREDIE") system or any replacement to that system adopted by the State of California.

- The production must maintain a log of testing for all cast members who will be removing their Face Coverings, including name, date tested, type of test, and test result. The log must be retained for 12 months and be made available to SFPD upon request.
- iv. High touch surfaces must be cleaned and disinfected frequently using procedures effective against the Novel Coronavirus SARS-CoV-2 in accordance with CDC guidelines (<https://www.cdc.gov/coronavirus/2019-ncov/community/cleaning-disinfecting-decision-tool.html>).
- v. The production must comply with the Social Distancing Requirements set forth in Section 8.o of this Order.
- vi. Because singing and playing wind or brass instruments can transmit particles farther in the air than breathing or speaking quietly, filming of cast singing or playing a wind or brass instrument is prohibited unless the individual is in an isolation booth or in a separate room and the camera is operated remotely. Sufficient ventilation of the space being used must occur for at least 15 minutes before other Personnel enter the space.
- vii. Productions may have craft service and catering at indoor locations, subject to the following requirements:
  - a) The production must notify cast, crew, and other Personnel that they are strongly encouraged to take food items to-go and eat outside or in areas away from other people and at least six feet apart from each other;
  - b) Where feasible, productions should provide an outdoor area where cast, crew, and other Personnel can eat their meals at least six feet apart from each other;
  - c) Seating in areas designated for eating must be at least 6 feet apart;
  - d) In areas designated for eating, the production must limit the number of people in those spaces to the lesser of 20% of the maximum occupancy or the number of people who can safely maintain at least six feet of distance from each other at all times;
  - e) No buffets of self-serve food and beverage stations are allowed—only individually boxed meals and snacks may be offered; and
  - f) Productions should consider staggering meals to lessen the number of people eating in the same area.



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Companies that wish to proceed with productions that deviate from these conditions may submit to the Health Officer a proposed plan detailing the sanitation, social distancing, ventilation, testing, health screening, and other procedures (for example, creating quarantine bubbles) that will be implemented to minimize the risk of transmission among participants. Plans must be submitted to HealthPlan@sfcityatty.org. Subject to the advance written approval of the Health Officer or the Health Officer's designee, the production may then proceed consistent with the approved plan.

(Added November 3, 2020)

**(23) Real Estate Showings**

- a. Basis for Addition. Real estate agents, escrow agents, and other service providers that facilitate real estate transactions, such as home sales, apartment rentals, and commercial properties, are essential workers. Although virtual tours are the best way to minimize virus transmission, in-person showings do not involve any inherently risky activities (e.g., singing, shouting, eating, drinking, etc.). Accordingly, such in-person showings can be relatively low risk as long as mitigation measures, such as screening of participants, mandatory use of Face Coverings, maintaining physical distancing, and increasing ventilation, are followed.
- b. Description and Conditions to Operate. Real estate agents are allowed to show residential properties for rent or sale. Tours should be conducted virtually whenever feasible. When in-person showings are necessary, they are permitted under the following conditions:
  - i. Appointments for showings must be scheduled in advance;
  - ii. Face Coverings must be worn at all times, except (1) as specifically exempted from the Face Covering requirements in Health Officer Order No. C19-12c, issued on July 22, 2020, as that order may be amended from time to time;
  - iii. All people participating in the showings must maintain social distancing of at least six feet from everyone who is not part of their own Household;
  - iv. The real estate agent must ensure COVID-19 symptom and exposure screening is completed for all participants on the day of the showing before coming in to the unit as outlined by the Social Distancing Protocol and its Attachment A-2. Any person who answers "yes" to a screening question must not be permitted to enter;
  - v. The real estate agent must introduce fresh outside air, for example by opening doors/windows, weather permitting, and operating ventilation systems; and
  - vi. Participants must follow the requirements of the State's COVID-19 Industry Guidance for Real Estate Transactions, available at <https://covid19.ca.gov/pdf/guidance-real-estate.pdf>.

(Added November 3, 2020)

## **Order No. C19-07n – Appendix C-2: Allowed Additional Activities**

**[Revised November 10, 2020]**

### **A. General Requirements**

The “Additional Activities” listed below may resume, subject to the requirements set forth in the Order and to any additional requirements set forth below or in separate guidance by the Health Officer. These activities were selected based on current health-related information, the risk criteria set forth in Section 3 of the Order, and the overall impact that allowing these activities to resume will have on mobility and volume of activity in the County.

The health-related basis for selection of Additional Activities and the specific requirements for risk mitigation are summarized below. The bases for the additions were amended on July 13, 2020, to reflect an updated and refined analysis under the risk criteria set forth in Section 3 of the amended Order.

Activities that are permitted to operate outdoors may, subject to any applicable permit requirements, conduct their operations under a tent, canopy, or other sun or weather shelter, but only as long as no more than one side is closed, allowing sufficient outdoor air movement. Also, the number and composition of barriers used for all outdoor shelters must allow the free flow of air in the breathing zone consistent with guidance from the Department of Public Health.

On August 28, 2020 the State adopted a new four-tiered, color-coded framework to guide reopening statewide. Basic information about the State’s tiered system is available online at <https://covid19.ca.gov/safer-economy/>. Counties can be more restrictive than this State framework and the County has taken a more careful, incremental approach based on local COVID-19 Indicators. October 20, 2020, the State assigned the County’s risk of COVID-19 community transmission to be in the minimal (yellow) tier (the least restrictive tier, or the “Yellow Tier”) under an accelerated health equity pathway. But San Francisco is now experiencing a rapid and significant surge of COVID-19 cases and meets the criteria to fall within a more restrictive tier. Without changes that demonstrate objective signs of improvement San Francisco risks movement backwards. Accordingly, if the surge continues, the Health Officer may restrict and suspend activities allowed under this Appendix, beginning with indoor activities including, for instance, indoor religious services and cultural ceremonies at houses of worship, indoor retail, indoor museums, aquariums and zoos, indoor personal services and non-essential office. And if the surge in COVID-19 cases is reversed, the Health Officer will consider lifting the restrictions and suspensions to the extent supported by the COVID-19 Indicators and emerging scientific data, information, and evidence.

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**B. List of Additional Activities**

For purposes of the Order, Additional Activities include the following based on the summarized health risk related rationale:

(1)	Outdoor Museums, Outdoor Historical Sites, and Outdoor Public Gardens .....	2
(2)	Outdoor Recreation: Golf and Tennis .....	3
(3)	Outdoor Recreation: Dog Parks .....	4
(4)	Small Outdoor Gatherings .....	5
(5)	Libraries for Curbside Pickup and Return .....	6
(6)	Outdoor Recreation: Other Outdoor Recreation and Athletic Activities.....	7
(7)	Outdoor Recreation: Outdoor Swimming Pools .....	8
(8)	Drive-In Gatherings .....	8
(9)	Religious Activities.....	9
(10)	Political Activity .....	11
(11)	Outdoor Playgrounds .....	13

**(1) Outdoor Museums, Outdoor Historical Sites, and Outdoor Public Gardens**

- a. Basis for Addition. Personnel and visitors can wear Face Coverings and maintain at least six feet of physical distance from people in different Households at all times. No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. And outdoor activities are safer than indoor activities. Finally, the number, frequency and proximity of contacts can be minimized through capacity limitations and the risk of virus transmission can be reduced through other health protocols.
- b. Description and Conditions. Outdoor museums, outdoor historical sites, and outdoor public gardens (for example, the Botanical Gardens and Japanese Tea Garden may reopen to the public—and individuals may leave their residence and travel to visit these locations—subject to the following conditions:
  1. Only outdoor spaces may be open to the public, except for restrooms as provided below.
  2. Face Coverings must be worn by all staff and visitors, subject to the limited exceptions in Health Officer Order No. C19-12c (e.g., for young children), including as that order is amended in the future;
  3. Physical distancing of at least six-feet must be maintained at all times other than between members of the same Household;
  4. Other than picnic tables, which may be available for use with signs instructing patrons to clean them before and after use, common high-touch equipment and fixtures must be off-limits, with signage and with physical barriers as appropriate;

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5. Public restrooms, if any, must
  - a. be routinely disinfected frequently throughout the day,
  - b. have open doors to prevent touching of door handles or knobs,
  - c. have soap and paper towels, and
  - d. have signs promoting handwashing;
6. The museum, outdoor historical site, or outdoor public garden must provide for contactless payment systems or, if not feasible, sanitize any payment systems, including touch screens, payment portals, pens, and styluses, after each customer use. Under San Francisco's Legal Tender Law, customers must be allowed to pay with cash but to further limit person-to-person contact, Personnel should encourage customers to use credit, debit, or gift cards for payment;
7. Signage must be posted at each public entrance to inform all personnel and customers that they must not enter if they are experiencing COVID-19 symptoms (list the symptoms in the San Francisco COVID-19 Health Screening Form for non-personnel (Attachment A-2), maintain a minimum six-foot distance from one another while in the facility or location, wear a Face Covering at all times, and not shake hands or engage in any unnecessary physical contact (sample signs are available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>);
8. Any on-site retail stores (e.g., gift shops) may operate for curbside/outdoor pickup only, and must do so in compliance with Appendix C-1 of this Order and Health Officer Directive 2020-10b (available at <https://www.sfdph.org/directives>);
9. Before resuming operations, outdoor museums, outdoor historical sites, and outdoor public gardens must prepare, post, implement, and distribute to their Personnel a Social Distancing Protocol checklist as required by Appendix A of the Order and a written health and safety plan that addresses all best practices listed in Section 1.b of this Appendix.

For clarity, this section does not apply to outdoor zoos, which are covered under Section 12 of Appendix C-1.

(Added May 17, 2020; revised June 1, 2020 and November 3, 2020; Non-substantive revisions on July 13, 2020)

**(2) Outdoor Recreation: Golf and Tennis**

- a. Basis for Addition. Non-contact outdoor sports like tennis and golf involve a low number of contacts and a high proximity of contact, as long as the groups engaged in play together are small, maintain required physical distance, and do not share equipment among different Households. Also, interactions and activities that occur outdoors carry a lower risk of transmission than most indoor interactions and activities. And the risk of transmission can be further mitigated by sanitation and hygiene practices. Finally,

## **Order No. C19-07n – Appendix C-2: Allowed Additional Activities**

**[Revised November 10, 2020]**

because outdoor recreation is already allowed under the Order, resumption of this activity is expected to result in only a relatively modest increase in mobility and may decrease congestion in other outdoor locations like public parks and beaches.

- b. **Description and Conditions.** Individuals may play tennis and golf outdoors, and outdoor tennis and golf facilities/clubs may open, subject to the following conditions:
1. Face Coverings must be worn by all golf and tennis facility/club Personnel, subject to the limited exceptions in Health Officer Order No. C19-12c (e.g., for young children), including as that order is amended in the future;
  2. All golf and tennis players must wear a Face Covering while in facility/club parking lots, when entering and exiting facilities/clubs, and while waiting to play—Face Coverings may be removed during play if nobody from a different Household is within 30 feet of the player;
  3. For golf, groups must be limited to a maximum of four players per group, unless all players within the group are part of a single Household. Groups of players from different Households must comply with the State of California under its Stay-Safer-At Home Order;
  4. No more than two Households may play tennis together at any one time, and members of separate Households cannot have contact with each other and must remain at least six feet apart at all times; and
  5. Before resuming operations, each golf or tennis facility/club must create, post and implement a Social Distancing Protocol checklist (Appendix A to this Order) and comply with Health Officer Directive No. 2020-15 regarding required best practices for tennis and golf.

(Added June 1, 2020; Non-substantive revisions July 13, 2020; Revised September 1, 2020)

### **(3) Outdoor Recreation: Dog Parks**

- a. **Basis for Addition.** Although taking a dog to a dog park may involve mixing of Households, individuals can wear Face Coverings at all times and maintain at least six feet of physical distance from members of other Households except for short interactions. No inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) are involved. Also, outdoor activities carry a lower risk of transmission than indoor interactions and activities, and risk of transmission can be reduced through health protocols.
- b. **Description and Conditions.** Individuals may take their dogs to dog parks (both enclosed and unenclosed), and all dog parks may open, subject to the following conditions:
1. Face Coverings must be worn by all people in the dog park, subject to the limited exceptions in Health Officer Order No. C19-12c (e.g., for young children), including as that order is amended in the future;

## **Order No. C19-07n – Appendix C-2: Allowed Additional Activities**

**[Revised November 10, 2020]**

2. The Centers for Disease Control and Prevention (CDC) has advised that “[u]ntil we learn more about how this virus affects animals,” owners should “treat pets as you would other human family members to protect them from a possible infection.” Specifically, the CDC recommends that pet owners: “Do not let pets interact with people or other animals outside the household,” “Walk dogs on a leash, maintaining at least 6 feet (2 meters) from other people and animals,” and “Avoid dog parks or public places where a large number of people and dogs gather.” Accordingly, pet owners are urged to use on-leash dog parks or keep their dogs on a leash, particularly if the dog is not under voice control—pet owners who choose to let their dogs be off leash in an off-leash dog park should prevent their dog from interacting with other people or animals to the greatest extent feasible;
3. People in the dog park should maintain at least six feet of physical distance from people or animals other than those in their same Household;
4. People must bring their own water for themselves and their pets, and must not use common touch water facilities in the park;
5. People must use their sleeve or a disposable cloth to touch high-touch surfaces like gates;
6. People should bring their own bags for picking up and disposing of pet waste;
7. Signage must be posted at each dog park to inform people that they must: avoid entering the location if they have a cough or fever, maintain a minimum six-foot distance from one another, wear a Face Covering at all times, and not shake hands or engage in any unnecessary physical contact (sample signs are available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>); and
8. People must follow any other rules and regulations adopted by the operator of the dog park.

(Added June 1, 2020; Non-substantive revisions July 13, 2020)

### **(4) Small Outdoor Gatherings**

- a. Basis for Addition. As provided in Section 4.f of the Order, gatherings among different Households are strongly discouraged to help prevent the spread of COVID-19, and larger gatherings pose higher risks. Although small outdoor gatherings involve mixing of Households, individuals can wear Face Coverings at all times, except when eating and drinking, and maintain at least six feet of physical distance from others outside their Household at all times. Inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) can be—and are strongly urged to be—minimized to the greatest extent possible. Also, outdoor activities carry a lower risk of transmission than indoor interactions and activities, and risk of transmission can be reduced through health protocols.

## **Order No. C19-07n – Appendix C-2: Allowed Additional Activities**

**[Revised November 10, 2020]**

- b. **Description and Conditions.** As further provided in Section 3.a of the Order, all people are strongly encouraged to continue staying safe at home and minimizing unnecessary interactions with others to the maximum extent possible. But individuals may participate in small outdoor gatherings—including for ceremonies, religious services, and other special purposes—subject to the following conditions:
1. No more than three different Households up to a maximum of six people in total between all Households, may participate in a gathering that involves eating or drinking somewhere other than a dining establishment, unless all are members of the same Household;
  2. No more than three different Households up to a maximum of 25 people in total between all Households, may participate in any other outdoor gathering under this section, unless all are members of the same Household.
  3. Unless eating or drinking in a group of six people or fewer, participants outside of the same Household must remain at least six feet apart from each other. Participants must otherwise follow all Social Distancing Requirements (Section 8.o of the Order), and wear Face Coverings unless eating, drinking, or exempted from wearing a Face Covering under Health Officer Order No. C19-12c (the Face Covering Order); and
  4. Participants and hosts of small outdoor gatherings must comply with Health Officer Directive No. 2020-19b regarding required best practices for small outdoor gatherings and with the health guidelines for safer interactions set forth in the Tip Sheet for Safer Interactions During COVID-19 Pandemic, posted at: [www.sfcddcp.org/communicable-disease/diseases-a-z/covid19whatsnew](http://www.sfcddcp.org/communicable-disease/diseases-a-z/covid19whatsnew).

For clarity, this section does not allow contact sports (e.g., football or boxing) or games with shared equipment (e.g. Frisbee, baseball, or playing catch) to resume among members of different Households. This section does not apply to outdoor religious or political protest gatherings, which are covered by Sections 9 and 10, below. This section does not apply to limit gatherings that are otherwise allowed under the Order or any Health Officer directive providing industry-specific guidance. Also, the size number limits for the various types of gatherings do not apply to gatherings of people (including participants and hosts) solely from a single Household. Indoor social gatherings among different Households are not allowed at this time.

(Added June 11, 2020; Non-substantive revisions July 13, 2020 and September 14, 2020;  
Revised October 20, 2020)

### **(5) Libraries for Curbside Pickup and Return**

- a. **Basis for Addition.** Personnel and patrons can wear Face Coverings at all times and maintain at least six feet of physical distance except for brief interactions (e.g., while picking up items). Patrons interact only with a small number of individuals from other Households, and although Personnel are interacting with a moderate number of people, the duration of those interactions are low and safety limitations can ensure adequate

## **Order No. C19-07n – Appendix C-2: Allowed Additional Activities**

**[Revised November 10, 2020]**

social distancing and decrease the risk of virus transmission. In addition, interactions can occur outdoors, which further decreases risk.

- b. Description and Conditions to Operate. Libraries may open for curbside/outside pickup and drop off of items, and approved by the City Administrator. All Personnel and patrons must comply with Social Distancing Requirements—including the requirement to maintain at least six feet of physical distance—and wear a Face Covering at all times, subject to the limited exceptions in Health Officer Order No. C19-12c (e.g., for young children), as that order may be amended from time to time.

(Added July 20, 2020)

### **(6) Outdoor Recreation: Other Outdoor Recreation and Athletic Activities**

- a. Basis for Addition. Non-contact recreational and athletic activities such as pickleball, lawn bowling, bocce ball and frisbee have low-to-moderate levels of transmission risk. Participants can wear Face Coverings and maintain at least six feet of physical distance at all times, and outdoor activities are safer than indoor interactions.
- b. Description and Conditions. Beginning at 9:00 a.m. on September 1, 2020, non-contact recreational and athletic activities with members of other Households may occur, subject to the following conditions:
  - 1. No more than two Households may engage in these recreational and athletic activities together at any one time;
  - 2. No equipment (except balls, frisbees, or other similar recreational projectiles) may be shared between Households;
  - 3. All recreational and athletic activities with members of another Household must occur entirely outdoors;
  - 4. Members of separate Households cannot have contact with each other and must remain at least six feet apart at all times;
  - 5. Pickleball is allowed under this section, provided that operators of facilities and players must follow the same guidelines that apply to Tennis Facilities under Health Officer Directive No. 2020-15b; and
  - 6. Face Coverings must be worn at all times, subject to the limited exceptions in Health Officer Order No. C19-12c, issued on July 22, 2020 (e.g., for young children).

(Added September 1, 2020)



**[Revised November 10, 2020]**

**(7) Outdoor Recreation: Outdoor Swimming Pools**

- a. Basis for Addition. Outdoor swimming pools have few high-touch surfaces and do not require shared equipment. Risks associated with outdoor swimming pools can be substantially mitigated with limitations to ensure adequate social distancing and limit intermixing between Households.
- b. Description and Conditions. Beginning at 9:00 a.m. on September 1, 2020, individuals may use outdoor swimming pools, and outdoor swimming pools may open and operate, subject to the following conditions:
  - 1. Lap swimming must be limited to one swimmer per lane, except that members of the same Household may occupy a single lane;
  - 2. Use of shared swimming areas must be limited to no more than two swimmers from different Households per 300 square feet of shared pool space;
  - 3. Except for members of the same Household, swimmers must remain at least six feet apart at all times;
  - 4. Locker rooms must be closed to the public, except for use as a restroom;
  - 5. All gatherings are prohibited outside the pool, such as on pool decks, except (1) as expressly provided in Section 7, below, or Section 9 of Appendix C-1; and (2) members of a Household may observe a child or other person swimming to ensure safety and supervision; and
  - 6. Before resuming operations, each outdoor swimming pool must create, post and implement a Social Distancing Protocol and comply with the relevant provisions of Health Officer Directive No. 2020-24.

(Added September 1, 2020)

**(8) Drive-In Gatherings**

- a. Basis for Addition. Drive-In Gatherings, such as drive-in movies, where all individuals remain in vehicles with members of their Household involve low contact intensity and frequency. Inherently risky activities (e.g., singing, shouting, eating, drinking, etc.) can and are strongly urged to be minimized to the greatest extent possible. Also, outdoor activities carry a lower risk of transmission than indoor interactions and activities, and risk of transmission can be reduced through health protocols.
- b. Description and Conditions. Drive-in gatherings, where participants stay in their vehicles, are permitted subject to the following conditions:
  - 1. All Drive-In Gatherings must be provided entirely outdoors in an area large enough to accommodate all distancing requirements of this Directive;
  - 2. Each Drive-In Gathering is limited to a maximum of 100 vehicles;

## **Order No. C19-07n – Appendix C-2: Allowed Additional Activities**

**[Revised November 10, 2020]**

3. Participants must remain within the bounds of the four wheels of their vehicle at all times except to use the restroom or during an emergency;
4. Face Coverings must be worn at all times a participant is outside the bounds of their vehicle or inside or sitting on the vehicle unless the participant is inside the vehicle and all windows are closed, in accordance with Health Officer Order C19-12c issued July 22, 2020 and as it may be amended (the “Face Covering Order”); and
5. Before hosting a Drive-In Gathering, the Host must create, post and implement a Social Distancing Protocol and comply with the relevant provisions of Health Officer Directive No. 2020-28.

(Added September 14, 2020)

### **(9) Religious Activities**

- a. Basis for Addition. In an effort to balance core First Amendment interests with public health, the Health Officer is creating special provisions for faith-based services and ceremonies. Even with adherence to physical distancing and face covering requirements, bringing members of different households together to engage in in-person religious gatherings carries a higher risk of widespread transmission of COVID-19. Such gatherings may result in increased rates of infection, hospitalization, and death, especially among more vulnerable populations. Therefore, even though in-person religious gatherings are allowed by this provision, with safety limitations, it is strongly recommended that individuals use alternative means to practice their faith for the time being, such as the many online and broadcasting platforms available in the digital age, in place of in-person gatherings.
- b. Description and Conditions to Operate.
  1. Individual indoor prayer in houses of worship: [Section Superseded]
  2. Outdoor Religious Gatherings: Houses of worship and operators of other facilities or groups may hold outdoor gatherings for the practice of religion, including religious services and religious ceremonies, subject to the following conditions:
    - i. Prior to being placed in the Orange Tier by the State, no more than 100 individuals may participate in the gathering and simultaneous gatherings in the same location or vicinity are prohibited. Once the County was placed in the Orange Tier, this maximum limit is increased to 200 individuals per gathering. If the County is later returned to a more restrictive tier by the State or other local conditions change in a manner that puts the public health at risk, the Health Officer may reduce the limit on the number of people or impose other safety restrictions. Also, for any gathering allowed under this section, the limit must be reduced below 100 people (or 200 people, if applicable) if required due to the size of the outdoor space and participants’ ability to follow Social Distancing Requirements at all times;

## **Order No. C19-07n – Appendix C-2: Allowed Additional Activities**

**[Revised November 10, 2020]**

- ii. Participants must maintain at least six feet of distance from members of different households;
  - iii. All participants must wear a face covering, subject to the limited exceptions in Health Officer Order No. C19-12c (e.g., for young children); and
  - iv. No food or beverages may be served or sold;
  - v. One individual at a time may sing, chant, or shout, provided: (1) the person singing, chanting, or shouting is at least 12-feet from any other person; and (2) the person singing, chanting, or shouting is wearing a Face Covering at all times;
  - vi. No sharing or common use of objects or equipment is permitted unless those objects or equipment are sanitized with cleaning products effective against COVID-19 in between uses by members of different households;
  - vii. The gathering must comply with all of the relevant requirements set forth in Health Officer Directive No. 2020-19c regarding outdoor gatherings; and
  - viii. All participants must comply with any requirements—including permitting requirements and conditions—imposed by applicable public authorities.
3. Gatherings for Indoor Religious Services and Cultural Ceremonies: Houses of worship and operators of other facilities or groups may hold indoor gatherings for the practice of religion, including religious services and religious and cultural ceremonies, such as weddings and funerals, subject to the following conditions:
- i. Prior to being placed in the Orange Tier by the State, the facility must limit the number of people, including Personnel, clergy, volunteers, visitors, and participants, who are present in the space to the **lesser** of: (1) 25% of the facility's normal maximum occupancy or (2) 50 people. Once the County was placed in the Orange Tier, this maximum limit is increased to the **lesser** of 25% of the facility's normal maximum occupancy or 100 people. If the County is later returned to a more restrictive tier by the State or other local conditions change in a manner that puts the public health at risk, the Health Officer may reduce this limit or impose other safety restrictions. Also, for any gathering allowed under this section, the limit must be reduced below 50 people (or 100 people, if applicable) if required due to the size of the indoor space and participants' ability to follow Social Distancing Requirements at all times. These capacity limits also apply to any individual room within the facility where people can gather;
  - ii. The facility must comply with all of the requirements set forth in Health Officer Directive No. 2020-34, issued September 30, 2020, including as that directive is amended or updated in the future, with such requirements including, but not limited to, ensuring physical distancing between members of different Households, posting signage to remind people to adhere to best practices, ensuring adequate ventilation in accordance with updated DPH guidance, and various cleaning and sanitation requirements;

## **Order No. C19-07n – Appendix C-2: Allowed Additional Activities**

**[Revised November 10, 2020]**

- iii. The facility must screen all patrons and other visitors on a daily basis using the standard screening questions attached to the Order as Appendix A and Attachment A-2 (the “Screening Handout”). Screening must occur before people are allowed to enter to prevent the inadvertent spread of the SARS-CoV-2 virus. A copy of the Screening Handout must be provided to anyone on request, although a poster or other large-format version of the Screening Handout may be used to review the questions with people verbally. Any person who answers “yes” to any screening question is at risk of having the SARS-CoV-2 virus, must be prohibited from entering or being seated in the facility, and should be referred for appropriate support as outlined on the Screening Handout. The facility can use the guidance available online at [www.sfdph.org/screen](http://www.sfdph.org/screen) for determining how best to conduct screening. People who are feeling ill, have exhibited symptoms of COVID-19 within 24 hours of arriving at the facility or answer “yes” to any screening must be kept from entry;
- iv. All participants must wear a Face Covering, subject to the limited exceptions in Health Officer Order No. C19-12c (e.g., for young children). A Face Covering is not required: when eating or drinking; or if a faith leader determines it is essential to a ritual or ceremony that Face Coverings be removed, subject to limitations listed in the directive; and
- v. The facility must comply with the Social Distancing Requirements set forth in Section 15.k of this Order—and create, post, and implement a Social Distancing Protocol (Appendix A of this Order).

(Added September 14, 2020; Revised September 30, 2020; Non-substantive revisions October 20, 2020)

### **(10) Political Activity**

- a. Basis for Addition. In an effort to balance core First Amendment interests with public health, the Health Officer is creating special provisions for political activities. Even with adherence to physical distancing and face covering requirements, bringing members of different households together to engage in in-person protests carries a higher risk of widespread transmission of COVID-19. Such gatherings may result in increased rates of infection, hospitalization, and death, especially among more vulnerable populations. In particular, activities like chanting, shouting, singing, and group recitation negate the risk-reduction achieved through six feet of physical distancing and face covering. Therefore, even though in-person political protests are allowed by this provision, with safety limitations, it is strongly recommended that individuals use alternative means of expression for the time being, such as the many online and broadcasting platforms available in the digital age, in place of in-person gatherings.
- b. Description and Conditions to Operate.

**Order No. C19-07n – Appendix C-2: Allowed Additional Activities**

**[Revised November 10, 2020]**

1. Individual indoor political offices: A single individual may be inside a campaign office or other political office, subject to the following conditions:
  - i. Only one person may be in the office or facility at a time except as outlined in this section b.1.
  - ii. One other individual at a time may temporarily come into the office or facility, such as for a brief meeting or to pick up or drop off materials.
  - iii. All individuals in the facility must wear a Face Covering as required by Health Officer Order No. C19-12c, subject to the limited exceptions in that order;
  - iv. Doors and windows must be left open to the extent possible, or mechanical ventilation systems must be run, to increase ventilation;
  - v. The facility must establish protocols for frequent cleaning and disinfection of commonly used surfaces and high traffic areas such as lobbies, hallways, and offices;
  - vi. Signage must be posted at each public entrance to inform all individuals that they must: avoid entering the location if they have a cough or fever, maintain a minimum six-foot distance from one another while in the facility or location, wear a Face Covering at all times, and not shake hands or engage in any unnecessary physical contact (sample signs are available online at <https://sf.gov/outreach-toolkit-coronavirus-covid-19>); and
  - vii. The facility or office must comply with the Social Distancing Requirements set forth in Section 15.k of this Order—and create, post and implement a Social Distancing Protocol (Appendix A of this Order).
2. Political Protest Gatherings: Facilities and groups may hold outdoor gatherings for in-person political protests, subject to the following conditions, subject to the following conditions:
  - i. Prior to being placed in the Orange Tier by the State, no more than 100 individuals may participate in the gathering and simultaneous gatherings in the same location or vicinity are prohibited. Once the County was placed in the Orange Tier, this maximum limit is increased to 200 individuals per gathering. If the County is later returned to a more restrictive tier by the State or other local conditions change in a manner that puts the public health at risk, the Health Officer may reduce the limit on the number of people or impose other safety restrictions. Also, for any gathering allowed under this section, the limit must be reduced below 100 people (or 200 people, if applicable) if required due to the size of the outdoor space and participants' ability to follow Social Distancing Requirements at all times;
  - ii. Participants must maintain at least six feet of distance from members of different households;

## **Order No. C19-07n – Appendix C-2: Allowed Additional Activities**

**[Revised November 10, 2020]**

- iii. All participants must wear a Face Covering, subject to the limited exceptions in Health Officer Order No. C19-12c (e.g., for young children); and
- iv. No food or beverages may be served or sold;
- v. One individual at a time may sing, chant, or shout, provided: (1) the person singing, chanting, or shouting is at least 12-feet from any other person; and (2) the person singing, chanting, or shouting is wearing a Face Covering at all times;
- vi. No sharing or common use of objects or equipment is permitted unless those objects or equipment are sanitized with cleaning products effective against COVID-19 in between uses by members of different households;
- vii. The gathering must comply with all of the relevant requirements set forth in Health Officer Directive No. 2020-19c regarding outdoor gatherings; and
- viii. All participants must comply with any requirements—including permitting requirements and conditions—imposed by applicable public authorities.

(Added September 14, 2020; Revised September 30, 2020; Non-substantive revisions October 20, 2020)

### **(11) Outdoor Playgrounds**

- a. Note. In relation to the September 14, 2020 version of the Order, the Health Officer committed to work with the City’s Recreation and Park Department and others to analyze whether outdoor playgrounds could be opened in a safer manner. On September 25, 2020 the State issued written clarification that outdoor playgrounds (as well as indoor playgrounds) must remain closed under the Red Tier and Orange Tier, putting those plans on pause. On September 28, 2020, following input from the City, the State changed its guidance to allow outdoor (but not indoor) children’s playgrounds operated by government agencies to open, subject to a number of safety requirements and recommendations. The State’s guidance is available online at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Outdoor%20Playgrounds%20and%20other%20Outdoor%20Recreational%20Facilities.aspx>.

As a result, consistent with the recently revised State guidance and in cooperation with the Recreation and Park Department, the Health Officer issued a new directive, Health Officer Directive No. 2020-36, setting forth best practices for outdoor public playgrounds. Those playgrounds may now be open in compliance with the safety requirements set forth in the new directive.

(Added September 30, 2020; Revised November 3, 2020)

**From:** [Mchugh, Eileen \(BOS\)](#)  
**To:** [BOS-Supervisors](#); [BOS-Legislative Aides](#); [BOS-Administrative Aides](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Young, Victor \(BOS\)](#); [PEARSON, ANNE \(CAT\)](#); [Kittler, Sophia \(MYR\)](#); [Peacock, Rebecca \(MYR\)](#)  
**Subject:** FW: Appointment Letter from City Attorney Dennis Herrera  
**Date:** Tuesday, November 10, 2020 3:08:00 PM  
**Attachments:** [11.10.20 Kara Chien Appt.pdf](#)

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Hello Supervisors,

Please see the attached Appointment Letter from City Attorney Dennis Herrera.

Thank you,

Eileen McHugh  
 Executive Assistant  
 Board of Supervisors  
 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244  
 San Francisco, CA 94102-4689  
 Phone: (415) 554-5184 | Fax: (415) 554-5163  
[eileen.e.mchugh@sfgov.org](mailto:eileen.e.mchugh@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

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**From:** Feitelberg, Brittany (CAT) <[Brittany.Feitelberg@sfcityattty.org](mailto:Brittany.Feitelberg@sfcityattty.org)>  
**Sent:** Tuesday, November 10, 2020 12:55 PM  
**To:** Calvillo, Angela (BOS) <[angela.calvillo@sfgov.org](mailto:angela.calvillo@sfgov.org)>  
**Cc:** Somera, Alisa (BOS) <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>; Kittler, Sophia (MYR) <[sophia.kittler@sfgov.org](mailto:sophia.kittler@sfgov.org)>; Fennell, Tyra (MYR) <[tyra.fennell@sfgov.org](mailto:tyra.fennell@sfgov.org)>; Littleton, Heather (CON) <[heather.littleton@sfgov.org](mailto:heather.littleton@sfgov.org)>; Salinas, Julia (CON) <[julia.salinas@sfgov.org](mailto:julia.salinas@sfgov.org)>; Rosenfield, Ben (CON) <[ben.rosenfield@sfgov.org](mailto:ben.rosenfield@sfgov.org)>; Patil, Sneha (DPH) <[sneha.patil@sfdph.org](mailto:sneha.patil@sfdph.org)>; GIVNER, JON (CAT) <[Jon.Givner@sfcityattty.org](mailto:Jon.Givner@sfcityattty.org)>  
**Subject:** Appointment Letter from City Attorney Dennis Herrera

Dear Clerk Calvillo,

Please see the attached Appointment Letter from City Attorney Dennis Herrera.

If you should have any questions, please do not hesitate to contact me.

Thank you,  
 Brittany Feitelberg

**Brittany Kneebone Feitelberg**  
 Director of Executive Affairs  
 Office of City Attorney Dennis Herrera  
 (415) 554-4748 Direct  
[www.sfcityattorney.org](http://www.sfcityattorney.org)  
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CITY AND COUNTY OF SAN FRANCISCO



DENNIS J. HERRERA  
Attorney

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November 10, 2020

Ms. Angela Calvillo  
Clerk of the Board  
City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

**RE: City Attorney's Appointment to the Mental Health SF Implementation Working Group**

Dear Clerk Calvillo:

Pursuant to Administrative Code Section 5.44-2(b)(11), I hereby appoint Kara Chien to Seat 13 on the Mental Health SF Implementation Working Group.

Thank you for your attention.

Sincerely,

A handwritten signature in black ink, appearing to read "D.J. Herrera".

DENNIS J. HERRERA  
City Attorney

cc: Alisa Somera  
Sophia Kittler  
Tyra Fennell  
Heather Littleton  
Julia Salinas  
Ben Rosenfield  
Sneha Patil  
Jon Givner





# Capital Planning Committee

Naomi M. Kelly, City Administrator, Chair

## MEMORANDUM

November 9, 2020

**To:** Members of the Board of Supervisors  
**From:** Naomi Kelly, City Administrator and Capital Planning Committee Chair  
**Copy:** Angela Calvillo, Clerk of the Board  
 Capital Planning Committee  
**Regarding:** (1) Earthquake Safety and Emergency Response (ESER) General Obligation Bonds, 2020 (2) Mission Rock Special Tax Bonds

*Naomi Kelly*

RECEIVED  
 BOARD OF SUPERVISORS  
 SAN FRANCISCO  
 2020 NOV 12 PM 12:40  
 BY

In accordance with Section 3.21 of the Administrative Code, on November 9, 2020, the Capital Planning Committee (CPC) approved the following action items to be considered by the Board of Supervisors. The CPC's recommendations are set forth below.

### 1. Board File Number: TBD

**Approval of the master resolution authorizing the issuance of General Obligation Bonds (Earthquake Safety and Emergency Response, 2020) in an amount not to exceed \$628,500,000, and the related supplemental appropriation.**

**Approval of the resolution authorizing and directing the sale of General Obligation Bonds (Earthquake Safety and Emergency Response, 2020) in an amount not to exceed \$85,000,000, and the related supplemental appropriation.**

Recommendation:

Recommend the Board of Supervisors approve the above resolutions and related supplemental appropriations.

Comments:

The CPC recommends approval of this item by a vote of 7-0.

Committee members or representatives in favor:  
 Naomi Kelly, City Administrator; Ashley Groffenberger, Mayor's Budget Director; Ben Rosenfield, Controller; Alaric Degrafinried, Acting Director, Public Works; Toks Ajike, Recreation and Parks Department; Jonathan Rewers, SFMTA; Elaine Forbes, Executive Director, Port of San Francisco.

### 2. Board File Number: TBD

**Approval of the resolution authorizing a pledge agreement related to City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco) Sub Project Areas I-1 through I-13 and Special Tax Bonds issued by City and County of San**

**Francisco Special Tax District No. 2020-1 (Mission Rock Facilities and Services).**

**Approval of the resolution authorizing the issuance of development Special Tax Bonds – City and County of San Francisco Special Tax District No, 2020-1 (Mission Rock Facilities and Services) – not to exceed aggregate principal amount of \$50,100,000.**

Recommendation:

Item continued to next CPC meeting on November 30, 2020.

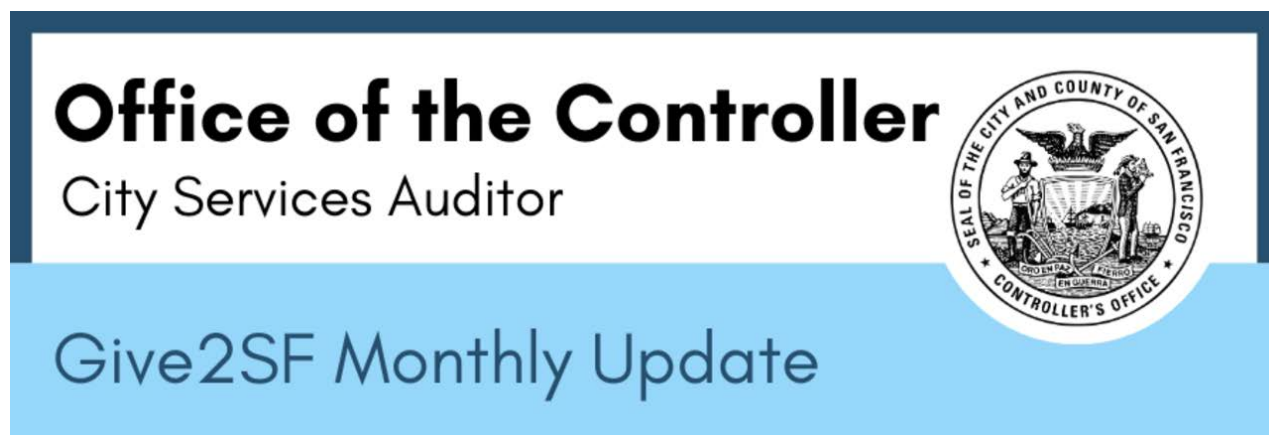
Comments:

The CPC recommends continuance of this item by a vote of 8-0.

Committee members or representatives in favor:  
Naomi Kelly, City Administrator; Ashley Groffenberger, Mayor's Budget Director; Ben Rosenfield, Controller; Alaric Degrafinried, Acting Director, Public Works; Toks Ajike, Recreation and Parks Department; Jonathan Rewers, SFMTA; Rich Hillis, Director, Planning; Elaine Forbes, Executive Director, Port of San Francisco.

**From:** [San Francisco Controller's Office Reports](#)  
**To:** [Mchugh, Eileen \(BOS\)](#)  
**Subject:** Issued – Give2SF COVID-19 Response & Recovery Fund Monthly Update – November 4, 2020  
**Date:** Wednesday, November 4, 2020 2:31:31 PM

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The Give2SF COVID-19 Response and Recovery Fund (Give2SF) is a special fund established by the City and County of San Francisco (City) as part of the Second Supplement to Mayoral Proclamation Declaring the Existence of a Local Emergency, dated February 25, 2020, and issued on March 13, 2020.

This memorandum summarizes donations of both money and goods to Give2SF.

[Download the full report](#)

[View monetary donations](#)

[View in-kind donations](#)



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This is a send-only e-mail address.

For questions about the report, please contact City Controller Ben Rosenfield at [ben.rosenfield@sfgov.org](mailto:ben.rosenfield@sfgov.org) or (415) 554-7500.

For all media queries, please contact Communications Manager Alyssa Sewlal at [alyssa.sewlal@sfgov.org](mailto:alyssa.sewlal@sfgov.org) or (415) 694-3261.

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# OFFICE OF THE CONTROLLER

## CITY AND COUNTY OF SAN FRANCISCO

Ben Rosenfield  
Controller

Todd Rydstrom  
Deputy Controller

## Give2SF COVID-19 Response and Recovery Fund

### Monthly Status Update

**TO:** Mayor's Office  
Board of Supervisors

**FROM:** Ben Rosenfield, Controller

**CC:** Naomi Kelly, City Administrator, General Services Agency  
Mary Ellen Carroll, Executive Director, Department of Emergency Management

**DATE:** November 4, 2020

**SUBJECT:** City and County of San Francisco's Give2SF COVID-19 Response and Recovery Fund

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The Give2SF COVID-19 Response and Recovery Fund (Give2SF) is a special fund established by the City and County of San Francisco (City) as part of the [Second Supplement to Mayoral Proclamation Declaring the Existence of a Local Emergency](#), dated February 25, 2020, and issued on March 13, 2020. This memorandum summarizes both monetary and in-kind donations (goods) for Give2SF.

### Monetary Donations

The Second Supplement authorizes the Controller to accept and expend funds to provide shelter, food, financial assistance, and other assistance to individuals and families in San Francisco impacted by the emergency; to replace, repair, and rebuild public buildings, infrastructure, and other assets for use in the City's efforts to respond to the emergency; to issue and administer grants and/or interest-free loans to small businesses in San Francisco to compensate for economic harms resulting from COVID-19; and for other city efforts to address the impacts of COVID-19. The Twenty-Sixth Supplement to the mayoral declaration, dated August 26, 2020, authorizes the Controller to accept and expend funds to support youth programs, including but not limited to, Community Hub and Emergency Child & Youth Care spaces that ensure professional supervision and access to educational and technological resources, physical activity, food, social and emotional development, and other support for the most vulnerable children and youth.

Within the authorized uses outlined above, the City has identified four priority areas for the use of the Give2SF funds: (1) food security, (2) access to housing, (3) security for workers and small businesses, and (4) youth programs. Disbursements of funds are approved by a committee consisting of City Administrator Naomi Kelly, Director of Emergency Management Mary Ellen Carroll, and myself.

Through October 31, 2020:

- \$31,352,345 has been donated to and received by Give2SF both directly and through the San Francisco Foundation, \$29,319,000 of which has been allocated.
- Of the \$29,319,000 that has been allocated:
  - \$18,435,000 is for programs operated by the Department of Children, Youth and Their Families and the Recreation and Park Department, Human Services Agency, Mayor's Office of Housing and Community Development, Office of Early Care and Education, or Office of Economic and Workforce Development.
  - \$10,884,000 has been allocated to programs that will be administered, with city oversight, by nonprofit organizations through grant agreements between them and the San Francisco Foundation.

The exhibits below summarize this information, including how departments have disbursed the funds through their programs. An attachment to this memorandum shows the individual donations received, including donor name, date, amount, and fund (and excludes individual donations received by departments directly for their own use).

**Exhibit 1: Total Donations Received by Give2SF**

Donations Received Directly by Give2SF	Donations to Give2SF Through the San Francisco Foundation	Total Donations Received
\$8,318,528	\$23,033,817	\$31,352,345

**Exhibit 2: Total Approved Disbursements and Disbursements to Departments, by Use of Fund**

Department	Use of Fund	Disbursements Approved	Disbursements Made
Department of Children, Youth and Their Families and Recreation and Park Department	Youth programs	\$125,000	\$125,000
Human Services Agency	Food security	\$6,946,482	\$6,946,482
Office of Early Care and Education	Security for workers and small businesses	\$1,000,000	\$1,000,000
Office of Economic and Workforce Development	Security for workers and small businesses	\$4,073,518	\$4,073,518
Mayor's Office of Housing and Community Development	Access to housing	\$6,290,000	\$6,290,000
Total		\$18,435,000	\$18,435,000



**Exhibit 3: Human Services Agency's Program Uses and Impacts**

Purpose	Description	Nonprofit Organization Partner	Amount	Impact
Senior/ Disability Food and Nutrition Network	Support equipment, staffing, and other infrastructure needed to modify services under COVID-19 (for example, freezers to provide multiday meal packs, additional delivery drivers and vehicles).	Department of Disability and Aging Services Network Providers <sup>a</sup>	\$1,425,113	100,000 new meals per month and supporting program modifications to maintain pre-COVID-19 service levels of 250,000 meals per month
Undocumented and Immigrant Households	Support low-income, undocumented and immigrant households who may be ineligible for mainstream benefits (for example, CalFresh) by providing gift cards ranging from \$200 to \$600 in value.	HealthySF	\$500,000	2,631 households <sup>b</sup>
		Chinese for Affirmative Action	\$300,000	500-700 households
Family Support	Support low-income families with gift cards distributed through Family Resource Centers (value based on household size), which operate in high-priority zip codes (based on COVID-19 infection rate, CalFresh application volume, and other factors).	Family Resource Centers	\$750,000	Up to 1,400 families
Isolation/ Quarantine Support	Meet emergency food needs of households in isolation/quarantine due to confirmed or suspected infection until regular food support is established.	Shanti Project	\$75,000	300-450 households
LGBTQ Food Relief	Distribute gift cards to help LGBTQ people meet urgent food needs, with a particular focus on trans people of color, trans immigrants, low-income LGBTQ people, and those who have lost their income due to COVID-19.	LGBTQ Center	\$75,000	300-400 individuals
Food Relief for Low-Income Transitional Age Youth	Distribute gift cards to transitional age youth (age 18 to 24) receiving Medi-Cal benefits through the Human Services Agency, a group who reported pressing food needs via an agency-administered survey and are unlikely to receive other disaster assistance food support.	N/A – To be distributed by Human Services Agency	\$860,000	3,700-4,000 individuals
Support for Mothers and Infants of Color	Distribute gift cards to support mothers and infants of color, leveraging culturally appropriate pregnancy and postpartum care programs to reach low-income African-American, Latinx, and Pacific Islander pregnant women. Clients will receive \$599 to \$1,200 in gift cards over the support period.	SisterWeb SF Community Doula Network	\$44,925	75 families
		Black Infant Health	\$68,885	115 families



4 | Give2SF COVID-19 Response and Recovery Fund Monthly Status Update  
November 4, 2020

Purpose	Description	Nonprofit Organization Partner	Amount	Impact
Food Support for Latinx Community	Support distribution of culturally-appropriate groceries to Latinx residents. This includes groceries picked up in-person at pantries and deliveries to vulnerable residents.	CANA/ Mission Food Hub	\$1,486,482	<i>To be quantified<sup>c</sup></i>
		Homies Organizing the Mission to Empower Youth (HOMEY)	\$99,000	300 families
Meals for HOPE SF Residents	Support distribution of prepared meals to residents in the Sunnydale and Potrero HOPE SF sites. Meals will be delivered 2-3 times per week for up to 16 weeks. This funding helps sustain existing efforts at these locations.	Mercy Housing	\$192,000	<i>To be quantified<sup>c</sup></i>
		Shanti Project	\$96,000	<i>To be quantified<sup>c</sup></i>
Grocery Delivery to San Francisco Housing Authority Residents	Distribute groceries weekly for six weeks to 600 families who are residents of public housing or Rental Assistance Demonstration sites or who participate in the Housing Voucher (Section 8) program. This weekly service is rotated among sites so that a family will receive this support monthly.	San Francisco Housing Authority	\$169,236	600 families
Emergency and Short-Term Funding Support for Communities of Color <sup>d</sup>	Sustain meal service to homeless encampments during two-week gap in regular service through the Meals in Place program (neighborhoods: Upper Market, SOMA, Mission, and Bayview).	Nourish	\$292,824	19,600 meals distributed
	Support distribution of meals through the African-American Faith-Based Coalition to older and otherwise at-risk African-American households citywide.	San Francisco New Deal	\$241,955	21,916 meals distributed
	Support distribution of meals through Mother Brown's Dining Hall in the Bayview to ensure maintenance of weekend meal service levels.	La Cocina	\$22,600	2,000 meals distributed
	Pilot a weekly hot meal to supplement food resources for low-income Treasure Island residents.	One Treasure Island	\$14,000	160 residents
Funding for Communities of Color	TBD	<i>To be identified<sup>c</sup></i>	\$233,462	<i>To be quantified<sup>c</sup></i>
<b>Total</b>			<b>\$6,946,482</b>	

<sup>a</sup> Bayview Senior Services, Centro Latino, Episcopal Community Services, Glide, Jewish Family & Children's Services, Kimochi, Meals on Wheels, On Lok/30th Street, Project Open Hand, Russian American Community Services, San Francisco-Marin Food Bank, Self-Help for the Elderly

<sup>b</sup> Total card value exceeds allocation because bulk purchase of cards provides 5 percent discount.

<sup>c</sup> Program/service delivery is in the planning phase. Grantees and impacts will be reported in subsequent reports.

<sup>d</sup> These initiatives were identified by the Emergency Operations Center Feeding Group as needing short-term support to fill critical funding gaps for community-driven efforts serving communities of color.

Source: Human Services Agency

**Exhibit 4: Office of Economic and Workforce Development Program Uses and Impacts**

Purpose	Description	Grantee	Amount	Impact
Small Business Resiliency Grants	Make emergency grants to eligible small businesses with evidence of at least 25 percent revenue loss in a 30-day period.	Northeast Community Federal Credit Union	\$1,000,000	At least 100 small businesses to access grants of up to \$10,000
Small Business No-Interest Loans	San Francisco Hardship Emergency Loan Program (SF HELP) funds can be used to pay payroll, rent, utilities, inventory, and more. Flexible loan terms determined on a case-by-case basis, based on borrower's ability to repay.	Mission Economic Development Agency	\$1,000,000	At least 20 businesses to access no-interest loan of up to \$50,000
		Main Street Launch	\$1,200,000	At least 24 businesses to access no-interest loan of up to \$50,000
Supportive Services for Immigrant Workers	Provide direct support to immigrants and undocumented children, families, and communities affected by COVID-19.	Office of Civic Engagement and Immigrant Affairs (Subrecipient: SF Labor Council)	\$115,000	Provide \$200 to at least 500 individuals
		Office of Civic Engagement and Immigrant Affairs (Subrecipient: UndocuFund SF)	\$115,000	Provide \$200 to at least 500 individuals
		Bay Area Community Resources	\$115,000	Provide \$200 to at least 500 individuals
		Bay Area Community Resources (Subrecipient: Community Youth Center)	\$115,000	Provide \$200 to at least 500 individuals
Supportive Services for Food Security	Provide direct relief to support immigrants and undocumented children, families, and communities affected by COVID-19.	Bay Area Community Resources	\$100,000	Provide \$200 to at least 500 individuals
		Bay Area Community Resources (Subrecipient: Community Youth Center)	\$100,000	Provide \$200 to at least 500 individuals
	Provide support to the Mission District Food Hub, which Carnaval kicked off on Cinco de Mayo.	San Francisco Arts Commission (Subrecipient: Cultura y Arte Nativa de las Americas (CANAA))	\$100,000	Provide groceries to 4,000 disadvantaged, mostly immigrant households
	Provide direct relief to support vulnerable residents in low-income communities of color hard-hit by the pandemic, with a focus on public housing residents and at-risk households.	Human Rights Commission (Subrecipient: Collective Impact)	\$63,518*	Provide meals to 3,800 vulnerable residents
	Support food relief efforts for low-income, limited English-speaking workers who test positive for COVID-19 and find they cannot support themselves during quarantine.	Bay Area Community Resources (Subrecipient: Community Youth Center)	\$50,000	Provide support to 250 low-income, vulnerable, disconnected households
<b>Total</b>			<b>\$4,073,518</b>	

\* \$63,518 of the original \$350,000 allocation was spent. The remaining balance of \$286,482 was transferred to the Human Services Agency to continue support for food security under the Food Support for Latinx Community program.

Source: Office of Economic and Workforce Development

### Exhibit 5: Mayor's Office of Housing and Community Development's Program Uses and Impacts

Program	Description	Nonprofit Organization Partner	Amount	Impact
Housing Stabilization	Provide financial assistance for rent, mortgage, utility, and other housing costs to eligible households (average amount of \$4,000 per household per application period, with an assistance cap of \$10,000). Households are eligible, regardless of immigration status, if they have experienced a substantial loss of income due to COVID-19 and cannot afford their housing costs. Applications are run through a prioritization tool that identifies households that are most at risk.	Catholic Charities of San Francisco	\$1,258,000	Approximately 9,000 applications received requesting financial assistance of over \$42 million. To date, 1,443 prioritized applications are in the process of receiving up to a combined \$5.8 million in assistance.
		Eviction Defense Collaborative	\$1,258,000	
		La Raza Community Resource Center	\$1,258,000	
		Q Foundation	\$1,258,000	
		Young Community Developers	\$1,258,000	
Total			\$6,290,000	

Source: Mayor's Office of Housing and Community Development

### Exhibit 6: Office of Early Care and Education's Program Uses and Impacts

Program	Description	Nonprofit Organization Partner	Amount	Impact*																				
Family Child Care (FCC) Emergency Operating Grants	Provide economic relief to FCC educators, who are self-employed, low-income workers who are not eligible for or do not have access to many of the funding resources available to other business sectors. This relief will help FCCs to survive a loss of revenue until full enrollment can begin again.	Low Income Investment Fund (LIIF)	\$1,000,000	165 grants awarded to 35 large FCC homes (serving up to 14 children) and 130 small FCC homes (serving up to 8 children).																				
				<table><tr><th>Language Type</th><th>Large</th><th>Small</th><th>Amount</th></tr><tr><td>Chinese</td><td>25</td><td>63</td><td>\$565,000</td></tr><tr><td>Spanish</td><td>7</td><td>38</td><td>\$260,000</td></tr><tr><td>English</td><td>3</td><td>29</td><td>\$175,000</td></tr><tr><td>Total</td><td>35</td><td>130</td><td>\$1,000,000</td></tr></table>	Language Type	Large	Small	Amount	Chinese	25	63	\$565,000	Spanish	7	38	\$260,000	English	3	29	\$175,000	Total	35	130	\$1,000,000
				Language Type	Large	Small	Amount																	
				Chinese	25	63	\$565,000																	
				Spanish	7	38	\$260,000																	
				English	3	29	\$175,000																	
Total	35	130	\$1,000,000																					
Total			\$1,000,000																					

\* The application deadline was July 17, 2020. LIIF has distributed all grants to the FCC grantees via direct deposit.

Source: Office of Early Care and Education

**Exhibit 7: Department of Children, Youth and Their Families' and Recreation and Park Department's Program Uses and Impacts**

Program	Description	Nonprofit Organization Partner	Allocated Amount	Impact
COVID-19 Community Hubs Initiative	Community Hubs are designed to support children and youth who: are part of low-income households; live in HOPE SF, public housing, or single-room occupancy hotels; are experiencing homelessness; are foster youth; or are English language learners.	YMCA of San Francisco	\$125,000	Provide backpacks and supplies for children and youth who meet one of the following criteria: 1) are in kindergarten through 6 <sup>th</sup> grade, are enrolled in any phase of the Community Hubs, and are from a high-need community as defined by the program design (up to 6,000 individuals); or 2) others who are in kindergarten through 6 <sup>th</sup> grade and those in 7 <sup>th</sup> grade or above who live within walking distance of a Community Hub but cannot enroll.
<b>Total</b>			<b>\$125,000</b>	

Source: Department of Children, Youth and Their Families and Recreation and Park Department

**Exhibit 8: Total Approved Disbursements From the San Francisco Foundation Directly to Nonprofit Organizations With City Oversight**

Program	Oversight Department(s)	Disbursements Approved
Emergency Family Relief Fund	Office of Economic and Workforce Development/Human Rights Commission	\$4,884,000
Right to Recover	Office of Economic and Workforce Development/Human Rights Commission	\$3,000,000
COVID-19-Related Grants and Loans for Small Businesses	Office of Economic and Workforce Development	\$3,000,000
<b>Total</b>		<b>\$10,884,000</b>

**Exhibit 9: Uses, Impacts, and Grant Status for Programs Funded by Grant Agreements Between the San Francisco Foundation and Nonprofit Organizations With Joint Oversight From the Office of Economic and Workforce Development and Human Rights Commission**

Purpose	Description	Nonprofit Organization	Amount	Impact
Emergency Family Relief Fund	\$500 will be paid to families, or residents with children 18 and younger, affected by the COVID-19 pandemic who do not qualify for federal benefits.	Bay Area Community Resources	\$1,555,000	Up to 1,555 families
		Central American Resource Center—San Francisco	\$100,000	Up to 100 families
		Chinese for Progressive Action	\$750,000	Up to 750 families
		Coleman Advocates (Excelsior Works!)	\$200,000	Up to 200 families
		Collective Impact	\$50,000	50 to 100 families
		Community Youth Center of San Francisco	\$750,000	Up to 750 families
		Dolores Street Community Services	\$150,000	Up to 150 families
		Tenderloin Housing Clinic (La Voz Latina SF)	\$100,000	Up to 100 families
		Mission Economic Development Agency	\$850,000	Up to 850 families
		Young Community Developers	\$379,000	379 to 758 families
Total			\$4,884,000	
Right to Recover Program <sup>a</sup>	Eligible low-income workers who have COVID-19 will receive two weeks of wage replacement or \$1,285, based on San Francisco’s hourly minimum wage.	Mission Economic Development Agency <sup>b</sup>	\$1,400,000	Up to 711 workers
		Young Community Developers <sup>b</sup>	\$1,400,000	Up to 711 workers
		Self-Help for the Elderly	\$100,000	Up to 79 workers
		Central City Hospitality House	\$100,000	Up to 79 workers
Total			\$3,000,000	

<sup>a</sup> The Right to Recover Program has an additional \$1,503,570 of directed donations available for future allocations.

<sup>b</sup> Grant agreements between the San Francisco Foundation and nonprofit organizations are in progress. All others have been executed, and the funds have been disbursed to nonprofit organizations.

**Exhibit 10: Uses, Impacts, and Grant Status for Programs Funded by Grant Agreements Between the San Francisco Foundation and Nonprofit Organizations With Oversight From the Office of Economic and Workforce Development**

Purpose	Description	Nonprofit Organization	Amount	Impact
COVID-19-Related Grants and Loans for Small Businesses	Funding will support the Office of Economic and Workforce Development’s existing grant and loan programs for small businesses affected by COVID-19, including \$1,500,000 that has been allocated to the City’s African-American Small Business Revolving Loan Fund.	Main Street Launch	\$2,000,000	At least 40 businesses to access no-interest loans of up to \$50,000
		Mission Economic Development Agency	\$1,000,000	At least 20 businesses to access no-interest loans of up to \$50,000
Total			\$3,000,000	

## In-Kind Donations

The Ninth Supplement to the mayoral declaration, dated April 10, 2020, revised and replaced Item 4 in the Second Supplement to authorize the acceptance and use of goods donated to support the City's COVID-19 response efforts. The Twenty-Sixth Supplement, dated August 26, 2020, authorizes the acceptance and use of goods and facilities to support youth programs. Some donated goods are received by the Logistics Section of the COVID Command Center (formerly Emergency Operations Center). Other in-kind goods have been donated directly to city departments for their use.

Through October 31, 2020:

- 1,550,016 units of in-kind goods have been donated to and received by Give2SF, with a donation value of \$4,038,676.<sup>1</sup>
- 1,339,754 units have been distributed to city departments by the COVID Command Center's Logistics Section.

Exhibit 11 summarizes this information, including valuation by category of donated goods. An attachment to this memorandum shows the individual donations received, including donor name, only for goods received through the COVID Command Center (and excludes individual donations received by departments directly for their own use).

### Exhibit 11: In-Kind Donations Received by Give2SF and Distributed by the COVID Command Center's Logistics Section

Category	Count Received	Count Distributed*
Aprons	369	369
Coveralls	14,018	3,818
Face Shields	63,137	4,937
Gloves	527,200	527,200
Goggles	3,362	3,362
Gowns	5,350	5,350
Hand Sanitizer	959	959
Liquid Disinfectant	302	0
Masks	707,523	649,243
Other Bulk Items	113,010	81,290
Shoe Covers	113,800	62,240
Wipes	986	986
<b>Total</b>	<b>1,550,016</b>	<b>1,339,754</b>

\* Excludes goods purchased and distributed by the COVID Command Center's Logistics Section.

Source: COVID Command Center, Logistics Section

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<sup>1</sup> Valuation of in-kind donations is ongoing.

## Sunshine Ordinance Compliance

### Financial Interests and Disclosure of Donations

The Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) requires the disclosure of the source of any donation of over \$100 to the City and any financial interest the donor has involving the City. However, some donations received by Give2SF, both directly and through the San Francisco Foundation, were from donors who asked to remain anonymous.

The Controller's Office is following up with donors to try to learn the source of the anonymous donations to the City and any financial interest the donor may have involving the City. Due to these efforts, one donor-advised fund, Fidelity Charitable, has agreed to no longer process grants to the City directed by donors who request anonymity. Fidelity, Schwab Charitable, and the Silicon Valley Foundation confirmed that they are the owners of donations they process once the donated funds are in their possession. The City Attorney accepts this interpretation, so no donations from Fidelity, Schwab Charitable, or Silicon Valley Foundation are considered to be anonymous. Although donor-advised funds may technically own the donations they process, the true sources of the donations have control over the giving and direct the distribution of the funds, so donating anonymously to the City seems to be inconsistent with the Sunshine Ordinance. This is an area for policymakers' future consideration.

To date, only four donations (\$6,150 of \$8,318,528) directly received by Give2SF were made anonymously, two of which were made through donor-advised funds. The Controller's Office contacted all donor-advised funds regarding anonymous donations to the City that they handled, informed them of city law in this area, and requested the donors' names and financial interest confirmations. Of the four anonymous donations:

- Three were made via electronic wire transfer or money order with no contact information provided and for which no contact information is publicly available.
- One is still being followed up on by the donor-advised fund.

The Controller's Office also attempted to contact those who made donations the City received through September 30, 2020, requesting city-related financial interest information. To date, 263 donors responded to the Controller's Office request to confirm they do not have a financial interest with the City and 4 donors have confirmed that they have a financial interest in the form of a permit or permits with the City. These donors are identified in the relevant attachment.

The Controller's Office is working collaboratively with the San Francisco Foundation to obtain donor names and financial interests when possible and determine which donors wish to remain anonymous. Similar to Fidelity, Schwab Charitable, and the Silicon Valley Foundation, the San Francisco Foundation confirmed that it is also the owner of all donations it processes once the donated funds are in its possession. To date, only 168 donations (\$63,171 of \$23,033,817) through the San Francisco Foundation were made anonymously, both through donor-advised funds and corporate giving programs. Of these 168 donations, 71 (\$57,225) are over the Sunshine Ordinance's \$100 threshold.

Due to these ongoing efforts:

- For donations made through its website, the San Francisco Foundation has added to its website a statement that the Give2SF Fund cannot accept anonymous donations.

- For donations made at the San Francisco Foundation through donor-advised funds where the donor requests anonymity, the foundation will inform donors that it cannot process anonymous donations and will decline the donations.
- For donations made through corporate-giving platforms, such as Benevity Community Impact Fund, the San Francisco Foundation does not have control, so individual donors may still be anonymous.

None of the in-kind donors are anonymous. Two donors of goods have confirmed that they have a financial interest with the City in the form of a contract or contracts with one or more city departments. These donors are identified in the relevant attachment.

### **Policy Options for Anonymous Give2SF Donations Received**

Due to either the absence of a response or the explicit refusal of some donors to disclose their identity and possible financial interest with the City, the Controller's Office cannot report on this information and is seeking policymaker guidance on next steps. For example, the Board of Supervisors may move to accept these donations while acknowledging the outreach and identification efforts taken by the Controller's Office to obtain donor information. Alternatively, the Board may order the return of the anonymous donations for which the information required by the Sunshine Ordinance cannot be obtained. Further, the ordinance does not address donations via donor-advised funds or whether donor-advised funds can be considered the source of donations and, therefore, meet the ordinance's intent. The Controller's Office will continue to retain the value of the anonymous donations until policymakers' guidance is received.

Should you need additional information, please contact me at [ben.rosenfield@sfgov.org](mailto:ben.rosenfield@sfgov.org) or (415) 554-7500.

### **Attachments**

- Give2SF Monetary Donations Received
- Give2SF In-Kind Donations Received



**From:** [San Francisco Controller's Office Reports](#)  
**To:** [Mchugh, Eileen \(BOS\)](#)  
**Subject:** Issued – Public Integrity Review: Preliminary Assessment - San Francisco's Debarment Process  
**Date:** Thursday, November 5, 2020 12:08:09 PM

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# Office of the Controller

## City Services Auditor



## Public Integrity Review Issued

In conjunction with the City Attorney's investigation stemming from alleged wrongdoing by former Public Works Director Mohammed Nuru, the Controller's Office has released its third policy and process assessment report.

This report covers San Francisco's debarment process, which results in contractors being disqualified from bidding on city contracts. The assessment was prompted by the federal criminal complaint against Balmore Hernandez, chief executive and vice president of AzulWorks, Inc., a city contractor, and the City Attorney's investigation of AzulWorks, which led to the initiation of debarment proceedings against the firm.

[Download the full report](#)

# PUBLIC INTEGRITY REVIEW

## San Francisco's Debarment Process

*In conjunction with the City Attorney's investigation into alleged wrongdoing of former Public Works Director Mohammed Nuru and Balmore Hernandez, chief executive and vice president of AzulWorks, Inc., (AzulWorks), a city contractor, the Controller's Office has released the third report in its series of public integrity assessments, this one on the City's procedures for disqualifying fraudulent contractors from bidding on city contracts, a process known as debarment.*

### THE CITY CANNOT SUSPEND CONTRACTORS

Unlike the federal government, the City cannot suspend contractors. Currently, the City's only option is to debar them outright.

City law allows the City to debar a contractor if it pleads guilty to or is convicted of defrauding the government. If a contractor has only been criminally charged with committing fraud or violating city law, the charges alone are typically not enough to debar them.

The City Attorney has sponsored legislation, now being considered by the Board of Supervisors, to allow the City to suspend anyone (and their related businesses) who is criminally charged.

### FURTHER INCONSISTENCIES BETWEEN CITY LAW AND STATE AND FEDERAL LAW

The City's debarment procedures are similar to the state and federal governments' but lack some potentially valuable elements.

For example, the City's procedures do not require an investigation, nor do they specify qualifications for debarment hearing officers.

### OTHER REMEDIES AVAILABLE

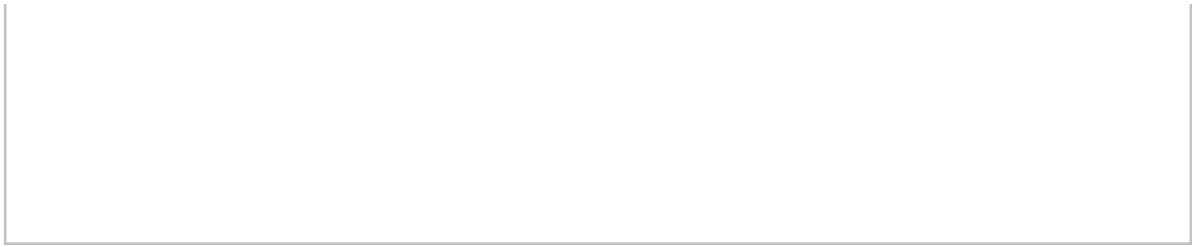
Although the City does not require debarred contractors to pay administrative costs or other penalties, the City can pursue claims against contractors under state law or bring other civil actions.

**To be consistent with what the federal and state governments require, and as proposed by the Office of the City Attorney, the Board of Supervisors should amend city law to add:**

- ✓ Suspension to its debarment procedures.
- ✓ Minimum qualifications for debarment hearing officers, such as that a hearing officer must be a licensed attorney.
- ✓ A requirement that suspended city contractors be publicly listed.



City and County of San Francisco Office of the Controller



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This is a send-only e-mail address.

For questions about the report, please contact City Controller Ben Rosenfield at [ben.rosenfield@sfgov.org](mailto:ben.rosenfield@sfgov.org) or (415) 554-7500.

For medi queries, please contact Alyssa Sewlal Communications Manager at [alyssa.sewlal@sfgov.org](mailto:alyssa.sewlal@sfgov.org) or (415) 694-3261.

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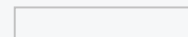
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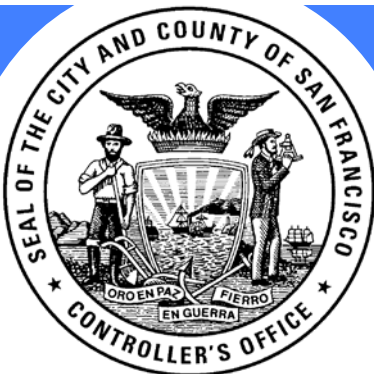
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# Public Integrity Review

## Preliminary Assessment: San Francisco's Debarment Process



**CITY & COUNTY OF SAN FRANCISCO**

Controller's Office

November 5, 2020

## Assessment Summary

This preliminary review summarizes the debarment procedures of the City and County of San Francisco (City), changes to these procedures proposed by the Office of the City Attorney (City Attorney), and a comparison of the City's debarment process with that of the State of California (state) and with relevant provisions of federal law. This assessment was prompted by the criminal complaint against Balmore Hernandez, chief executive and vice president of AzulWorks, Inc. (AzulWorks), a city contractor, and the City Attorney's investigation of and debarment proceedings against AzulWorks. Additional reviews of other internal control processes will be released as our Public Integrity Review progresses. This assessment is the third in the series, is offered for public comment and review, and may be revised in the future as our work continues.

### Highlights: Preliminary Findings

- City law provides that a contractor may be debarred when a guilty plea is entered for fraud against the government but does not provide for any action to be taken when a contractor is criminally charged for committing fraud against the government or for violating any city law.

## Assessment Summary *(continued)*

- The City Attorney has proposed legislation that would amend city law to:
  - Clarify that a contractor\* can be debarred for violating any provision of city law.
  - Allow the City to suspend contractors that are criminally charged.
  - Establish minimum qualifications for hearing officers.
  - Require that the names of suspended contractors, in addition to debarred contractors, are published on the Controller's website.
- The City's debarment procedures are consistent with those of the state and federal governments, except that the City's do not require an initial investigation (although, in practice, one occurs), and do not specify qualifications for debarment hearing officers.

\* According to the San Francisco Administrative Code, Section 28.1(c), a contractor is any person or business entity who submits a qualification statement, proposal, bid, or quote, or who contracts directly or indirectly with the City.

## Background on the Public Integrity Investigation

The City Attorney is leading the investigation into alleged wrongdoing by city employees and contractors outlined in criminal charges brought by the U.S. Attorney's Office against:

- Mohammed Nuru, former director of San Francisco Public Works
- Nick Bovis, owner of Lefty's Grill and Buffet and other restaurants
- Sandra Zuniga, former director of the Mayor's Office of Neighborhood Services
- Florence Kong, former member of the Immigrant Rights Commission
- Balmore Hernandez, chief executive and vice president of engineering firm AzulWorks, a company with large city contracts
- Wing Lok "Walter" Wong, building permit expediter and owner of several entities that do business with the City
- Alan Varella and Bill Gilmartin, officers of ProVen Management, Inc.

Mr. Bovis and Mr. Wong have pled guilty to schemes to defraud the City using bribery and kickbacks. Mr. Wong admitted to conspiring with Mr. Nuru and other unnamed city officials since 2004. Both are now cooperating with the ongoing federal investigation. Mr. Hernandez has pled guilty and will cooperate. Ms. Kong has pled guilty to providing bribes to Mr. Nuru.

## Background on the Public Integrity Investigation *(continued)*

The City Attorney has focused its investigation on misconduct by current and former city employees and any remedies for specific decisions or contracts tainted by conflicts of interest or other legal or policy violations.

On July 14, 2020, the City Attorney moved to debar AzulWorks, Inc., from contracting with the City for five years, which is the maximum duration allowed under city law. AzulWorks entered into a stipulated suspension until the time a verdict is entered in Hernandez's criminal matter. The agreement prohibits AzulWorks from bidding on city contracts during that time and allows the City Attorney to pursue debarment once the criminal matter is resolved.

The City Attorney has sponsored legislation, now being considered by the Board of Supervisors, that would amend the Administrative Code to allow the City to suspend anyone (and their related businesses) upon the filing of criminal charges. If the amendments are enacted into law, the City will be able to suspend individuals and businesses charged with crimes from bidding on or receiving city contracts.



## Criminal Complaint Against Mr. Hernandez

The FBI affidavit in support of the criminal complaint states that Mr. Hernandez provided bribes to Mr. Nuru to influence and reward Mr. Nuru in connection with his help steering city business to, or resolving conflicts encountered in connection with city contracts and approvals for, Mr. Hernandez, his associates, and his firm, AzulWorks.

Between late 2016 and the end of 2018, allegedly Mr. Hernandez supplied labor and materials in excess of \$250,000 to Mr. Nuru to build a home and make related improvements at Mr. Nuru's vacation property in Lodoga, California. Mr. Hernandez also allegedly paid for a January 2020 hotel stay valued at over \$2,000 for Mr. Nuru and several lavish meals often costing in excess of \$1,000 each. In exchange, Mr. Nuru allegedly provided inside information about city contracts and approvals, resulting in a multimillion-dollar contract for which AzulWorks had submitted an allegedly unqualified bid.

## City Debarment Provisions

Debarment is “administrative determination against a potential bidder, or contractor declaring such potential bidder or contractor **irresponsible and disqualified from participating in a competitive process for city contracts or from entering into city contracts** for a period specified in the debarment order.” (San Francisco Administrative Code, Section 28.1(D))

A contractor shall be debarred upon a finding of **willful misconduct** with respect to any city bid, request for qualifications, request for proposals, purchase order and/or contract. (San Francisco Administrative Code, Section 28.3)

## City Debarment Provisions *(continued)*

**Willful misconduct** may include, but is not limited to:

- Submission of false information in response to an advertisement or invitation for bids or quotes, a request for qualifications, or a request for proposals.
- Failure to comply with the terms of a contract or with provisions with the Administrative Code.
- Pattern and practice of disregarding or repudiating terms or conditions of city contracts.
- Failure to abide by rules and/or regulations adopted pursuant to the San Francisco municipal codes.
- Submission of false claims.
- Verdict, judgment, settlement, stipulation, or plea agreement establishing the contractor's violation of civil or criminal law against any government entity relevant to the contractor's ability or capacity to honestly perform under or comply with the terms and conditions of a city contract.
- Collusion in obtaining award of any city contract, or payment or approval thereunder.

(San Francisco Administrative Code, Section 28.3)

# San Francisco's Debarment Process Is Similar to Those of the State and Federal Governments.

## Preliminary Finding

**San Francisco requires five of the six debarment procedure steps used by the state and federal governments.**

- San Francisco's debarment procedures are consistent with those of the State of California and federal government, except the City's do not require an investigation\* as the initial step.

\* Although not required by the City's debarment procedures, the City Attorney states that, in practice, an investigation occurs before the City institutes debarment proceedings.

## Comparison of San Francisco's Debarment Process

The City's debarment procedures include five of the six basic steps required by the state and federal governments.

Required Procedure	SF	State	Federal
1. Alleged violation is investigated.	Not Required	✓	✓
2. Notice of proposal or initiation of administrative debarment is issued.	✓	✓	✓
3. Contractor has an opportunity to respond to notice of administrative debarment and request a hearing.	✓	✓	✓
4. Hearing officer or debarring official is appointed and hearing is conducted.	✓	✓	✓
5. Hearing officer or debarring official makes a determination and can recommend a term of debarment.	✓	✓	✓
6. If contractor is suspended or debarred, notice is issued to all awarding entities and contractor is added to an excluded entity list or database.	*	✓	✓

\* The City publicly posts a debarred contractor list.

# Comparison of Debarment Periods

## Preliminary Finding

**San Francisco's debarment period of up to five years is similar to those found elsewhere.**

The City's debarment period of up to five years is consistent with that of the state and federal government.

Jurisdiction	Debarment Period	Factors That Determine Duration
San Francisco	Up to 5 years	Not specified
State	1 to 5 years	Severity and frequency of the violation(s)
Federal	1 to 5 years	Severity of the violation(s)

# Comparison of Contractor Suspension

## Preliminary Finding

**Unlike the federal government, the City and the state cannot suspend contractors.**

- In contrast, the federal government can suspend a contractor for up to 18 months as a remedy short of debarment. The reasons a contractor may be suspended under federal law are similar to those for debarment such as a contractor is under indictment and/or subject to ongoing civil or criminal litigation. Generally, a suspension lasts only for the duration of the federal agency's investigation, but it may be extended for the duration of any legal proceedings related to the misconduct.
- A suspension is appropriate when a federal government agency, upon adequate evidence, determines that a contractor committed certain offenses. Not only does federal regulation include "indictment" as a ground for suspension, the federal government can immediately suspend an indicted contractor.
- The City Attorney proposed [legislation](#) in August to amend the San Francisco Administrative Code, and if approved, **the City will be able to suspend a contractor** from public contracts or grants if it has been indicted or charged in a civil, criminal, or administrative matter, and debarment may follow.

# Comparison of Administrative Costs or Penalties

## Preliminary Finding

**Although the City does not require debarred contractors to pay administrative costs or other penalties, the City can pursue claims against contractors under state law or bring other civil actions.**

- Neither the City, state, nor federal government requires a debarred contractor to pay all of the administrative costs of the debarment process or punitive penalties, although at least one exception exists at the state level.\*
- Remedies are available to the City, depending on the type of violation committed. Just as the federal government can pursue penalties against contractors under the False Claims Act or the Foreign Corrupt Practices Act, the City could pursue claims against a contractor under the California False Claims Act or bring other civil actions against the contractor, such as an unfair business practices lawsuit.
- If a contractor is found guilty of a criminal fraud against the government, the contractor may be liable to repay the profit it made on any such contract.

\* When the state advertises a contractor's period of debarment and reason for debarment in construction industry publications, the debarred contractor can be made to pay the cost of the advertising up to \$5,000.



# Comparison of Hearing Officer Qualifications

## Preliminary Finding

Unlike the federal and state governments, the City does not specify the minimum qualifications of its hearing officers.

- In contrast, the federal government specifies that debarring or suspending officials are either a **federal agency head** or a **designee authorized by the agency head**.
- The state government requires that its hearing officers be either an:
  - **Attorney** employed by the Division of Labor Standard's Office of the Director - Legal Unit.
  - **Attorney or administrative law judge** employed by the Department of Industrial Relations and have been admitted to practice law in the state for at least five years before appointment.

# Comparison of Debarment and Suspension Lists

## Preliminary Finding

**Consistent with requirements for the federal and state governments, San Francisco publicly lists contractors it has debarred but should add suspended contractors.**

- The U.S. General Services Agency administers a web-based application, the System for Award Management (SAM), to track debarred and suspended contractors (in the categories of procurement and non-procurement) and to maintain contractor exclusion records.
- The U.S. Department of Health & Human Services' Office of Inspector General Exclusions List includes only debarred healthcare providers, but they are also listed on SAM.
- The website of California's Department of Industrial Relations, Division of Labor Standards Enforcement, lists debarred and suspended public works contractors and subcontractors, as seen [here](#).
- The Controller's Office is required to post a current list of debarred contractors, available [here](#), and submit a report to the Board of Supervisors. The legislation sponsored by the City Attorney would require the Controller's Office to also post a list of suspended contractors.

## Recommendation

Given the findings in this preliminary assessment, we offer the following preliminary recommendation. We will continue to refine this recommendation as the investigation and review continues and will consider feedback we receive in the review process.

1. **To be consistent with what the federal and state governments require, and as proposed by the Office of the City Attorney, the Board of Supervisors should amend the San Francisco Administrative Code to add:**
  - a) **Suspension to its debarment procedures.**
  - b) **Minimum qualifications for debarment hearing officers, such as that a hearing officer must be a licensed attorney.**
  - c) **A requirement for a public listing of suspended city contractors.**

## Completed and Upcoming Public Integrity Reporting

Our Public Integrity Review, performed in consultation with the City Attorney, will continue to assess selected city policies and procedures to evaluate their adequacy in preventing abuse and fraud. Completed, current, and future assessments and reports address the following topics:

1. [San Francisco Public Works Contracting](#) (report issued on June 29, 2020)
2. [Gifts to Departments Through Non-City Organizations Lack Transparency and Create “Pay-to-Play” Risk](#) (report issued on September 24, 2020)
3. Ethical Standards for Procurement Processes of the Airport Commission and other city commissions
4. Citywide Ethics Reporting Requirements
5. The Department of Building Inspection’s policies and practices to award permits
6. A final report on the topics covered in this preliminary assessment

Additional reviews and assessments will be determined and performed as the City Attorney’s investigation proceeds.

# Any questions or comments?

Contact us at... [ben.rosenfield@sfgov.org](mailto:ben.rosenfield@sfgov.org)  
[todd.rydstrom@sfgov.org](mailto:todd.rydstrom@sfgov.org)  
[mark.p.delarosa@sfgov.org](mailto:mark.p.delarosa@sfgov.org)

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: San Francisco Department of Elections will Conduct Random Selection of Ballots for Manual Tally on Thursday, November 12, 9 a.m.  
**Date:** Monday, November 9, 2020 9:10:00 AM

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**From:** SFVote, (REG) <sfvote@sfgov.org>  
**Sent:** Saturday, November 7, 2020 10:05 AM  
**Subject:** San Francisco Department of Elections will Conduct Random Selection of Ballots for Manual Tally on Thursday, November 12, 9 a.m.

Department of Elections  
 City and County of San Francisco  
 John Arntz, Director

For Immediate Release

SAN FRANCISCO, Saturday, November 7, 2020 – The Department of Elections will randomly select ballots for manual tally to verify the accuracy of the voting system. The selection of ballots will occur on November 12, 9 a.m., outside the Department's office, City Hall Room 48, and is open to public observation. The selection of ballots can also be viewed via live stream on [sfelections.org/observe](https://sfelections.org/observe).

Following the selection of ballots, the Department will post a recording of the process on [sfelections.org/observe](https://sfelections.org/observe).

To randomly select ballots to hand tally, the Department uses 10-sided dice. After dice are rolled, the numbers facing up are matched to numbers assigned to an itemized list of precincts for which the Department will manually tally cards voted at a number of polling places equal to one percent of all precincts.

Next, the Department will roll the dice to select a number of batches of vote-by-mail and other ballots that equals one percent of the batches processed. These batches most likely include ballots from multiple precincts. For this latter category of ballots, the numbers from the rolled dice are referenced to a list of batch numbers.

If the selected precincts or batches do not include all of the contests voted upon in the election, the Department will continue rolling the dice to select additional precincts or batches that include such contests. Only the contests from the additional precincts or batches will be manually tallied.

The Department will compare the manual tallies against the results reports issued from the voting system. The purpose of conducting the manual count and then comparing those results to vote totals tabulated by the voting equipment is to verify that the equipment properly tabulated ballots.

Observing the Manual Tally Process

Following the selection of precincts and batches, the Department will collect the ballot cards involved in the tallies. The manual tally will begin on Friday, November 13, from 9 a.m. – 5 p.m., inside the Department's warehouse on Pier 31. If necessary, the tallies will continue on Saturday, November 14, from 8 a.m. – 5 p.m.

###

Department of Elections  
 City and County of San Francisco

1 Dr. Carlton B. Goodlett Place  
City Hall, Room 48  
San Francisco, CA 94102  
(415) 554-4375  
sfelections.org



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**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: SFUSD Annual Williams Report  
**Date:** Monday, November 9, 2020 1:34:00 PM  
**Attachments:** [November 2020 Yearly Williams Report \[final\] \(2\).pdf](#)

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**From:** SFUSD Equity <equity@sfusd.edu>  
**Sent:** Monday, November 9, 2020 9:52 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** SFUSD Annual Williams Report

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

Good Morning,

Please see attached for San Francisco Unified School District's Annual *Williams* Report. We submit this report to the Board of Supervisors in accordance with Education Code section 1240(c).

Thank you,

"In light of the COVID-19 outbreak, all attorneys and staff in the Office of Equity are working remotely. There is also limited access to the District Office. Therefore, we are not able to receive mail in a timely manner. Please send all correspondence, pleadings, discovery or other documents via email or voluminous materials through a document sharing app. Thank you for your understanding and professional courtesy."

### **Office of Equity**

#### **San Francisco Unified School District**

555 Franklin Street, Third Floor

San Francisco, California 94102

Tel: (415) 355-7334







***San Francisco Unified School District***  
**OFFICE OF EQUITY**

555 Franklin Street, 3<sup>rd</sup> Floor, San Francisco, CA 94102  
Telephone (415) 355-7334 Fax (415) 355-7333

**Dr. Vincent Mathews**  
*Superintendent of Schools*

**Danielle Houck**  
*General Counsel*

**Keasara (Kiki) Williams**  
*Executive Director. Student  
Experience and Equity Compliance*  
[williamsk3@sfusd.edu](mailto:williamsk3@sfusd.edu)

**DATE:** November 10, 2020

**TO:** President and Members of the San Francisco Board of Education  
President and Members of the County Board of Supervisors

**CC:** Dr. Vincent Mathews, Superintendent of Schools  
Danielle Houck, Chef General Counsel  
Nicole Priestly, Chief of Curriculum & Instruction  
Dawn Kamalanathan, Chief of Facilities

**FROM:** Keasara Williams, Executive Directors

**SUBJECT:** Annual *Williams* Report

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As required by Education Code section 1240(c)(2)(F), the San Francisco Unified School District submits this annual report, at a regularly scheduled November board meeting, to the Board and the Board of Supervisors that describes the state of the schools that are ranked in the bottom one-third of the Academic Performance Index (API)<sup>1</sup>. In order to meet this mandate, the District contracted with two independent auditors to conduct visits and make the accompanying reports.

The purpose of the inspections and reports as specified in California Education code 1240 were to:

1. Determine if students have “sufficient” standards-aligned instructional materials in four core subject areas (English, language arts, mathematics, history/social science and science), including science laboratory equipment in grades 9-12, and, as appropriate, in foreign languages, and health;
2. Determine if there is any facility condition that “poses an emergency or urgent threat to the health or safety of pupils or staff”;

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<sup>1</sup> While the API is no longer a part of California Department of Education’s accountability system, CDE has not updated the school list since it originally posted the list in 2012. SFUSD does not have the authority to change the list, and therefore it must continue to inspect the schools include in CDE’s 2012-2013 API list.

3. Determine if the school has provided accurate data on the Annual School Accountability Report Card (SARC) related to the sufficiency of instructional materials and the safety, cleanliness, and adequacy of school facilities, including “good repair.”

Thirty five (35) schools were ranked in deciles 1-3 based on the District’s 2012 API Rankings. However, three additional schools were included as part of the District’s obligations under the Quality Education Improvement Act (QEIA). In total, thirty-eight (38) schools were inspected:

Academy of Arts and Sciences	Lick (James) MS
Bryant ES	Malcom X ES*
Buena Vista/Horace Mann K-8	Marshall (Thurgood) HS
Carver (George Washington) ES	Marshall ES
Chavez (Cesar) ES	Miraloma ES*
Cleveland ES	Mission HS
Cobb (William L.) ES	Muir (John) ES
Denman (James) MS	O’Connell (John) HS
Drew (Charles) College Preparatory	Revere (Paul) ES
El Dorado ES	Rosa Parks ES*
Everett MS	S.F. International HS
Fairmount ES	San Francisco Community Alt.
Flynn (Leonard R.) ES	Sanchez ES
Francisco MS	Serra (Junipero) ES
Glen Park ES	Sheridan ES
Harte (Bret) ES	Tenderloin Community
Hillcrest ES	Visitacion Valley MS
Jordan (June) School for Equity	Webster (Daniel) ES
King Jr. (Martin Luther) Middle	
Lakeshore Alternative Elementary	*Additional QEI schools

Due to the COVID-19 pandemic, students are not reporting to their school sites and are participating in Distance Learning until further notice. Accordingly, the investigators modified their review process in light of this operating status. For the Textbooks and Instructional Materials investigation, the inspector held virtual meetings with school site administrators to survey whether students had access to district approved materials. The investigator also reviewed whether school sites had complied with the District’s interim directive to post Williams Classroom Notices on their school websites while students are in distance-learning<sup>2</sup>. For the Facilities investigation, the investigator visited the designated buildings in person (while students were not present) practicing all required safety measures.

The Textbooks and Instructional Materials Report stated that initially, 92% of elementary schools, 100% of middle schools and 100% of high schools had sufficient textbooks and

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<sup>2</sup> When students return to in person learning, Williams Complaint notices will be posted in those classrooms.

instructional materials in all of the core academic areas at all grade levels. This was an overall District average of 95%. By the end of the sixth week of school, all schools were found to have sufficient textbooks and instructional materials by showing evidence of receiving additional materials or having placed appropriate orders for materials. Therefore, the District is in compliance with 100% of the schools with “sufficient instructional material.”

In addition to checking for “sufficient instructional materials,” the inspector also found that there were sufficient computers for the students to have access to the curriculum during distance learning. The inspector also noted that schools have on-going support for families who experience technology glitches.

In addition to evaluating the 38 schools for sufficiency of textbooks and instructional materials, the school’s websites were also reviewed for the "Williams Classroom Notices" with Valenzuela provisions posted in Chinese, English, and Spanish. The majority of the sites were compliant with this posting requirement, and those that were not remedies by time of the inspector’s reports, except for two elementary schools.

The Facilities Inspection Report stated that 14 schools were rated “Exemplary,” 24 schools were rated “Good,” and no schools received “fair” or “poor” ratings. As compared to last year, 1 school retained the same rating, 15 school increased a step in rating (example: went from good to exemplary), and 22 schools dropped a step in their rating (example: went from exemplary to good).

Lastly, both inspectors verified the accuracy of the District’s SARC reports for facilities and instructional materials.

In conclusion, the San Francisco Unified School District has fulfilled its obligations under the *Williams* mandate to ensure that each pupil at the schools listed above, including English language learners, have standards-aligned textbooks, or instructional materials, or both to use, in class and to take home. Moreover, the school facilities are in good repair, which means that they are clean, safe and functional. The inspectors’ reports and their detailed records are available for inspection at the Office of Equity.

## MEMORANDUM

September 30, 2020

**TO:** Members of the Board of Education  
Vincent Matthews, Superintendent, San Francisco Unified School District  
Board of Supervisors, County of San Francisco

**FROM:** Adelina Arámburo, Independent Consultant

**SUBJECT:** 2020-21 *Williams* Textbook Inspection Report for Decile 1-3 Schools and/or QEIA Schools

**CC:** Danielle M. Houck, Chief General Counsel  
Keasara Williams, Director, Office of Equity  
Nicole Priestly, Chief Curriculum and Instruction

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### ***Williams* Textbooks and Instructional Material Inspection**

As part of the *Williams v. California* Settlement California Education Code § 1240 requires monitoring for sufficiency of textbook and instructional materials in schools ranked in deciles 1-3, as determined every three years by the Base Performance Index (API). The 2012 Base API continues to determine the current list of 38 schools that were contacted.

During this period of Coronavirus-19, shelter-in-place, and distance learning, school sites and classrooms were not visited in person, nor were any surprise visits held. Administrators were contacted either by Zoom, Google Meet, or telephone. The purpose of my contact with the 38 schools (26 elementary schools that included 3 K-8 schools, 6 middle schools and 6 high schools) was to ensure that students have access to “sufficient” standards-aligned textbooks and instructional materials in four core subject areas: mathematics, science, history/social science and English Language Arts which included the English Language Development component of the adopted program.

“Sufficient instructional materials” means every pupil, including English language learners, has standards-aligned textbooks or instructional materials, or both to use in class and to take home. This definition does not require two sets of textbooks or instructional materials for each pupil.

The District did not have any new textbook adoptions this school year, though they continue to roll out the new science curriculum: AMPLIFY EDUCATION, for all K-5 sites, and District developed Science Curriculum materials for grades 6-12.

Each school was contacted at least once before the end of the first four weeks of school beginning August 28, 2020 and ending September 18, 2020. All visits were scheduled with the administration via Zoom, Google Meet, or telephone.

Based on my interviews 92% of elementary schools, 100% of middle schools and 100% of high schools had sufficient textbooks in all of the core academic areas at all grade levels. This was an overall District average of 95%. By the end of the sixth week of school, the sites who did not have sufficient materials either found the materials on site, obtained those materials from the District's Curriculum Resources, Library, and Media Services Department, or placed orders with that department for the missing materials, therefore bringing the District in compliance with 100% of the schools with "sufficient instructional materials."

In addition to checking for "sufficient instructional materials" I found that there were sufficient computers for the students to have access to the curriculum. Distribution dates had been scheduled in Spring 2020, and incoming and new students received technology materials either the week before schools began, or the first week of school. In addition, schools have on-going support for families who experience technology glitches. Administrators expressed that they had received a great deal of support in obtaining technology, and accessing curriculum materials on line for distance learning.

The District provides for its administrators "Guidelines and Procedures" on its website for textbook management. In addition to that, the District's Curriculum Resources, Libraries, and Media Services Department conducts an "Instructional Materials Survey: at the beginning of the school year for each school site in the District. That Department also requires sites to order missing materials no later than September 11, 2020 for this school year.

The District continues to improve processes to ensure that all students receive sufficient textbooks and materials. Under the leadership of Nicole Priestly, Chief of Curriculum and Instruction, the Curriculum Resources, Libraries and Media Services Department works diligently with schools to order replacement books in a timely manner as well as providing newly adopted texts/materials.

As the independent consultant I was required to review schools' SARC's to verify whether the District provided accurate data relevant to textbook sufficiency in their reports published in the prior school year. The District did comply with this requirement and provided the following information:

### **Quality, Currency, and Availability of Textbooks and Instructional Materials**

#### ***For High Schools (Grades 9-12)***

The San Francisco Unified School District adopts instructional materials following the cycle of state frameworks and standards, and provides sufficient textbooks for all students to use in class and to take home in the core curriculum areas of reading/language arts, mathematics, science, and history/social studies. Class sets of health instructional materials were provided for high school health teachers. In addition, other Board adopted core curriculum materials were provided to remedy all insufficiencies identified through a survey and other activities at the annual Instructional Materials Hearing at the October 29, 2019, meeting of the Board of Education. All adopted high school instructional materials have been evaluated and determined locally to meet state standards for grades 9-12. Appropriate science laboratory equipment is available for all laboratory science courses.

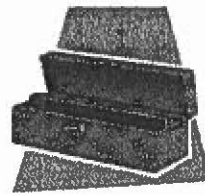
***For Elementary and Middle Schools (grades K-8)***

The San Francisco Unified School District adopts instructional materials following the cycle of the state frameworks and standards, and adopts K-8 materials from the list of standards-aligned materials that have been adopted by the State Board of Education. The District provides sufficient textbooks for all students to use in class and to take home in the core curriculum areas of reading/language arts, mathematics, science, and history/social studies. For 2018-2019, Instructional materials were provided for all students in grades K-8. Replacements were provided for core curriculum areas as identified through a survey and other activities preceding the annual Instructional Materials Hearing at the October 29, 2019 meeting of the Board of Education.

For a complete list of adopted textbooks, please contact the Curriculum Resources, Libraries and Media Services Department.

During this period of distance learning, it was recommended that the “*Williams Classroom Notices*” with Valenzuela provisions should be posted in Chinese, English and Spanish on each school site website to inform families. The majority of the school sites were compliant, and those that were not were remedied by the time of this report, except for two elementary schools. The appendix of this report shows the result of the textbook and notice inspections by site by division. Individual school inspection reports are available for review at the Office of Equity.

If you need further information or have questions, please contact the Office of Equity of the San Francisco Unified School District.



Date: October 15, 2020

To: Members of the San Francisco Board of Education  
Dr. Vincent Matthews, Superintendent, San Francisco Unified School District  
Keasara Williams, Executive Director, Student Experience and Equity  
Compliance

CC: Dawn Kamalanathan, Chief Facilities Officer  
Yonko Radonov, Executive Director of Facilities  
Kevin Connolly, Director, Building and Grounds

From: George Kalligeros, Facilities Inspector of Record

Re: *2020-2021 Williams Facilities Inspection Report for Deciles 1-3 Schools*

In accordance with California Education Code Section 1240, I have conducted visits of schools identified as “decile 1-3” schools in San Francisco Unified School District based on their 2012 API rankings. The priority objective of the visits was to determine the status of the following circumstances:

- the condition of a facility that poses an emergency or urgent threat to the health and safety of pupils or staff and
- the accuracy of SARC data with respect to the safety, cleanliness, and adequacy of school facilities, including good repair.

The visits were conducted between August 17, 2020 and October 2, 2020 with more than 60% of the visits of schools being unannounced. The visits were completed within four weeks from the first day of school as required by Ed Code Section 1240.

During this time, thirty-nine “deciles 1-3” schools were inspected. In order to monitor the adequacy of facilities, all classrooms, as well as the cafeteria, gymnasium, auditorium, playground, library, administrative offices, ancillary support areas, all restrooms, and teacher’s lounges were inspected. Storage rooms, custodian’s closet, or areas that were under construction were not inspected.

### Inspection Instrument

For our inspection, the Facilities Inspection Tool (FIT), revised as of July 1, 2009, that was developed by the Office of Public School Construction was used to determine if a school facility is in "good repair" as defined by Education Code (EC) Section 17002(d)(1) and to rate the facility pursuant to EC Section 1700(d)(2). Each room or area in the school was inspected for these 15 components.

### Criteria for Scoring

Good Repair Standard outlines the school facility systems and components, as specified in EC Section 17002(d)(1) that should be considered in the inspection of a school facility to ensure it is maintained in a manner that assures it is clean, safe, and functional. Each of the 15 sections in the Good Repair Standard provides a description of a minimum standard of good repair for various school facility categories. The 15 sections are:

Section		Section	
1	Gas Leaks	9	Sinks/Fountains
2	Heating, vent. air condit (HVAC)	10	Fire Safety
3	Sewer	11	Hazardous Material
4	Interior Surfaces	12	Structural Damage
5	Overall Cleanliness	13	Roofs
6	Pest/Vermin Infestation	14	Playground/School Grounds
7	Electrical	15	Windows/Doors/Gates/Fence
8	Restrooms		

When we evaluated a room or area in the school using these good repair standards, we marked "O" for no deficiency, a "D" for some deficiency, an "X" for extreme deficiency, and "NA" for non-applicable. Each school received a "percent of System in Good Repair" for each section: number of "✓"s divided by (total Areas minus "NA"s.) The 15 sections were further grouped into 8 categories:

Systems:	gas leaks, HVAC, sewers
Interior:	interior surfaces
Cleanliness:	over all cleanliness, pest/vermin infestation
Electrical:	electrical
Restrms/fountains:	restrooms, sinks/fountains
Safety:	fire safety, hazardous materials
Structural:	structural damage, roofs
External:	playgrounds/school grounds, windows/doors/gate/fences



The average score of the 8 categories determined the school score and school rating.

Listed below is a table that shows the percentage, description, and rating scale:

Percentage	Description	Rating
99.00%-100%	The school meets most or all standards of good repair. Deficiencies noted, if any, are not significant and/or impact a very small area of the school.	Exemplary
90.00% - 98.99%	The school is maintained in good repair with a number of non-critical deficiencies noted. These deficiencies are isolated, and /or resulting from minor wear and tear, and/or in the process of being mitigated.	Good
75.00% - 89.99%	The school is not in good repair. Some deficiencies noted are critical and/or widespread. Repairs and/or additional maintenance are necessary in several areas in the school site.	Fair
0% - 74.99%	The school facilities are in poor condition. Deficiencies of various degrees have been noted throughout the site. Major repairs and maintenance are necessary throughout campus.	Poor

#### Changes in the Scoring and Ratings Effective July 1, 2009

The FIT was revised by the Office of Public School Construction in May 2009 to be used effective July 1, 2009. The reasons for recalibrating the FIT was that it was too easy for most schools to obtain a high score, thus minimizing the deficiencies and decreasing the urgency of having staff act on the repairs. While in previous years the school score was determined by averaging 15 sections, the current method is to combine sections that are similar and the average is determined mathematically for 8 systems, not 15 sections. See Appendix 2 for a comparison of scores between this year and three previous years.

#### Ratings for the Deciles 1-3 Schools

The average score for the 38 schools was 98.4 % and a ranking of "Good."

The distribution of ratings is:

Number of schools	Rating
15	Exemplary
24	Good
0	Fair

0	Poor
---	------

Compared to 2019-2020, 2 schools retained the same rating, 15 school increased a step in rating (example: went from good to exemplary), and 22 schools dropped a step in their rating (example: went from exemplary to good).

See the Appendix 1 – 3 for specific scores and ratings.

#### Extreme Deficiencies in the Good Repair Standard

Some of the conditions cited in the Good Repair Standard represent items that are critical to the health and safety of pupils and staff. Any deficiencies in these items require immediate attention and left unmitigated could cause severe and immediate injury, illness or death of the occupants. These critical conditions are identified with underlined text followed by an (X) on the Good Repair Standard. There were no “Extreme Deficiencies” noted in any of the 39 schools visited.

Category	# of Rooms	Examples of Extreme Deficiencies
NONE		

#### There were no Schools with a Rating of “Poor”

#### Accuracy of the School Accountability Report Cards

In reviewing the 2019-2020 facilities inspection reports completed by me for the same schools in September 2019 and in reviewing the School Accountability Report Cards that are currently on the SFUSD website, both sets of documents are accurate in that the same information and rankings are recorded.

Summary:

1. By visiting the same schools and reviewing last year's inspections, we saw that the improvements that were made since last year have maintained the overall exemplary condition of the inspected schools. For example, many of the schools are now ADA compliant and that much of the past modernization work has been maintained.

We thank the school staffs for welcoming us to their schools at the beginning of the school year in August. A complete binder of the individual school inspections is with Keasara Williams, Office of Equity Assurance and another one with Kevin Connolly at Buildings and Grounds.

**From:** [San Francisco Controller's Office Reports](#)  
**To:** [Mchugh, Eileen \(BOS\)](#)  
**Subject:** Issued: FY 2020-21 Three-Month Budget Status Report  
**Date:** Tuesday, November 10, 2020 3:21:41 PM

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# Office of the Controller

## Budget and Analysis



## Report Issued

The Controller's Office provides periodic budget status updates to the City's policy makers during each fiscal year, as directed by Charter Section 3.105. The level of uncertainty of both City revenues and expenditures is historically high due to the operational and economic effects brought on by the COVID-19 pandemic.

[Download the full report](#)



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This is a send-only email address.

For questions about the report, please contact Director of Budget and Analysis Michelle Allersma at [michelle.allersma@sfgov.org](mailto:michelle.allersma@sfgov.org).

For press queries, please contact Communications Manager Alyssa Sewlal at [alyssa.sewlal@sfgov.org](mailto:alyssa.sewlal@sfgov.org).

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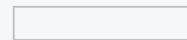
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# OFFICE OF THE CONTROLLER

## CITY AND COUNTY OF SAN FRANCISCO

Ben Rosenfield  
Controller

Todd Rydstrom  
Deputy Controller

**TO:** Mayor London Breed  
President Norman Yee and Members of the Board of Supervisors

**FROM:** Ben Rosenfield, Controller

**DATE:** November 10, 2020

**SUBJECT:** FY 2020-21 3-Month Budget Status Report

### EXECUTIVE SUMMARY

The Controller's Office provides periodic budget status updates to the City's policy makers during each fiscal year, as directed by Charter Section 3.105. The level of uncertainty of both City revenues and expenditures is historically high due to the operational and economic effects brought on by the COVID-19 pandemic.

In summary, our projection of General Fund revenues and expenditures indicates a General Fund shortfall of \$115.9 million in the current fiscal year. This is predominantly comprised of weakness in key tax and fee revenues driven by a slower economic recovery than was anticipated in the adopted budget. This weakness is partially offset by a higher than projected balance available from the prior year. Required reserve deposits in the prior year are expected to be higher than previously expected, as detailed in the appendix to this report, and could be used to offset a portion of the current year projected shortfall or retained for challenges in future fiscal years.

The level of uncertainty regarding city revenues and expenditures remains extraordinarily high, driven by the economic and financial impacts of the public health emergency. We will continue to provide regular budget updates throughout the year as conditions change.

Table 1. FY 2020-21 Projected General Fund Variances to Budget (\$ million)

Changes from Adopted Budget	FY 2020-21
A. FY 2019-20 estimated fund balance (pre-audit)	21.3
B. Citywide Revenue	(143.5)
C. Baseline Offsets	46.4
D. Departmental Revenues and Expenditures	(51.3)
E. November 2020 Local Ballot Measures	11.3
F. COVID Emergency Response	-
<b>Surplus / (Shortfall)</b>	<b>(115.9)</b>

**A. FY 2019-20 General Fund Ending Balance**

While final ending fund balance is not yet available, we currently estimate an ending balance of approximately \$391.8 million, or \$21.3 million above the \$370.5 million assumed in the FY 2020-21 and FY 2021-22 adopted budget. This positive variance is driven by higher than previously projected property tax collections, interest earnings, and Public Health revenue. Our preliminary estimate of ending reserve balances are detailed in the appendix to this report and include higher than previously anticipated deposits to the City's Budget Stabilization Reserves. Final audited balances from the prior fiscal year will be reported in the City's comprehensive annual financial report, expected to be issued in December.

**B. Citywide Revenue**

Citywide General Fund revenue is projected to decline from the previously balanced budget by \$143.5 million. The decrease from prior budgeted projection is largely the result of a slower re-opening scenario than previously assumed and greater telecommuting assumptions in the projection period. Property tax revenues above budget, due largely to a shift in value and timing of assessment appeal-related refunds, are more than offset by weakness in nearly every other revenue source, including business, hotel, parking, and sales taxes.

**C. Baseline Offsets**

Voters have adopted many measures that require General Fund contributions to various purposes, the majority of which are indexed to the City's discretionary revenues. Required contributions from the General Fund to these purposes will decline from budget by \$46.4 million given the projected discretionary revenue shortfall.

**D. Departmental Revenues and Expenditures**

A projected \$51.3 million projected net operating shortfall in departments is comprised of a \$38.9 million shortfall in revenue and overspending of \$12.4 million. The largest revenue shortfalls are in City Planning permit revenue (\$19.4 million) and Recreation and Park revenue (\$12.4 million). Personnel overspending is projected both the Sheriff's and Fire departments. Select enterprise and special revenue fund projections are provided on p. 15.

**E. November 2020 Election Results**

Local measures approved in the November 3, 2020 election are projected to result in a net surplus of \$11.3 million due an increase in property transfer tax rates not assumed in the budget, slightly offset by expenses to strengthen oversight of the Sheriff's Department. The budget assumed revenue increases from Proposition F, which modified many aspects of the City's business tax structure, and which was approved by voters, so the approval of this measure does not result in a surplus.

**F. COVID Emergency Response**

COVID emergency response revenues and expenditures are currently projected to remain on budget, as expenditures will depend on the course of the health emergency, and revenues will depend in large part on the duration of the FEMA emergency declaration.

Further details and assumptions regarding the above projections are included in the appendix to this report. As always, please feel free to reach out to me or my office should you have questions or comments regarding this budget status update.

## APPENDIX: PROJECTION DETAILS

This appendix provides details about variances shown in Table 1 of the Executive Summary, and also provides projected reserve balances and operating results for key enterprise and special revenue funds.

### A. FY 2019-20 Year End Results

While final ending fund balance is not yet available, we currently estimate an ending balance of approximately \$391.8 million, or \$21.3 million above the \$370.5 million assumed in the FY 2020-21 and FY 2021-22 adopted budget. This positive variance is driven by higher than previously projected property tax collections, interest earnings, and Public Health revenue. Our preliminary estimate of ending reserve balances are detailed in the appendix to this report and include higher than previously anticipated deposits to the City's Budget Stabilization Reserves. Final audited balances from the prior fiscal year will be reported in the City's comprehensive annual financial report, expected to be issued in December. See p. 14 for updated reserve amounts.

### B. Citywide General Fund Revenue Projection

We project a \$143.5 million shortfall in Citywide General Fund revenue compared to budget, largely the result of a slower reopening scenario and greater degree of telecommuting than previously assumed.

This new revenue scenario assumes a vaccine is available in spring 2021, with widespread adoption by December 2021. We assume local mass gatherings reach pre-COVID levels by summer 2022 but the return of travel and tourism occurs more slowly than in our last projection and does not return to pre-pandemic levels until FY 2025-26. Budgeted revenues were built assuming business re-openings would begin in late summer 2020, with return to full office occupancy by summer 2021. We have shifted the timeline back, as more information has become available since July 2020 about the summer COVID surge and associated impact to the pace of re-opening. We have also incorporated several more months of actual revenue receipts and FY 2019-20 pre-audit results in the projection.

Table 2 below shows projection versus budget for each source. Revisions to business tax, sales tax, hotel tax, parking tax, and airport transfer in account for more than 90% of the decline in revenue, with property tax providing a partial offset.



Table A-1. Citywide General Fund Revenue (\$ millions)

	FY 2019-20	FY 2020-21			Note
	Actuals	Budget	3-Mo Projection	Change	
Property Taxes	2,071.9	2,019.6	2,067.6	48.0	1
Property Tax	1,833.6	1,832.6	1,860.0	27.4	
Excess ERAF	238.3	187.0	207.6	20.6	1
Business Taxes	822.2	826.4	727.5	(98.9)	2
Sales Tax - Local 1%	180.2	183.7	171.3	(12.4)	3
Hotel Room Tax	252.2	126.2	82.8	(43.4)	4
Utility User & Access Line Taxes	143.9	130.0	126.8	(3.2)	
Parking Tax	69.5	59.4	41.5	(17.8)	5
Real Property Transfer Tax	334.5	138.0	138.0	-	
Sugar Sweetened Beverage Tax	13.2	14.0	10.5	(3.5)	
Stadium Admissions Tax	2.8	2.5	-	(2.5)	
Cannabis Tax	-	4.3	4.9	0.7	
Franchise Taxes	16.0	15.6	14.1	(1.6)	
Interest Income	78.8	23.5	21.9	(1.6)	
Public Safety Realignment	41.1	36.0	33.2	(2.8)	
Health and Welfare Realignment	219.6	190.1	189.1	(1.1)	
Public Safety Sales Tax	103.9	97.1	103.6	6.5	
Airport Transfer In	33.5	25.1	15.2	(9.9)	6
<b>Total Citywide Revenues</b>	<b>4,383.2</b>	<b>3,891.5</b>	<b>3,747.9</b>	<b>(143.5)</b>	

## 1 Property tax

Total General Fund property tax revenue in FY 2020-21 is projected to be \$2,067.6 million, which is \$48.0 million (2.4%) above budget and \$4.26 (0.2%) million below prior year actual revenues.

Property tax revenue in the General Fund excluding Excess ERAF is projected to be \$27.4 million (1.5%) above budget and \$26.4 million (1.4%) above prior year actual revenue in FY 2020-21. Unlike most other local government revenues immediately impacted by COVID-19 public health effects on the City's economy, changes in property tax revenues will lag other revenue losses due to statutory deadlines that key off the annual property lien date of January 1<sup>st</sup>. Most assessment appeals filings for FY 2020-21 secured property assessments have been received, and overall were lower than anticipated in the budget, resulting in a reduction in assumed revenue refunds. Decreasing appeals reserve deposits benefits projected property tax revenues for the schools, decreases ERAF entitlement levels, and increases excess ERAF anticipated for the City's General Fund.

Excess ERAF property tax revenue in the General Fund is projected to be \$20.6 million (11.0%) above budget and \$30.7 million (12.9%) below prior year actual revenue. Under the State's budget provisions, the State Controller's Office is required to release clarifying guidance in December 2020 that could result in a revenue surplus if the specific terms are favorable to local governments.

## 2 Business tax

Business tax revenues in the General Fund include business registration fees, payroll taxes, gross receipts taxes, and administrative office taxes, and are projected to be \$727.5 million, or \$98.9 million (12.0%) below budget and \$94.7 (11.5%) million below prior year actual revenues.

The COVID-19 emergency continues to significantly affect the business tax revenue base. Because of the timing of business tax payments, revenues in FY 2020-21 are driven by the economic conditions in 2020. Our projection assumes underlying economic growth of -5% in tax year 2020. This decline is offset by the decision to delay business registration fees due in May 2020 until March 2021, which transferred about \$45 million from FY 2019-20 into FY 2020-21. Due to business closures and reduced economic activity, we assume that the amount collected in March 2021 will be less than the amount we had expected in May 2020.

Businesses owe payroll tax only on employees that physically work within the City. For certain categories of businesses, the gross receipts tax is also dependent on their San Francisco payroll. Approximately 70% of our payroll tax base comes from office-using sectors, like Information and Professional Services, and approximately half of workers in these sectors live outside of San Francisco. In the final budget, we assumed that in these sectors, 50% of non-essential workers would telecommute through December 2020 and 20% through December 2021.

As companies have extended their telecommute policies further into the future, we have increased these assumptions. For the first three months of FY 2020-21, we assume that 100% of non-essential workers telecommuted. Then, in keeping with the San Francisco Department of Public Health's guidance on office reopening that allows up to 25% capacity, we assume that 75% of non-essential workers will telecommute for the remainder of FY 2020-21. However, offices have only been allowed to reopen for non-essential work since October 27, 2020. Consequently, we do not yet know if offices will reach the allowed capacity or if they will continue to have workers telecommute to the extent possible. We will update our assumptions in the six-month report as we know more about how offices have responded to the reopening guidelines.

Telecommuting can have a significant effect on revenues. If the level of telecommuting returned to its pre-COVID levels at the beginning of FY 2020-21, our projections for business would be about \$190 million higher than our current projections.

## 3 Local sales tax

Local sales tax is projected to be \$171.3 million, which is \$12.4 million (6.8%) below budget and \$8.9 million (5.0%) below FY 2019-20 actuals. Based on data for sales from April through June of 2020, sales tax collections for San Francisco decreased by \$23.0 million (42.8%), compared to the same period in 2019. This was significantly lower than the 21.6% decrease for the Bay Area and 16.3% decrease for the State. The contrast indicates a much slower recovery from the impact of the pandemic in the City than the surrounding counties in the Bay Area, as well as the rest of the State, and highlights San Francisco's dependence on tourists and in-commuters, in addition to its residential population. High levels of telecommuting are anticipated to continue through the current fiscal year and tourism is expected to slowly recover over the next six.

#### 4 Hotel tax

General Fund hotel tax revenues are projected to be \$82.8 million, which is \$43.4 million (34.4%) below budget and \$169.3 million (67.2%) below prior year actual revenues. Hotel tax revenues across all funds are projected to be \$113.3 million.

San Francisco's hotel tax is derived from hotel stays from individual business travelers, group events such as conferences and meetings, and leisure tourists. These visitors primarily travel to the City by air. In April 2020, at the height of the first peak of the COVID pandemic, enplanements at SFO decreased by 97% compared to prior year. While air travel has grown since April, the recovery is slow due to passenger safety concerns. Additionally, as part of the City's March 2020 shelter-in-place order, hotels in San Francisco were only allowed to accommodate essential travelers. On September 14, 2020 the City eased restrictions, allowing hotels to reopen for leisure tourists. Museums, restaurants (for limited indoor dining), and outdoor attractions also re-opened at the end of September.

The revised hotel tax projection assumes the City continues to slowly reopen the economy throughout FY 2020-21. However, hotel tax will not recover to its prior peak until mass gatherings for large conferences, sporting events or other major attractions are safe and attended at pre-pandemic levels by visitors traveling by air. This projection assumes attendance at mass gatherings returns to pre-pandemic levels by summer 2022, six months after assumed widespread adoption of a vaccine. These factors contribute to the slow projected recovery of revenue per available room (RevPAR).

RevPAR is strongly correlated with hotel tax; it is the combined effect of occupancy and average daily room rates. The 12-month average RevPAR as of January 2020 was \$227. By April 2020, RevPAR dropped to less than \$10, representing a 96.0% decline from the same period prior year. As of the week ending October 17, 2020, RevPAR is in the low \$30s. The forecast assumes average RevPAR of \$60 in FY 2020-21.

#### 5 Parking tax

Parking tax revenue is projected to be \$41.5 million, which is \$17.8 million (30.1%) below budget and \$27.9 (40.2%) million below prior year actual revenues, due to a slower reopening scenario and greater telecommuting assumptions versus budget. We anticipate fewer commuters will be driving into the City each day compared to pre-COVID times, in line with business tax assumption that 75% of non-essential office workers will continue to telecommute through FY 2020-21. We assume non-essential office workers will return to offices (and therefore pay more parking tax) at greater levels in the subsequent fiscal year, although not at full pre-COVID levels. In addition to commuters, parking tax is generated by residents and tourists who are visiting entertainment centers, art and cultural institutions, shopping areas, and other attractions. In line with our hotel tax assumptions, we anticipate increasing parking tax related to visits to these destinations in FY 2020-21 compared to the COVID pandemic lows of April and May 2020.

Parking tax revenues are deposited into the General Fund, from which an amount equivalent to 80% is transferred to the MTA for public transit under Charter Section 16.1110. (See table 3 below.)

#### 6 Airport Transfer In

The Airport's annual service payment to the General Fund is projected to be \$15.2 million, which is \$9.9 million (39.5%) below budget and \$18.3 million (54.7%) below prior year actuals. The San Francisco International Airport (SFO) transfers 15% of its annual concession revenue to the City's General Fund. This revenue is dependent upon lease agreements with concessionaires and passenger traffic. In April 2020,

at the worst of the COVID pandemic, enplanements at SFO decreased by 97% compared to prior year. As of September 2020, enplanements have improved but are still 79% below prior year. Both confidence to resume travel and the City's re-opening timeline are anticipated to drive the airport transfer in and hotel tax. Given the strong connection between these two revenues, the Controller's Office projects changes to the airport transfer-in using the same factors as the hotel tax projection. The Controller's Office will work closely with the Airport to monitor passenger activity levels and to revise the forecast.

### C. Baseline Offsets

San Francisco voters have adopted many measures that require General Fund contributions for various purposes, the majority of which are indexed to the City's discretionary revenues. Required contributions from the General Fund to these purposes will decline from budget by \$46.4 million given our projection of discretionary revenue losses described above. Table A-2 summarizes the changes to baseline and property tax set-asides in non-General Fund funds.

Table A-2. Charter-Mandated Baseline and Property Tax Set-Asides (\$ millions)

	FY 2019-20	FY 2020-21		
	Actuals	Budget	3-Mo	Change
<b>General Fund Aggregate Discretionary Revenue (ADR)</b>	<b>\$ 3,942.7</b>	<b>\$ 3,486.8</b>	<b>\$ 3,351.5</b>	<b>\$ (135.3)</b>
<b>Municipal Transportation Agency (MTA)</b>				
MTA - Municipal Railway Baseline: 6.686% ADR	263.6	233.1	224.1	(9.0)
MTA - Central Subway	-	7.6	-	(7.6)
MTA - Parking & Traffic Baseline: 2.507% ADR	98.8	87.4	84.0	(3.4)
MTA - Population Adjustment	49.7	55.4	55.6	0.2
MTA - 80% Parking Tax In-Lieu	55.6	47.5	33.2	(14.3)
<b>Subtotal Municipal Transportation Agency</b>	<b>\$ 467.7</b>	<b>\$ 431.0</b>	<b>\$ 396.9</b>	<b>\$ (34.1)</b>
<b>Library Preservation Fund</b>				
Library - Baseline: 2.286% ADR	90.1	79.7	76.6	(3.1)
Library - Property Tax: \$0.025 per \$100 Net Assessed Valuation (NAV)	65.3	67.4	68.7	1.3
<b>Subtotal Library</b>	<b>155.4</b>	<b>147.1</b>	<b>145.3</b>	<b>(1.8)</b>
<b>Children's Services</b>				
Children's Services Baseline - Requirement: 4.830% ADR	203.1	168.4	161.9	(6.5)
Children's Services Baseline - Eligible Items Budgeted	266.6	207.2	207.2	-
Transitional Aged Youth Baseline - Requirement: 0.580% ADR	24.4	20.2	19.4	(0.8)
Transitional Aged Youth Baseline - Eligible Items Budgeted	31.4	32.4	32.4	-
Public Education Services Baseline: 0.290% ADR (50% GF)	11.4	10.1	9.7	(0.4)
Children and Youth Fund Property Tax Set-Aside: \$0.0375-0.4 per \$100 NAV	104.5	107.8	109.9	2.1
Public Education Enrichment Fund: 3.057% ADR	120.5	106.6	102.5	(4.1)
1/3 Annual Contribution to Preschool for All	40.2	35.5	34.2	(1.4)
2/3 Annual Contribution to SF Unified School District	80.3	71.1	68.3	(2.8)
<b>Subtotal Children's Services</b>	<b>534.4</b>	<b>464.1</b>	<b>461.7</b>	<b>(2.4)</b>
<b>Recreation and Parks</b>				
Open Space Property Tax Set-Aside: \$0.025 per \$100 NAV	65.3	67.4	68.7	1.3
Recreation & Parks Baseline - Requirement	76.2	76.2	76.2	-
Recreation & Parks Baseline - Budgeted	82.1	84.0	84.0	-
<b>Subtotal Recreation and Parks</b>	<b>147.4</b>	<b>151.4</b>	<b>152.7</b>	<b>1.3</b>
<b>Other Financial Baselines</b>				
Housing Trust Fund Requirement	36.8	39.6	39.6	-
Housing Trust Fund Budget	57.1	39.6	39.6	-
Dignity Fund	50.1	50.1	50.1	-
Street Tree Maintenance Fund	20.3	18.0	17.3	(0.7)
Municipal Symphony Baseline: \$0.00125 per \$100 NAV	3.5	3.8	3.8	-
City Services Auditor: 0.2% of Citywide Budget	20.1	22.9	22.9	-
Mission Bay Transportation Improvement Fund	7.6	7.4	3.2	(4.2)
<b>Subtotal Other Financial Baselines</b>	<b>158.6</b>	<b>141.7</b>	<b>136.8</b>	<b>(4.9)</b>
<b>* General Fund Impact</b>				<b>\$ (46.4)</b>

## D. Departmental General Fund-Supported Revenue and Expenditures

Table A-3. General Fund Supported Operations (\$ Millions)

	Expenditures - Revised Budget	Expenditures -Projected Year End	Revenue Surplus/ (Deficit)	Expenditure Savings/ (Deficit)	Net Surplus/ (Deficit)	Notes
City Administrator - General Fund	127.7	127.7	(1.6)	1.6	-	1
City Administrator - Convention Facilities Fund	55.9	55.9	(10.2)	1.1	(9.1)	2
City Planning	51.3	47.7	(19.4)	3.6	(15.7)	3
Fire	395.9	400.49	(8.5)	(4.6)	(13.1)	4
Public Works	78.4	74.7	(2.1)	0.3	(1.8)	5
Public Health	2,822.3	2,822.3	2.2	-	2.2	6
Human Services Agency	1,245.4	1,247.8	12.7	(2.4)	10.2	7
Recreation and Park - General Fund	101.2	101.2	(12.4)	-	(12.4)	8
Sheriff	245.1	258.14	0.5	(12.0)	(11.5)	9
<b>Total</b>			<b>(38.9)</b>	<b>(12.4)</b>	<b>(51.3)</b>	

**1 City Administrator – General Fund** The City Administrator’s Office anticipates a General Fund revenue shortfall of \$1.6 million, largely due to decreases in county clerk and marriage license fees from fewer in-person services. The department expects to fully offset the shortfall with expenditure savings.

**2 City Administrator – Convention Facilities Fund** The City’s Administrator’s Office anticipates a net \$9.1 million shortfall in the Convention Facilities Fund. Although events are still booked at the Moscone Center for spring of 2021, large events are unlikely to occur this fiscal year and therefore little if any revenue will be collected, resulting in net projected revenue shortfall of \$10.2 million. This is consistent with the City’s hotel tax projection assumptions. Anticipated expenditure savings of \$1.1 million in variable rate debt payments slightly offset the shortfall, resulting in a net shortfall of \$9.1 million.

Moscone Expansion District (MED) revenue projections have been updated to align to citywide hotel tax projections, adjusted for timing differences, and are marginally positive compared to budget. As with hotel tax revenues, these depend on the recovery of the hospitality industry in San Francisco, and could deteriorate, however, revenue stabilization reserves required by bond covenants and related interest earnings are projected obviate the need for General Fund backfill in FY 2020-21 and FY 2021-22.

**3 City Planning** The City Planning Department anticipates a \$19.4 million revenue shortfall, of which \$16.5 million is related to building permit review and \$2.8 million is related to planning applications. The shortfall is due to the closure of the Permit Center, metering of daily permit applications, and decline in activity given economic uncertainty. The department expects \$3.6 million of expenditure savings to partially offset the revenue shortfall, resulting in a net projected operating shortfall of \$15.7 million.

**4 Fire** The Fire department projects a net \$13.1 million shortfall, comprised of a \$8.5 million revenue shortfall and overspending of \$4.6 million. Revenue shortfalls are due to reduced fee revenue related to safety checks for new buildings and reductions and delays in collected license fees. Salary and fringe benefit spending is projected to exceed budget, primarily due to increased overtime related to COVID-related work and leave time.

**5 Public Works** Public Works projects to end the year with an operating deficit of \$1.8 million mainly due to a revenue deficit of \$2.1 million from shortfalls in Bureau of Street Use and Mapping permit fee revenue

of \$1.7 million and \$0.3 million in other licenses, fees, and permits revenue, both due to the shelter-in-place order. The department projects a net expenditure surplus of \$0.3 million, comprised of \$4.3 million in savings on grants to community based organizations for SOMA clean and the cancellation of the Interrupt, Predict and Organize (IPO) program, offset by overspending of \$3.9 million in salaries, fringe benefits, and overhead due to deployment of Public Works employees to COVID-19 response.

**6 Public Health** The Department of Public Health projects to end the year with a net operating surplus of \$2.2 million. This is due to a one-time increase inpatient revenue of \$3.9 million for Medi-Cal outpatient services, offset by a projected Health and Welfare Realignment revenue decrease of \$1.1 million and a \$0.6 million revenue decrease in Public Health due to the delay in the EPIC program implementation. Spending is anticipated to be within budget.

**7 Human Services Agency** The Human Services Agency projects to end the year with a net operating surplus of \$10.2 million. The department projects a net \$5.4 million surplus in Aid and Assistance programs, comprised of \$5.6 million in expenditure savings partially offset by a \$0.2 million revenue deficit. Expenditure savings are due to decreased caseload in the County Adult Assistance Program (CAAP) and reduced savings in CAAP Homeless Aid. The decreased CAAP caseload is primarily caused by the reinstatement of renewal requirements, which also led to the minor revenue shortfall. The department also projects a net \$4.9 million surplus in Operations and Administration, largely due to an increase in Medi-Cal funding.

**8 Recreation and Park Department – General Fund** The department expects a \$12.4 million General Fund revenue shortfall in rents, concessions, and service charges, due to closures of recreational facilities and activities related to the course of the COVID pandemic. The department projects no variance from its expenditure budget at this time.

**9 Sheriff** The Sheriff's Department projects to end the fiscal year with an operating deficit of \$11.5 million. A revenue surplus of \$0.5 million, primarily due to reimbursements for provided services of \$0.9 million, is offset by deficits in federal prisoner boarding revenue of \$0.3 million due to prisoner releases to protect inmates from COVID, and SSA payments of \$0.1 million due to falling prison populations. In addition, the department projects an expenditure deficit of \$12.0 million from deficits in non-work order salary and fringe benefits mainly due to \$8.0 million in increased overtime expenditures due to relocation of department staff from County Jail 4; \$0.7 million higher-than-budgeted work order services provided to DPH and DEM; and \$3.3 million in expenditures greater than budget for COVID response costs, civil unrest, and fire mutual aid. The Controller's Office will continue to work with the department to ensure it remains within budget.

## E. November 2020 Election Results

As of the publication of this report, the following ballot measures affecting the City's General Fund appear to have been passed by voters. Except for Proposition F, the expenditures and revenues associated with these ballot measures were not assumed in the budget. Table 5 below summarizes the fiscal impact of these measures versus the adopted budget. Many of the measures will not have a fiscal impact in the current year.

Table A-4: General Fund Impact of November 2020 Local Ballot Measures (\$ millions)

<b>November 2020 Local Ballot Measures</b>	<b>FY 2020-21</b>	
Prop B: Department of Sanitation and Streets, Sanitation and Streets Commission and Public Works Commission	-	1
Prop D: Sheriff Oversight	(0.1)	2
Prop F: Business Tax Overhaul	-	3
Prop H: Neighborhood Commercial Districts and City Planning	-	4
Prop I: Transfer Tax	11.4	5
Prop L: Executive Pay	-	6
<b>Surplus / (Shortfall) from Budget</b>	<b>11.3</b>	

**1 Passage of Proposition B (Department of Sanitation and Streets, Sanitation and Streets Commission, and Public Works Commission).** Proposition B divides the Department of Public Works into two departments: The Department of Sanitation and Streets, which will maintain City streets, City buildings, public restrooms, and street trees, and the Department of Public Works, which will continue to provide all other services provided by the current Department of Public Works. In addition, oversight committees will be created for both new departments. We estimate the cost will be between \$2.5 million and \$6.0 million beginning in FY 2022-23.

**2 Passage of Proposition D (Sheriff Oversight).** Proposition D creates the Sheriff's Department Office of Inspector General (OIG) and the Sheriff's Department Oversight Board. The OIG will monitor Sheriff Department operations, including investigative power over certain complaints and in-custody deaths and recommending disciplinary action if an employee violates department policy. The Oversight Board will have the power to appoint or remove the inspector general and seek input regarding the department's operations and jail conditions. Initial Oversight Board work begins in March 2021. Beginning in FY 2021-22, both the Board and OIG are expected to be fully implemented. We estimate the annual cost of this initiative to be approximately \$2.7 million.

**3 Passage of Proposition F (Business Tax Overhaul).** The measure overhauls business tax by eliminating the payroll tax; raising registration fees for larger businesses and decreasing them for smaller businesses; increasing gross receipts tax rates; increasing the administrative office tax rate; and imposing a commercial rent tax should the City lose the litigation concerning Proposition C from the June 2018 election. The adopted budget assumed passage of this measure.

**4 Passage of Proposition H (Neighborhood Commercial Districts and City Planning).** The measure amends the Planning Code for Neighborhood Commercial Districts to increase the types of permitted uses, including community facilities and restaurants, expedite the approval and inspection process for permits, and eliminate the public notification for permitted uses. We are not currently estimating any change from budget related to this initiative.

**5 Passage of Proposition I (Transfer Tax).** The measure increases the property transfer tax rate on transactions valued between \$10 million and less than \$25 million from 2.75% to 5.5%, and the rate on transactions valued at \$25 million and above from 3% to 6%. The budget did not assume revenue from this measure. Consistent with the assumptions for the City's existing transfer tax projection, this measure is anticipated to generate an additional \$14.4 million in the second half of FY 2020-21, or \$11.4 million after baseline allocations.



**6 Passage of Proposition L (Executive Pay).** The measure imposes a new tax on businesses in the City, where compensation of the businesses' highest-paid managerial employee compared to the median compensation paid to the businesses' employees based in the City exceeds a ratio of 100:1. The measure is projected to result in additional annual revenue to the city in the range of \$60 to \$140 million. Because the measure takes effect on January 1, 2022, revenues will not be received until FY 2022-23.

## F. COVID Emergency Response

Table A-5: COVID Emergency Response Revenues and Expenditures (\$ millions)

Department - Project	Budget			Projection			Surplus/ (Shortfall)
	Expenditures	Revenue		Expenditures	Revenue		
		FEMA + Grants	CARES CRF + General Fund		FEMA + Grants	CARES CRF + General Fund	
DEM - COVID Command, Joint Info. & Oth.	16.8	7.7	9.1	17.3	11.8	5.5	3.6
DPH - Isolation & Quarantine	16.7	8.3	8.3	22.5	11.2	11.2	(2.9)
DPH - PPE & Scarce Resources	59.7	-	59.7	30.5	-	30.5	29.2
DPH - Testing	56.9	28.0	29.0	78.5	39.3	39.3	(10.3)
DPH - CARES Provider Relief Fund	-	44.9	(44.9)	-	64.8	(64.8)	19.9
DPH - All Other	136.2	47.9	88.3	136.2	47.9	88.3	(0.0)
DPW - Expanded Pit Stops	17.5	8.0	9.5	13.8	6.6	7.3	2.3
HOM - SIP Hotels	178.7	175.4	3.3	198.5	188.0	10.5	(7.2)
HOM - RVs, Shelter & Safe Sleeping	38.8	34.3	4.4	29.1	19.9	9.2	(4.8)
HOM - Medical Support, Staffing & Oth.	9.6	8.7	0.9	3.9	2.8	1.2	(0.3)
HSA - Feeding	48.6	13.7	34.9	49.5	13.7	35.8	(0.9)
Contingency - Surge Allowance & Revenue Risk					(28.6)	28.6	(28.6)
Total	579.5	376.9	202.6	579.9	405.9	174.0	0.0

As shown on Table A-5, the revised expenditure budget for COVID-specific projects across five central departments providing emergency response care and services during the pandemic in FY 2020-21 is \$579.5 million. By far the largest source is \$247.8 million in Federal Emergency Management Agency (FEMA) reimbursements, which are contingent on the state of emergency, as determined by FEMA, continuing through June 2021. Other sources include \$129.1 million in intergovernmental payments, dedicated revenues, grants, and hospital charges for services and \$202.6 million of flexible General Fund revenue including CARES Act – Coronavirus Relief Fund (CRF) monies and General Fund support.

We are not currently projecting a variance from budget given the unpredictable nature of the health emergency and evolving guidance on allowable uses of funds. Detail about each major department providing COVID response services and known revenue and expenditure changes in programmatic areas is provided below.

**1 Department of Public Health (DPH)** Funds support programs including hospital response, COVID testing, personal protective equipment for City staff and non-profit partners, contact tracing, and isolation and quarantine hotels, among other efforts.

- **Personal Protective Equipment (PPE)** Due to the significant inventory of PPE acquired in FY 2019-20 and current non-surge levels of COVID in the City, the \$59.7 million of budget authority available in FY 2020-21 is expected to be underspent by approximately \$29.2 million.
- **Testing.** The public COVID testing sites operated by DPH are currently exceeding the anticipated monthly volume of unreimbursed tests resulting a projected shortfall of \$10.3 million. DPH is

actively exploring changes to billing and protocols to increase insurance reimbursement of these costs. Should additional testing programs be developed for community members and schools, expenditures will vary further from budget.

**2 Department of Homelessness and Supportive Housing (HOM)** HOM is providing continued emergency response for people experiencing homelessness during the pandemic. This includes an RV site, a congregate shelter site, Safe Sleeping program, and the Shelter in Place (SIP) hotel program.

- ***Shelter in Place (SIP) Hotel Program.*** The pace for winding down this program by rehousing clients is slower than anticipated and several programmatic costs are expected to exceed original budget projections. These expenditure overages are projected to be partially offset by additional FEMA reimbursements. FEMA will only reimburse the costs of non-congregate shelter for clients who meet the FEMA criteria for vulnerability in the pandemic due to age (65 or older) or an underlying health condition. Initial review of clients shows a lower level of FEMA eligibility compared to budget. The value of the resulting revenue loss is not yet known but is expected to be material – exacerbating the projected deficit of \$7.2 million reflected in this report.
- ***Congregate Shelter and Safe Sleeping Program.*** In September of 2020, FEMA released new guidance on the eligibility of services for reimbursement during the COVID emergency. According to this guidance, congregate shelter is not an eligible intervention after September 15, 2020. Despite reduced expenditure levels, the revenue loss results in a projected deficit of \$4.8 million.

**3 Human Services Agency (HSA)** HSA is operating expanded feeding programs during the COVID emergency including the Great Plates program, which provides three restaurant-delivered meals a day to older adults; groceries through food pantries; and meals to those isolating and quarantining due to COVID exposure or a positive test. The cost of continuing to serve clients not deemed eligible by the State during extensions of the Great Plates program is driving the projected deficit of \$0.9 million. Continued extension of the program may increase costs in future projection updates.

**4 Department of Public Works (DPW)** The department's COVID budget includes funding to temporarily expand the Pit Stop program by extending hours at existing sites and adding new locations. Lower than anticipated service levels result in a projected \$2.3 million surplus.

**5 Department of Emergency Management (DEM)** The department's COVID budget supports the staffing and operations of the COVID Central Command headquartered in the Moscone Center South and ancillary programming including the Joint Information Center. Higher than anticipated FEMA eligibility of costs support the projected surplus of \$3.6 million in the department's programs.

### Key COVID Response Revenues

The revenue contingency in Table 6 reflects the high level of uncertainty in the key funding streams:

- **FEMA Reimbursement.** The budget assumes the emergency declaration that provides for FEMA cost sharing continues through the current fiscal year. The current declaration has been indefinitely extended. FEMA will provide a minimum of 30 days' notice prior to the ending of the declaration. Certain programs, notably the non-congregate shelter efforts and the Great Plates food program, are separately authorized by FEMA on a 30-day basis.
- **CARES Act Coronavirus Relief Fund (CRF).** The budget assumed \$82.1 million of CRF revenue to cover costs incurred to respond to the emergency, including those not reimbursed by FEMA.

Actual FY 2019-20 uses were \$3.4 million higher than expected, reducing the amount available for FY 2020-21 lower by a like amount. The City has already received these funds, and now must demonstrate enough eligible uses by December 30, 2020 in order to retain them. As of October, \$37 million remains to be drawn down.

## Reserve Status

Projected reserve ending balances in Table A-6 are based on pre-audit results for FY 2019-20. Pre-audit General Fund revenues ended higher than projected in August 2020. As a result, the FY 2019-20 ending balance of the Budget Stabilization Reserve is higher than previously assumed, and the maximum allowable withdrawal from it may be increased by \$4.6 million in FY 2020-21 and \$7.6 million in FY 2021-22 above the budgeted levels shown below.

Table A-6: Projected Reserve Balances, FY 2019-20 through FY 2021-22

	FY19-20	FY 2020-21		FY 2021-22				
	Projected Ending Balance	Deposits	Withdrawals	Projected Ending Balance	Deposits	Withdrawals	Projected Ending Balance	Note
<b>General Reserve*</b>	<b>78.5</b>	-	-	<b>78.5</b>	-	-	<b>78.5</b>	1
Rainy Day Economic Stabilization City Reserve	229.1	-	(114.5)	114.5	-	(57.3)	57.3	2
Budget Stabilization Reserve	307.8	-	(42.0)	265.8	-	(125.3)	140.5	3
<b>Subtotal Economic Stabilization Reserves</b>	<b>536.8</b>	-	<b>(156.5)</b>	<b>380.3</b>	-	<b>(182.6)</b>	<b>197.7</b>	
<b>Percent of General Fund Revenues</b>	<b>10.0%</b>			<b>7.5%</b>			<b>3.8%</b>	
COVID Response and Economic Loss Reserve	507.4	-	-	507.4	-	-	507.4	4
Budget Stabilization Reserve - One Time Reserve	48.6	-	-	48.6	-	-	48.6	
Business Tax Stabilization Reserve	-	149.0	-	149.0	-	(149.0)	-	5
Public Health Management Reserve	111.1	-	-	111.1	-	-	111.1	6
Rainy Day Economic Stabilization SFUSD Reserve	34.5	-	-	34.5	-	-	34.5	3
Recreation & Parks Savings Incentive Reserve	0.8	-	-	0.8	-	-	0.8	7
<b>Subtotal</b>	<b>702.5</b>	<b>149.0</b>	<b>-</b>	<b>851.5</b>	<b>-</b>	<b>(149.0)</b>	<b>702.5</b>	
<b>Annual Operating Reserves</b>								
Litigation Reserve	49.2	11.0	(60.2)	-	11.0	(11.0)	-	8
Salary and Benefits Reserve	25.4	23.5	(48.8)	-	23.5	(23.5)	-	10
<b>Total, All Reserves</b>	<b>1,317.8</b>	<b>188.0</b>	<b>(270.0)</b>	<b>1,310.3</b>	<b>39.0</b>	<b>(370.6)</b>	<b>978.7</b>	

\* A deposit of \$0.9million was budgeted in FY 2021-22 to the General Reserve. Based on the latest revenue projection, this deposit is no longer required.

## Other Funds

Projected operating results for select funds outside the General Fund are shown in Table A-7.

**Table A-7. Other Fund Highlights (\$ millions)**

	Prior Year		FY 2020-21				FY 2021-22		
	FY 2019-20	Fund Balance	Beginning Fund Balance	Revenue Surplus/ (Deficit)	Expenditure Savings/ (Deficit)	Net Operating Surplus/ (Deficit)	Estimated Ending Fund Balance	Fund Balance Used in FY 2021-22 Budget	Notes
	Year End Fund Balance	Used in FY 2020-21 Budget							
Airport Operating Funds	116.7	77.2	39.5	(21.4)	47.6	26.2	65.7	-	1
MTA Operating Funds	332.6	147.5	185.0	(182.4)	144.6	(37.8)	147.2	39.1	2
Port Operating Funds	68.3	55.1	13.2	-	-	-	13.2	8.5	3
PUC Hetch Hetchy Operating Funds	37.6	-	37.6	(1.6)	40.8	39.2	76.8	-	4
PUC Wastewater Operating Funds	211.9	12.1	199.8	(1.3)	11.8	10.5	210.3	-	5
PUC Water Operating Funds	230.8	27.8	203.1	11.2	14.9	26.1	229.2	22.8	6
PUC Clean Power Funds	31.2	-	31.2	(0.4)	19.6	19.2	50.4	-	7
Recreation and Park - Marina Fund	(0.8)	-	(0.8)	(1.0)	-	(1.0)	(1.8)	-	8
Recreation and Park - Golf Fund	5.9	-	5.9	(4.5)	-	(4.5)	1.4	-	9

**1 Airport Operating Funds** The Airport began the fiscal year with \$39.5 million in available fund balance after a budgeted use of \$77.2 million. The department projects a revenue deficit of \$21.4 million and expenditure savings of \$47.6 million, for a net operating surplus of \$26.2 million.

The Airport's revenue deficit is due to over 50% fewer enplaned passengers versus prior projections due to the COVID-19 pandemic. Airline revenues, which include landing fees and terminal rents, are projected to be below budget by \$88.4 million. Non-airline revenues, which include duty free rentals, retail, parking, rental cars, ground transportation, and non-airline rentals, are projected to be \$176.0 million below budget. Federal stimulus grant funds of \$254.8 million will offset revenue losses. The department projects to have salary and benefit savings of \$7.4 million, non-personnel services savings of \$9.7 million, material and supply savings of \$1.2 million, capital outlay savings of \$3.5 million, and a savings of \$9.9 million in transfers out due to lower annual service payments to the General Fund, resulting in an operating fund balance at fiscal year-end of \$65.7 million.

**2 MTA Operating Funds** MTA began the fiscal year with \$185.0 million in available fund balance. The department projects to end the year with a \$37.8 million operating deficit due to a revenue deficit of \$182.4 million, which is partly offset by expenditure savings of \$144.6 million. The revenue deficit results from a \$34.1 million reduction in General Fund baselines; a \$97.3 million deficit in transit fare revenue from capacity restrictions; and a \$51 million deficit in parking and traffic revenue from the slow return of citation and garage revenues, discounts applied during shelter-in-place, loss of meter revenue to Shared Spaces, and delayed roll-out of evening and Sunday meters. The expenditure surplus is due to \$55.2 million surplus in personnel costs net of overhead cost allocations from a current hiring freeze; \$38.9 million surplus in non-personnel services; \$25.2 million surplus in materials and supplies; \$5 million surplus in judgments, claims, and workers compensation; \$4.8 million surplus in taxes, licenses, and permits; and \$15.5 million surplus from reserves that will remain unspent. MTA operating funds are projected to end the fiscal year with a balance of \$147.2 million, of which \$39.1 million has been appropriated in the previously approved FY 2021-22 budget.

**3 Port Operating Funds** The Port projects to be within budget. While some revenues from parking meters and fines is higher than expected for the first quarter, these are expected to be offset by rent forgiveness and deferrals. Expenditures are projected to remain within budget.

**4 Public Utilities Commission - Hetch Hetchy Operating Funds** The Hetch Hetchy Operating Fund began the fiscal year with \$37.6 million in available operating fund balance. The Fund is projected to end the year with a net operating surplus of \$39.2 million due to revenue shortfalls of \$1.6 million offset by \$40.8 million of expenditure savings. The revenue deficit is due to \$1.9 million in lower-than-budgeted retail electric sales, and \$1.4 million less in natural gas and steam revenue due to the shelter-in-place orders, offset by \$1.7 million of higher-than-budgeted wholesale electric sales revenue due to higher prices. Expenditure savings of \$40.8 million are due to savings of \$0.8 million in personnel costs from vacancies; \$9.8 million less in power purchases due to lower purchase prices; \$1.4 million less than budget for natural gas and steam purchase due to reduced on-site activity at city departments; \$27.3 million of savings from closeouts of prior-year projects; and \$1.5 million in savings from a budgeted reserve deposit that will not be made. The Fund is projected to end the fiscal year with a balance of \$76.8 million.

**5 Public Utilities Commission - Wastewater Operating Funds** The Wastewater Operating Fund began the fiscal year with \$199.8 million in available operating fund balance. The Fund is projected to end the year with a net operating surplus of \$10.5 million due to a revenue deficit of \$1.3 million offset by expenditure savings of \$11.8 million. The revenue deficit is from lower-than-budgeted sewer service charges of \$1.1 million due to customer discount programs and lower discharge volumes caused by the shelter-in-place orders, and a \$0.2 million deficit in miscellaneous income due to a moratorium on collections. Expenditure savings are from \$1.0 million of personnel cost savings from position vacancies and \$10.8 million of savings from closeouts of prior-year capital and programmatic projects. The Fund is projected to end the fiscal year with a balance of \$210.3 million.

**6 Public Utilities Commission - Water Operating Funds** The Water Operating Fund began the fiscal year with \$203.1 million in available operating fund balance. The Fund is projected to end the year with a net operating surplus of \$26.1 million given a revenue surplus of \$11.2 million and expenditure savings of \$14.9 million. The revenue surplus is from \$19.4 million of wholesale water sales from higher-than-budgeted sales volume, which is partially offset by a \$3.4 million deficit in retail water sales revenue from customer discount programs and lower volumes of water sales to commercial customers due to the shelter-in-place order; and a \$4.8 million deficit in miscellaneous income due to reductions in water service installations. Expenditure savings include \$0.9 million of personnel cost savings from position vacancies, \$5.0 million of debt service savings from refunding of Water Revenue Bonds, and \$9.0 million of savings from closeouts of prior-year capital and programmatic projects. The Fund is projected to end the fiscal year with a balance of \$229.2 million, of which \$22.8 million has been appropriated in the Board approved FY 2021-22 budget.

**7 Public Utilities Commission - Clean Power Funds** The Clean Power Fund began the fiscal year with \$31.2 million of available operating fund balance. It is projected to end the year with a net operating surplus of \$19.2 million due to a revenue deficit of \$0.4 million offset by expenditure savings of \$19.6 million. The revenue deficit is due to \$0.8 million less than budget in product electric sales, offset by Supergreen product electric sales revenue surplus of \$0.4 million beyond budget from customer accounts. Expenditure savings include \$15.5 million of savings from budgeted reserve deposits that will not be made, \$1.0 million of personnel cost savings from vacancies, and \$3.1 million of power purchase savings. The Fund is projected to end the fiscal year with a balance of \$50.4 million.

**8 Recreation and Park Department – Marina Annual Fund** The Marina Fund began the fiscal year with an abnormal operating fund balance of negative \$0.8 million. The department projects a \$1.0 million revenue shortfall due to reduced rent and concession revenue and reduced marina fees.

**9 Recreation and Park Department –Golf Annual Fund** The Golf Fund began the fiscal year with \$5.9 million of available operating funding balance. The department projects to end the year with a \$4.5 million shortfall, due to reduced golf fees and concession revenues. Expenditures are projected to be within budget. The Fund is projected to end the fiscal year with a balance of \$1.4 million.

**From:** Board of Supervisors, (BOS)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [BOS-Operations](#)  
**Subject:** FW: Response to Letter of Inquiry  
**Date:** Thursday, November 12, 2020 4:02:00 PM  
**Attachments:** [DPH DEM Response to Sup Fewer + Sup Peskin 11.11.2020.pdf](#)

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**From:** Fleisher, Arielle (DPH) <arielle.fleisher@sfdph.org>  
**Sent:** Wednesday, November 11, 2020 1:40 PM  
**To:** Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>  
**Cc:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Boilard, Chelsea (BOS) <chelsea.boilard@sfgov.org>; Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>  
**Subject:** Response to Letter of Inquiry

Dear Supervisor Fewer and Supervisor Peskin:

Please see attached for a joint response from the Department of Public Health and Department of Emergency Management in reply to your Letter of Inquiry dated October 27, 2020.

The Department of Public Health and the Department of Emergency Management are prioritizing vulnerable populations in our pandemic response to ensure their safety and health. We are committed to providing culturally-competent and accurate information, resources, and testing to San Francisco's API community. Please see our attached letter for more.

Please let us know if you have any additional questions.

Arielle

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**Arielle Fleisher**

Liaison to the Board of Supervisors

San Francisco Department of Public Health

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City and County of San Francisco  
London N. Breed  
Mayor

**San Francisco Department of Public Health**

Grant Colfax, MD  
Director of Health

**San Francisco Department of Emergency Management**

Mary Ellen Carroll  
Executive Director

November 11, 2020

To: Supervisor Sandra Lee Fewer  
Supervisor Aaron Peskin

From: Dr. Grant Colfax, Director of Public Health  
Mary Ellen Carroll, Executive Director, Department of Emergency Management

RE: Response to Letter of Inquiry, dated October 27, 2020.

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Thank you for the opportunity to respond to this important issue.

San Francisco currently has the lowest hospitalization rate since the pandemic started and the lowest death rate than any other urban city throughout the nation. San Francisco is leading the nation, state and the Bay Area in testing, averaging 5,000 tests per day. Nevertheless, as of today, a total of 151 San Franciscans with COVID-19 have died.

Asian Pacific Islander Americans (API) make up 12.3% of all COVID-19 cases, 38% of COVID-19 deaths and 34% of San Francisco's population. The Asian population-based death rate at 16.96/100,000 is no different than the overall San Francisco death rate of 15.29/100,000. The Asian American community currently has a test positivity rate of 1.6% which is lower than San Francisco's overall test positivity rate of 2.4%.

We know that many API deaths were among people over 60 years of age, which puts people at higher risk for complications if they contract COVID-19. Asians have the highest proportion of cases over age 65 (22%); Pacific Islanders (and Black or African Americans) have the second highest at 14-15%. In addition, the high case-based death rate can also be attributed to a high proportion of deaths at Skilled Nursing Facilities: 23 of the Asian deaths occurred in Skilled Nursing Facilities and represent 74% of Skilled Nursing Facility deaths.

The Department of Public Health (DPH) and the Department of Emergency Management (DEM) are prioritizing vulnerable populations in our pandemic response to ensure their safety and health and are committed to providing culturally-competent and accurate information, resources and testing to San Francisco's API community.



**Inquiry 1: How we are reaching our most vulnerable, monolingual API communities in a culturally-competent and accessible manner?**

DPH and DEM are committed to providing information and resources to our most vulnerable, monolingual API communities in a culturally-competent and accessible manner.

We are translating information and materials into multiple languages: Since the beginning of the COVID-19 response effort, DEM and DPH, through the COVID Command Center (CCC), have proactively translated COVID-19 related public health and public safety information into multiple languages, including the threshold languages of Chinese, Filipino and Spanish, as required by the Language Access Ordinance. In addition, we translated the information into Vietnamese, Arabic and Russian. Some additional information is being translated into Khmer, Laotian and Thai.

We are regularly engaging with CBOs: Additionally, the CCC engages regularly with many API community-based organizations (CBOs) to promote and disseminate COVID-19 related information, including the translated materials created by the CCC. These CBOs include the API Council, API Health Parity Coalition, NICOS, Chinatown Community Development Center (CCDC), Self Help for the Elderly, Chinese Hospital, Chinese Chamber of Commerce, Chinese Consolidated Benevolent Association (Chinese Six Companies), Chinese for Affirmative Action, Chinatown YMCA, Southeast Asian Community Development Center, Gum Moon Women's Resource Center, Community Youth Center (CYC) and many others. Additionally, the CCC participates in the biweekly meetings of the API Health Parity Coalition and NICOS.

During the early months of the City's COVID-19 response efforts, from January to March of 2020, much of the outreach and engagement was focused within the Chinese American and Chinatown communities. DPH and DEM began conducting community education and outreach in Chinatown and with the Chinese speaking community on January 23, 2020. Since that time, we have conducted dozens of community education events, media engagements, neighborhood canvassing and virtual meetings focused on Chinatown and the larger Chinese speaking community in San Francisco.

In addition, we have conducted extensive outreach and engagement to Single Room Occupancy Hotels (SROs). We met with Chinatown community leaders and with the leadership at Chinese Hospital to plan a collaborative response to COVID-19 cases in SROs in Chinatown. We are also setting up recurring meetings with SRO collaboratives to hear their concerns, provide information and updates, and to strategize together how to optimize COVID-19 prevention for SRO residents and others disproportionately impacted by COVID-19.

We are working closely with the local Chinese language media: Since Mayor Breed's first COVID-19 press conference on January 27, 2020, we have ensured that Chinese speaking public information officers provide in-language interviews for all COVID-19 related press conferences. Since May 2020, the CCC has consistently held a weekly Chinese language media roundtable to provide COVID-19 updates to the local Chinese language media. Reporters from Sing Tao Daily, World Journal, China Press, KTSF-26, Skylink TV, and Bay Area Metro Radio AM 1400 have consistently attended the weekly media roundtables and provide updates through their television, radio, and newspaper platforms that reach the local San Francisco Bay Area Chinese language audience.

The CCC weekly Chinese language media roundtables are also made available to the public on the SFGovTV YouTube channel and the City and County of San Francisco's Facebook page. People can rewatch the roundtables on YouTube and Facebook.

Finally, the CCC has also purchased paid advertisements on local Chinese language television, radio, and social media platforms to run Chinese language PSAs on COVID-19 prevention, health, and public safety information.

**Inquiry 2: Whether we are adequately conveying information and resources to address unique barriers for the API community for Testing:**

- **How to register; whether registration interface and processes are available in-language;**
- **Our ability to engage/ leverage the strength of trusted health providers that have a demonstrated history of working with communities;**
- **Availability of testing sites in proximity to Asian American communities**

DPH and DEM recognize that the API community faces unique barriers to COVID-19 testing. We are employing several different tactics and strategies to address this issue and to ensure that members of the API community can adequately and efficiently access testing resources.

We are hosting culturally-competent community testing pop-up sites in neighborhoods with large concentrations of API residents and/or businesses in partnership with trusted health leaders.

Since August, we have engaged in conversations with our various API community organizations regarding the need to expand testing in Chinatown, the Tenderloin, Portola, Visitacion Valley, Japantown, Ocean View, Merced Heights, Ingleside (OMI), and other parts of San Francisco with a large concentration of API residents.

In **Chinatown**, we worked directly with Chinese Hospital, NICOS, Chinatown Community Development Center, Self Help for the Elderly, as well as with Supervisor Peskin's Office to

identify Portsmouth Square as the key location to establish a mobile pop-up COVID-19 testing site. 432 people were tested on Friday, November 6, and 392 people were tested on Friday, October 30, 2020, at the Portsmouth Square mobile testing site. Approximately half of the 392 individuals tested were drop-ins. All results for COVID-19 were negative for individuals tested at Portsmouth Square on those two dates.

For the Chinatown pop-up testing site participants had the option of pre-registering by calling Chinese Hospital; Chinese speaking staff conducted telephone registration. We worked with Chinese Hospital to provide bilingual staff for on-site registration, post-test counseling and test result follow up. Additionally, the CCC reached out to all the major CBOs in Chinatown and provided them with 30 slots to pre-register their clients. CBOs including CCDC, Self Help for the Elderly, CYC, Gum Moon Women's Residence, Chinese Newcomers Services Center, Chinatown YMCA submitted pre-registration lists on behalf of their members and staff.

On both dates, the drop-in testing for individuals without appointments took place from 1-3 p.m. Approximately two-thirds of all individuals who were tested were drop-ins.

The CCC and DPH are further partnering with NICOS, along with staff from Self Help for the Elderly and the Chinatown YMCA to provide COVID-19 response work to SROs with positive cases. NICOS sent staff from Self Help for the Elderly to conduct response work at the SRO on the 700 block of Clay Street during an outbreak in August 2020.

In the **Portola/San Bruno Avenue Business Corridor**, the CCC directly worked with NEMS, Portola Family Services, Supervisor Ronen's Office, and the merchants along San Bruno Avenue to identify and establish pop-up testing at the MTA owned 25 Felton Street Parking Lot. 129 tests were conducted at the site on Tuesday, October 27, 2020, and all results were negative for COVID-19. Another pop-up testing date took place on November 10. Testing was available from 9 a.m. to 5 p.m.; no appointment was needed.

In the **Tenderloin**, the CCC worked directly with the Southeast Asian Development Center (SEADC) to serve Vietnamese, Khmer, Laotian, and Thai speaking communities living in the Tenderloin. A pop-up testing site was held on Wednesday, October 14, 2020, outside of the SEADC office. SEADC promoted the event to all their members who came to their weekly food pantry giveaway and provided Vietnamese, Khmer, Laotian, and Thai interpretation.

In **Japantown**, the CCC worked directly with the Japantown Community Benefit District, Japantown Task Force, Japanese Cultural & Community Center of Northern California, Henri and Tomoye Takahashi Charitable Foundation, and the Japantown Merchants Association to support and enable in-community testing. We held testing on Wednesday, November 4, and will

do so again on Tuesday, November 17, at the Japantown Peace Plaza. Pre-registration is being coordinated with the Japantown CBOs. Priority for testing is given to seniors.

In **Visitacion Valley**, the CCC is in negotiation to finalize the specifics to conduct pop-up testing at 50 Raymond Street on the weekends. We are also coordinating with Supervisor Shamann Walton's Office to conduct additional testing in District 10.

In addition, testing was available at the **Bayview Opera House**, which served the Latino and Chinese communities that takes advantage of its food program. More than 1,500 people have been tested at this site. We also have a community testing site every Friday at 50 Broad Street at Catholic Charities in the **OMI neighborhood**. Outreach materials are translated into Chinese, and we have staffing in Chinese and Vietnamese. Approximately 150 to 200 people are tested every Friday. We also held a pop-up testing event at the First Samoan Congregational Christian Church in partnership with Samoan Community Development Center.

Finally, we are in the process of exploring testing in the **Richmond District**, potentially at the SFMTA surface lot on Ninth Avenue. We are coordinating with Supervisor Fewer's Office.

While the strong turnout at the pop-up sites is evidence of the success of our in-language and culturally-competent outreach, test results are not provided in languages other than English and Spanish. We are addressing this shortcoming in the forthcoming Testing Request for Proposal which is holding testing contractors to a higher standard for equity access and language accommodations.

**Inquiry 3: Systems and protocols for providing individuals timely and accurate information regarding resources and supports available for if/when someone may COVID-positive.**

DPH has established comprehensive systems and protocols to provide culturally responsive and linguistically appropriate support for vulnerable populations most impacted by COVID-19 and for people with COVID-19 positive results.

We are supporting community-based organizations to provide support and assistance to vulnerable populations most impacted by COVID-19. We are also demystifying information about available resources.

Currently, individuals who test positive receive a referral to an Isolation & Quarantine hotel if they cannot safely isolate where they live. If they decline and choose to isolate at home or elsewhere, they are offered support services such as delivered meals, hygiene supplies and mental health assistance.

Recognizing that community organizations that have supported San Francisco's most vulnerable communities are in the unique position to understand the holistic needs of their fellow residents, DPH, in partnership with the San Francisco Public Health Foundation, established a \$5.25 million grant program to provide support to CBOs to provide COVID-19 response. The funding is reserved for populations and neighborhoods that have the greatest disparities in COVID-19 cases and will support prevention, mitigation, and wellness services for vulnerable populations at higher risk for acquiring and/or transmitting COVID-19.

The funding will cover testing support, including participant registration, pre- and post-test counseling, linkage to needed services, care packages with PPE, hand sanitizer, and clear information about isolation and quarantine options, as well as supportive after-care services and case management for people who test positive for COVID-19. The funding will also help establish a Community Case Investigation/Contact Tracing (CI/CT) Training Center. DPH currently partners with staff from CBOs to provide culturally competent case investigation, contact tracing, and isolation and quarantine support. To expand and strengthen this effort, DPH is seeking to partner with a community-based organization to serve as the community-based COVID-19 response training center.

In addition, the CCC is now partnering with Chinese restaurants through the SF New Deals to provide culturally-competent meals post-COVID-19 testing in Chinatown SROs. We are also in the process of developing videos describing Isolation & Quarantine units, including what they are, how they look, how long one stays there, how one gets food while in a unit, and if family will be able to come along.

#### **Inquiry 4: An action plan in response to address cases and deaths in the Asian American community per COVID-19 data.**

DPH and DEM have and will continue to provide resources and support to the Asian American community to prevent COVID-19. We are employing the following strategies to address this issue:

We are offering regular and consistent COVID-19 testing in API communities as aligned with our data-driven testing strategy, partnering with community-based organizations to provide culturally-competent and in-language information about prevention and testing options, and working with the ethnic media to disseminate messages to the API community. In addition, we are providing funding to enable community-based organizations with deep connections to those most impacted by COVID-19 to lead the planning and implementation for outreach and care, as well as case investigation and contact tracing. SROs and congregate residential facilities are a

priority focus of our outreach efforts. We are working with these sites to promote prevention measures, such as masking and cleaning, to ensure the safety of the residents.

DPH is also actively working to address the places where we are falling short of meeting the needs of the API community. We are in the process of collaborating with API community members to develop a strategic plan detailing how the CCC can successfully serve the API Community during the duration of the COVID-19 pandemic. As part of this effort we are identifying barriers and obstacles to testing, prevention, and care, and addressing the gaps. We are, for example, working to disaggregate EPIC or hospital and community health center COVID-19 API data to inform an appropriate, efficient, and effective response. Already, Color disaggregated API ethnicity when registering for a test. Registrants can choose Cambodian, Chinese, Filipino, Indian, Japanese, Korean, Laotian, Vietnamese, Guamanian, Hawaiian and/or Samoan. We are also working to expand translations of COVID-19 educational materials and videos into Thai, Lao, Khmer, Mongolian, Samoan, and Arabic.

Once again thank you for the opportunity to address these questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "G. Colfax", is positioned above the typed name of Dr. Grant Colfax.

Dr. Grant Colfax  
Director of Health  
San Francisco Department of Public Health

/s/

Mary Ellen Carroll  
Executive Director  
San Francisco Department of Emergency Management

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: CPUC - Verizon Wireless - City of San Francisco-SF MARINA 031 - A-414166  
**Date:** Monday, November 9, 2020 1:30:00 PM  
**Attachments:** [CPUC\\_1153.pdf](#)

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**From:** CPUC Team <westareacpuc@verizonwireless.com>  
**Sent:** Monday, November 9, 2020 7:02 AM  
**To:** GO159Areports@cpuc.ca.gov  
**Cc:** westareacpuc@verizonwireless.com; CPC.Wireless <CPC.Wireless@sfgov.org>; Administrator, City (ADM) <city.administrator@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; clarence.chavis@verizonwireless.com  
**Subject:** CPUC - Verizon Wireless - City of San Francisco-SF MARINA 031 - A-414166

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

This is to provide your agency with notice according to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California ("CPUC") see attachment.  
This notice is being provided pursuant to Section IV.C.2.

Nov 09, 2020

Consumer Protection and Enforcement Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
GO159Areports@cpuc.ca.gov

RE: Notification Letter for      SF MARINA 031 - A  
   SF PAC HEIGHTS 006 - A

SAN FRANCISCO, CA /GTE Mobilnet California LP

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This is to provide the Commission with notice according to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California ( "CPUC") for the project described in Attachment A.

A copy of this notification letter is also being provided to the appropriate local government agency for its information. Should there be any questions regarding this project, or if you disagree with any of the information contained herein, please contact the representative below.

Verizon Wireless

Ann Goldstein  
Coordinator RE & Compliance - West Territory  
1515 Woodfield Road, #1400  
Schaumburg, IL 60173  
WestAreaCPUC@VerizonWireless.com



JURISDICTION	PLANNING MANAGER	CITY MANAGER	CITY CLERK	DIRECTOR OF SCHOOL BOARD	COUNTY
City of San Francisco	CPC.Wireless@sfgov.org	city.administrator@sfgov.org	Board.of.Supervisors@sfgov.org		San Francisco

VZW Legal Entity		Site Name		Site Address		Tower Design	Size of Building or NA
GTE Mobilnet California LP		SF MARINA 031 - A		2264 Beach St., SAN FRANCISCO , CA94123		PUBLIC LIGHT (FREE STANDING)	N/A
Site Latitude	Site Longitude	PS Location Code	Tower Appearance	Tower Height (in feet)	Type of Approval	Approval Issue Date	
37°48'12.32"N	122°26'46.781"W	414166	Antenna Rad 27.7	31.92	Permitting	08/17/2020	

Project Description: THIS IS AN UNMANNED WIRELESS TELECOMMUNICATION FACILITY CONSISTING OF THE INSTALLATION AND OPERATION OF AN ANTENNA AND ASSOCIATED EQUIPMENT ON A REPLACEMENT SAN FRANCISCO PUBLIC UTILITIES COMMISSION CONCRETE LIGHT POLE IN THE PUBLIC RIGHT OF WAY.

5G Configuration: 2 count of 6701 antenna.

Azimuth 120, 240

4G Configuration: VVSSP-360S-M at 80

Radios: (1) 4455

VZW Legal Entity		Site Name		Site Address		Tower Design	Size of Building or NA
GTE Mobilnet California LP		SF PAC HEIGHTS 006 - A		475 EUCLID AVE, SAN FRANCISCO , CA94118		PUBLIC LIGHT (FREE STANDING)	N/A
Site Latitude	Site Longitude	PS Location Code	Tower Appearance	Tower Height (in feet)	Type of Approval	Approval Issue Date	
37°47'2.177"N	122°27'14.742"W	414898	Antenna Rad 25	29	Permitting	08/17/2020	

Project Description: THIS IS AN UNMANNED WIRELESS

TELECOMMUNICATION FACILITY  
CONSISTING OF THE INSTALLATION AND  
OPERATION OF AN ANTENNA AND  
ASSOCIATED EQUIPMENT ON A  
REPLACEMENT SAN FRANCISCO PUBLIC  
UTILITIES COMMISSION CONCRETE LIGHT  
POLE IN THE PUBLIC RIGHT OF WAY.

5G Configuration: 2 count of 6701 antenna.

Azimuth 120, 240

4G Configuration: VVSSP-360S-M at 80

Radios: (1) 4455



R A C H A E L   A .   T A N N E R

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October 29, 2020

Ann Lazarus, President  
Board of Appeals  
49 South Van Ness Ave, Suite 1475  
San Francisco, CA 94103  
*Delivered via electronic mail*

Dear President Lazarus,

I submit this letter of resignation from my position on the Board of Appeals effective immediately.

It has been an honor and pleasure to serve the residents of San Francisco through my participation on the Board of Appeals. Thank you for your leadership.

Should you have questions or seek further discussion, please reach out.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rachael Tanner', with a long horizontal flourish extending to the right.

Rachael Tanner

CC: Julie Rosenberg, Director, Board of Appeals  
Tyra Fennell, Mayor's Office, Director of Commissions and Community Liaison

**From:** [Mchugh, Eileen \(BOS\)](#)  
**To:** [Hickey, Jacqueline \(BOS\)](#)  
**Subject:** FW: Board President Nomination - Board of Appeals  
**Date:** Friday, November 13, 2020 11:17:57 AM  
**Attachments:** [Clerk's Memo 11.12.20.pdf](#)  
[Yee - Presidential Memo - Board of Appeals Nomination - Tina Chang 11.9.2020.pdf](#)  
[201108 BOA-App TChang.pdf](#)  
[201108 Form 700 19.20 IA TChang.pdf](#)  
[TiChang-1120.pdf](#)

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**From:** Mchugh, Eileen (BOS)  
**Sent:** Thursday, November 12, 2020 8:40 PM  
**To:** BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative\_aides@sfgov.org>; BOS-Administrative Aides <bos-administrative-aides@sfgov.org>  
**Cc:** Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Young, Victor (BOS) <victor.young@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Kittler, Sophia (MYR) <sophia.kittler@sfgov.org>; Peacock, Rebecca (MYR) <rebecca.peacock@sfgov.org>; PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>  
**Subject:** Board President Nomination - Board of Appeals

Hello,

The President of the Board of Supervisors submitted the attached complete nomination package. Please see the memo from the Clerk of the Board for more information and instructions.

Thank you,

Eileen McHugh  
 Executive Assistant  
 Board of Supervisors  
 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244  
 San Francisco, CA 94102-4689  
 Phone: (415) 554-5184 | Fax: (415) 554-5163  
[eileen.e.mchugh@sfgov.org](mailto:eileen.e.mchugh@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

**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**

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**MEMORANDUM**

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Date: November 12, 2020  
To: Members, Board of Supervisors  
From: *ACC* Angela Calvillo, Clerk of the Board  
Subject: Board President Nomination

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On November 10, 2020, the President of the Board of Supervisors submitted the following complete nomination package pursuant to Charter, Section 4.106.

**Tina Chang** - Board of Appeals - term ending July 1, 2022

If the Board fails to act on this nomination within 60 days (January 9, 2021) of the date the nomination is transmitted to the Clerk of the Board, the nominee shall be deemed approved as provided by Charter, Sections 4.106.

Pursuant to Board Rule 2.18.1, the Clerk of the Board shall refer the motion to the Rules Committee for a hearing as soon as possible.

c: Hillary Ronen - Rules Committee Chair  
Alisa Somera - Legislative Deputy  
Victor Young - Rules Clerk  
Anne Pearson - Deputy City Attorney  
Sophia Kittler - Mayor's Legislative Liaison

President, Board of Supervisors  
District 7



City and County of San Francisco

**NORMAN YEE**

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**NOMINATION MEMO**

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DATE: November 9, 2020

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: President Norman Yee *NY*

CC: Members of the Board of Supervisors  
Board Legislative Aides

SUBJECT: **Board of Appeals Nomination – Tina Chang**

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Dear Madam Clerk,

Pursuant to the Charter Section 4.106, I hereby nominate Tina Chang to Seat 2 on the Board of Appeals for a four-year term ending on July 1, 2022.

Tina Chang's address is:

[REDACTED]  
San Francisco, CA 94103

Attachments:

Application Form  
Resume  
Form 700

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Young, Victor \(BOS\)](#)  
**Subject:** FW: Letter of Support for Treasure Island Development Authority (TIDA), Julia Prochnik (File No. 201038)  
**Date:** Monday, November 9, 2020 1:56:00 PM

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**From:** Austin Hunter <austinhunter175@gmail.com>  
**Sent:** Monday, November 9, 2020 12:35 PM  
**To:** Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Re: Letter of Support for Treasure Island Development Authority (TIDA), Julia Prochnik

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

Dear Members of the Board of Supervisors,

My name is Austin Hunter and am writing in strong support of Julia Prochnik for the Treasure Island Development Authority (TIDA).

I serve on the Board of the San Francisco League of Conservation Voters, am a District Captain with Sister District San Francisco, and recently was the Regional Volunteer Leader for Joe Biden San Francisco. These positions have given me the background needed to help access if an individual should be considered for a leadership position based upon their skills and qualifications. I believe that Julie has the required experience for this position.

Julia has over 20 Years in executive public policy management and a wealth of knowledge in the electric industry. She understands the challenges facing the U.S. electricity sector in reducing carbon emissions, building renewable energy, creating markets and implementing a new clean energy vision. She is passionate about promoting energy, equity and leadership focusing on market and energy policy creation and implementation, while interpreting real-time grid operations and transmission planning. All skills that can help further TIDA's mission of promoting *planning, redevelopment, reconstruction, rehabilitation, reuse and conversion of the former Naval Station Treasure Island*.

I have also known Julia for years and in addition to seeing her stellar work in the environmental sector, she is deeply involved in her community including her work as president of the Lower Haight Merchants and Neighborhood Association. She also helped to spearhead ArtTrailSF, connecting neighborhoods with volunteers from Alamo Square, Divisadero, Hayes Valley and the Lower Haight. Their app on [Outerspatial](#) also creates the ultimate experience in traversing these unique neighborhoods and merchant corridors.

I have personally witnessed the many residents in the community who value her partnership and volunteerism. Welcoming her to TIDA will be a huge asset to the Treasure Island community and the overall ecosystem of commissioners who care about the future of San Francisco. .

I urge you to support Julia's nomination to the Treasure Island Development Authority.



--

Austin Hunter  
916-990-2433

[LinkedIn](#)  
[Facebook](#)  
[Instagram](#)

**From:** [Lee Ellen](#)  
**To:** [SFPD Chief \(POL\)](#); [SFPD Tenderloin Station \(POL\)](#); [SFPD Central Station \(POL\)](#); [SFPD Park Station \(POL\)](#); [SFPD Taraval Station \(POL\)](#); [SFPD Bayview Station \(POL\)](#); [SFPD Southern Station \(POL\)](#); [SFPD Ingleside Station \(POL\)](#); [SFPD Northern Station \(POL\)](#); [SFPD Mission Station \(POL\)](#); [Jean, Michelle \(POL\)](#); [Yick, Robert \(POL\)](#); [Woon, Chris \(POL\)](#); [Yep, Paul \(POL\)](#); [Pedrini, Christopher \(POL\)](#); [Falvey, Timothy \(POL\)](#); [Fabbri, Carl \(POL\)](#); [Terry C; Board of Supervisors \(BOS\)](#); [Breed, Mayor London \(MYR\)](#); [Fewer, Sandra \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Yee, Norman \(BOS\)](#); [MandelmanStaff \(BOS\)](#); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Breed, London \(MYR\)](#); [scheduling, Mayor's \(MYR\)](#); [Scott, William \(POL\)](#); [Lee Ellen](#)  
**Cc:** [Teresa Duque](#); [Eva Chao](#); [Jonathan RSF](#); [Sandra Skover](#); [Liz RSF Family](#); [Ellen Zhou](#); [Meina RSF](#); [Westside Observer](#); [letters@marinatimes.com](#); [newsroom@epochtimes.com](#); [Pji Info](#); [Acjl Info](#); [Center for American Liberty](#); [Harmeet Dhillon](#); [pmatier@schronicle.com](#); [editor@worldjournal.com](#); [editors@sfpublicpress.org](#); [Editor](#); [mbarba@sfxaminer.com](#); [Sing Tao USA \(newspaper\)](#); [DPH - teresaduke](#); [Wendy Wong](#); [Lou Ann Bassan](#)  
**Subject:** Stop abusing your public position There is NO HEALTH CRISIS for you to stop business from operation  
**Date:** Wednesday, November 11, 2020 1:42:00 PM

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

Wednesday, November 11, 2020

Happy Veteran's Day everyone.

Dear Mayor London Breed and Elected Officials,

According to health crisis codes, YOU, none of YOU have legal authorize to keep playing monkey business to destroy San Francisco and San Francisco business! See the law suit below, same as your situation in San Francisco. London Breed is in violation of our U.S. constitution! If we have a health crisis in San Francisco, you have 60 days to settle, that was already over from March to May 2020. STOP playing God to abuse your power!

We need a government with integrity, love and hope, not what we see everyday with lies and abuse! Please start focusing in developing public policies that are legal and good for San Franciscans to thrive! Save homeless from overdose! Heal the sick on the streets! Arrest drug dealers! Create effective laws to stop car break-ins! Review and create housing policies to fill the empty apartments! Thank you.

## Indoor dining shut down as SF rolls back reopening amid COVID-19 spike

Latest increase climbing at faster rate than previous summer surge [JOSHUA SABATINI](#)

<https://www.sfxaminer.com/news/indoor-dining-put-on-hold-as-sf-rolls-back-reopening-amid-covid-19-spike/>

Nov. 10, 2020 12:40 p.m.

# Court Declares Gov. Newsom's Abuse of Power Unconstitutional

*Judge issues injunction restraining the Gov. from any more unconstitutional orders*

By Katy Grimes, November 2, 2020 3:26 pm

<https://californiaglobe.com/section-2/breaking-court-declares-gov-newsoms-abuse-of-power-unconstitutional/>

## Judge Limits California Governor's Powers During Pandemic

A judge has preliminarily ordered California Gov. Gavin Newsom to stop issuing directives related to the coronavirus that might interfere with state law.

May God bless San Francisco!

*Ellen Lee Zhou, District 9 Resident*

For identification purpose

Member of Revival San Francisco

Behavioral Health Clinician for San Francisco Public Health

Mayoral Candidate June 2018 / November 2019

California Civil Grand Jury Member – San Francisco Chapter

cc:

San Francisco Police

Revival San Francisco

San Francisco Community Empowerment Center

San Francisco Coalition for Good Neighborhoods

Center for American Liberty

Pacific Justice Institute

American Center for Law and Justice

Media

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Major, Erica \(BOS\)](#)  
**Subject:** FW: Japantown (File No. 201056)  
**Date:** Friday, November 6, 2020 1:13:00 PM

---

**From:** Brooke Babcock <babcock.brooke@gmail.com>  
**Sent:** Friday, November 6, 2020 12:21 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Japantown

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

Gentlemen:

I'm writing to urge you to protect all the small Japanese businesses in Japantown. As a senior resident of The Sequoias a block from Japantown, my life is enriched by the variety of Japanese restaurants and shops there. Please don't let the landlords evict them!

Sincerely,  
Brooke S. Babcock

--

Brooke Babcock  
(415) 334-3455  
1400 Geary Blvd., Apt. 6-B  
San Francisco, CA 94109

October 15, 2020

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

Dear Mayor Breed and the SF Board of Supervisors: 2020 NOV -6 AM 2:21

BY 

I am writing this letter to strongly support the commercial eviction moratorium ordinance introduced by Supervisors Aaron Peskin and Dean Preston to help small businesses, particularly those who are renting space in the Japan Center Malls.

As you are aware, SF Japantown is the oldest Japantown of the three remaining Japantowns in the United States. The businesses located in our Japantown provide essential goods and services to allow our community to carry on the values, traditions, culture and culinary dishes that have been passed down to us for many generations. Without them, over 90% of our commercial corridor will be gone. Without them, there would no longer be a viable and historically important Japantown community that has been in San Francisco for over 130 years.

Give Japantown businesses a chance to survive. The commercial eviction moratorium ordinance will extend rent deferral and a reasonable timeline for small businesses the ability to repay the deferred rent.

Please save Japantown.

Thank you for your vote to support this measure.

Sincerely,

*Sincerely*

Signature:

*Hiroko Shimotake*

Name:

*Hiroko Shimotake*

Address:

*1400 Geary Blvd. APT 1205  
San Francisco, CA 94109*

October 15, 2020

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

Dear Mayor Breed and the SF Board of Supervisors: 2020 NOV -6 AM 2:21

BY \_\_\_\_\_

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Please save Japantown.

Thank you for your vote to support this measure.

Sincerely,



Signature:

Hiroshi Shimotake  
Name:

1400 Geary Blvd, Apt 1205, San Francisco, CA 94109  
Address:

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2020 NOV -6 AM 2:21

BY \_\_\_\_\_



October 15, 2020

Dear Mayor Breed and the SF Board of Supervisors:

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Give Japantown businesses a chance to survive. The commercial eviction moratorium ordinance will extend rent deferral and a reasonable timeline for small businesses the ability to repay the deferred rent.

Please save Japantown.

Thank you for your vote to support this measure.

Sincerely,

Signature:



Name:

TAKAYE N. SAKO

Address:

1400 GEAR'S BLVD <sup>APT 5C</sup> SAN FRANCISCO, CA 94109

October 15, 2020

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2020 NOV -6 AM 2:21

Dear Mayor Breed and the SF Board of Supervisors:

BY



I am writing this letter to strongly support the commercial eviction moratorium ordinance introduced by Supervisors Aaron Peskin and Dean Preston to help small businesses, particularly those who are renting space in the Japan Center Malls.

As you are aware, SF Japantown is the oldest Japantown of the three remaining Japantowns in the United States. The businesses located in our Japantown provide essential goods and services to allow our community to carry on the values, traditions, culture and culinary dishes that have been passed down to us for many generations. Without them, over 90% of our commercial corridor will be gone. Without them, there would no longer be a viable and historically important Japantown community that has been in San Francisco for over 130 years.

Give Japantown businesses a chance to survive. The commercial eviction moratorium ordinance will extend rent deferral and a reasonable timeline for small businesses the ability to repay the deferred rent.

Please save Japantown.

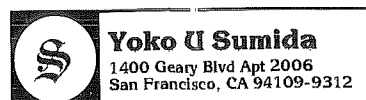
Thank you for your vote to support this measure.

Sincerely,

*Yoko Sumida*

Signature:

*Yoko Sumida*



Name:

*1400 Geary Blvd Apt. 2006*

Address:

*San Francisco, CA 94109*



**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: UPDATE remove Justin Herman name demand  
**Date:** Monday, November 9, 2020 9:12:00 AM

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**From:** Allen Jones <jones-allen@att.net>  
**Sent:** Saturday, November 7, 2020 5:30 PM  
**To:** jking@sfchronicle.com; Dominic Fracassa <dfracassa@sfchronicle.com>; rswan <rswan@sfchronicle.com>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>  
**Cc:** Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; metro@sfchronicle.com; newstips <newstips@sfoxaminer.com>; Justin Phillips <jphillips@sfchronicle.com>; otis taylor <otaylor@sfchronicle.com>; Missionlocal Info <info@missionlocal.com>; imojadad@sfoxaminer.com; P. Matier <pmatier@sfchronicle.com>; Heather Knight <hknight@sfchronicle.com>  
**Subject:** UPDATE remove Justin Herman name demand

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

I do not know who to thank, because City Hall is scared of communicating with its critics. But thank you, Mayor London Breed, for taking my demand seriously. The attached photo of the plaque now covered so quickly after I alerted city leaders is appreciated.

I consider this matter resolved. But due to the fact, I see this covering as a hazard on the plaza, I will check back for the total removal of this symbol of racism to many Black San Franciscans.

Allen Jones  
[jones-allen@att.net](mailto:jones-allen@att.net)  
 (415) 756-7733  
[californiaclemency.org](http://californiaclemency.org)

*The only thing I love more than justice is the freedom to fight for it. -- Allen Jones --*

On Monday, November 2, 2020, 04:58:18 PM PST, Allen Jones <[jones-allen@att.net](mailto:jones-allen@att.net)> wrote:

I was at the plaza formerly known as Justin Herman Plaza, today, 11/2/20. To my shock, I noticed this plaque (attached photo). 3 years after Rec and Park reluctantly agreed by vote to strip Herman's name from the plaza.

To see Justin Herman still being honored 3 years later is not only shocking but typical SF symbolism. I honestly did not support renaming the plaza simply because I am not fooled into thinking this gesture was sincere on the part of the Board or city.

But as a Black man who has been skeptical of any actions SF government takes concerning the Black community, I am now outraged.

The fact, this plaque is still here proves to me the votes to remove it was grandstanding on the part of the Board of Supervisors who unanimously voted to remove the name and Park and Rec. for falling in line.

I only hope the 4 young people pictured near the plaque have not read it.

I am calling on elected city officials to demand Park and Rec. remove this plaque immediately.

Allen Jones  
(415) 756-7733  
[jones-allen@att.net](mailto:jones-allen@att.net)  
[Californiaclemency.org](http://Californiaclemency.org)

*The Only thing I love more than justice is the freedom to fight for it.*

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: Thank you  
**Date:** Monday, November 9, 2020 3:18:00 PM

---

**From:** Allen Jones <jones-allen@att.net>  
**Sent:** Monday, November 9, 2020 3:13 PM  
**To:** RPDInfo, RPD (REC) <rpinfo@sfgov.org>  
**Cc:** P Matier <pmatier@sfchronicle.com>; Heather Knight <hknight@sfchronicle.com>; newstips <newstips@sfexaminer.com>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; jrodriguez@kqed.org  
**Subject:** Thank you

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

One week ago --- and to my shock, I was at the Embarcadero and noticed a plaque honoring Justin Herman.

3 years after San Francisco City Hall (Aaron Peskin resolution) and SF Park and Rec voted to strip the plaza of his name of course angered me because of the controversy that the name Justin Herman has caused to many of the Black community.

I sent a demand to remove the plaque in an email dated November 2, 2020. One week later, today, November 9, 2020 I am shocked again, to see the plaque is completely removed.

Thank you San Francisco Park and Rec. for taking my concern so seriously.

Allen Jones  
(415) 756-7733  
[jones-allen@att.net](mailto:jones-allen@att.net)  
Californiaclemency.org

*The Only thing I love more than justice is the freedom to fight for it.*

**From:** Allen Jones <jones-allen@att.net>  
**Sent:** Tuesday, November 10, 2020 11:33 AM  
**To:** Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Cc:** Heather Knight <hknight@schronicle.com>  
**Subject:** opposed to proposed appeal hearing legislation

I totally understand the waste of time and energy in answering some of the seemingly frivolous appeals to some well-intended changes to our current rules/laws for building and other issues.

<https://avanan.url-protection.com/v1/url?o=https%3A//www.sfchronicle.com/bayarea/heatherknight/article/Red-tape-slashed-New-legislation-would-prevent->

Imagine a person; such as myself, having to gather "50 signatures" to change something that I find hazardous to people moving about the city with a disability?

It only takes one person to make a difference and now San Francisco wants to put that aside?

*The Only thing I love more than justice is the freedom to fight for it.*

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Major, Erica \(BOS\)](#)  
**Subject:** FW: Sierra Club and Natural Resources Defense Council support letter for File No File No. 200701  
**Date:** Tuesday, November 10, 2020 11:08:00 AM  
**Attachments:** [SC\\_NRDC\\_support letter.pdf](#)

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**From:** Melissa Yu <melissa.yu@sierraclub.org>  
**Sent:** Tuesday, November 10, 2020 10:24 AM  
**To:** Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Environment, ENV (ENV) <environment@sfgov.org>  
**Subject:** Sierra Club and Natural Resources Defense Council support letter for File No File No. 200701

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

Dear Mayor Breed, Supervisors, and Ms. Raphael,

Please find attached our letter of support for the ordinance amending the building code to require new construction to utilize only electric power.

Regards,

Melissa

--

Melissa Yu  
Conservation Program Coordinator  
[Sierra Club, San Francisco Bay Chapter](#)  
Office: (510) 848 - 0800 extension 328  
Cell: (415) 761 - 3678



11/10/2020

Mayor London N. Breed  
City Hall, Room 200  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102  
Email: MayorLondonBreed@sfgov.org

Board of Supervisors  
c/o Angela Calvillo, Clerk of the Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, Ca. 94102-4689  
Email: Board.of.Supervisors@sfgov.org

Debbie Raphael  
Director of the San Francisco Department of the Environment  
1455 Market Street, Suite 1200  
San Francisco, CA 94103  
Email: environment@sfgov.org

RE: File No. 200701 Ordinance Amending the Building Code to Require New  
Construction to Utilize Only Electric Power: Job Losses for Construction Workers

Dear Mayor Breed, Supervisors, and Ms. Raphael:

We are writing on behalf of Natural Resources Defense Council and Sierra Club California, regarding the proposal to adopt a local ordinance amending the San Francisco Building and Environment Codes to require newly constructed buildings to utilize only electric power.

Burning fossil gas (a.k.a. natural gas) in buildings for space heating, water heating, clothes drying, and cooking is responsible for more greenhouse gas emissions than all power plants in California, and for seven times more nitrogen oxides emissions which are one of the main pollutants responsible for poor air quality impacting people's health.

We strongly support the adoption of the proposed ordinance that will help protect San Franciscans from the health impacts of fossil fuel combustion, while saving on new construction costs and utility bills, and helping get the earth's climate under control.

Per our October 14, 2020 letter, we also acknowledge the validity of the concerns raised by United Association of Plumbers & Pipefitters Local 38 on the impact of all-electric new construction on skilled plumbing and pipefitting jobs. For that reason, we support the proposed amendments to the electrification ordinance to develop and adopt water and energy standards

that would provide additional skilled plumbing work in new buildings while conserving water and energy.

While we would like to see the new construction electrification ordinance go into effect as soon as possible so that we stop making the climate problems worse by constructing new buildings and gas infrastructure connected to gas, we support a June 1, 2021 effective date. This date will allow the City to implement the ordinance so that it is effective and enforced, and to develop and adopt the water and energy standards so it can be adopted around the time when the electrification ordinance goes into effect. This will help provide certainty to plumbers and pipefitters on job opportunities in helping construct zero-emission, energy- and water-efficient buildings of the 21st century.

We thank Supervisor Mandelman, Mayor Breed, the entire Board of Supervisors, and City staff for their leadership on the electrification and water standards ordinances, and Local 38 for their partnership in finding an approach that supports both climate action and a just transition for workers. We look forward to continuing to work with the City in implementing these ordinances and working on decarbonizing existing buildings in a manner that supports equity and just transition needs.

Sincerely,

Pierre Delforge - Senior Scientist  
Natural Resources Defense Council

Melissa Yu - Conservation Coordinator  
Sierra Club, SF Bay Chapter

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Major, Erica \(BOS\)](#)  
**Subject:** FW: Letter RE: Agenda Item 2: File No. 200701  
**Date:** Tuesday, November 10, 2020 8:44:00 AM  
**Attachments:** [SKM\\_C55820111008480.pdf](#)

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**From:** Marlene Mares <mmares@ualocal38.org>  
**Sent:** Tuesday, November 10, 2020 8:38 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>  
**Cc:** TEnslow@adamsbroadwell.com; Larry Mazzola Jr. <larryjr@ualocal38.org>  
**Subject:** Letter RE: Agenda Item 2: File No. 200701

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

**Good Morning.**

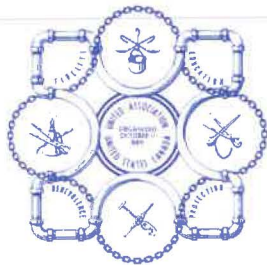
**Please see the attached letter for the November 10<sup>th</sup> Board of Supervisors Meeting.**

**Thank you!**

Regards,

Marlene Mares  
Office Mgr/Admin Assistant  
UA Local Union 38-Plumbers  
**415.626.2000 (main line) 415.626.2009 (fax)**  
**415.558.3701 (direct line)**  
[mmares@ualocal38.org](mailto:mmares@ualocal38.org)



**UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES  
OF THE PLUMBING AND PIPE FITTING INDUSTRY****LOCAL UNION NO. 38****1621 MARKET STREET • SAN FRANCISCO, CA 94103**

November 10, 2020

Mayor London N. Breed  
City Hall, Room 200  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102  
Email: [MayorLondonBreed@sfgov.org](mailto:MayorLondonBreed@sfgov.org)

Board of Supervisors  
c/o **Angela Calvillo**, Clerk of the Board of Supervisors  
**1 Dr. Carlton B. Goodlett Place**  
**City Hall, Room 244**  
**San Francisco, Ca. 94102-4689**  
Email: [Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org); [angela.calvillo@sfgov.org](mailto:angela.calvillo@sfgov.org)

Debbie Raphael  
Director of the San Francisco Department of the Environment  
1455 Market Street, Suite 1200  
San Francisco, CA 94103  
Email: [environment@sfgov.org](mailto:environment@sfgov.org)

RE: November 10, 2020 Board of Supervisor Meeting, *Agenda Item 2*: File No. 200701  
Ordinance Mandating New Construction Be All-Electric

Dear Mayor Breed, Board of Supervisors, and Ms. Raphael:

I am writing on behalf of Local 38 in regard to the proposed local ordinance amending the San Francisco Building and Environment Codes to require new construction to utilize only electric power. With the changes contained in the most recent version of this ordinance, Local 38 supports adoption.

The UA recognizes the need to reduce GHG emissions to address global climate change and has supported GHG reduction efforts nationally, statewide and locally. The electrification of buildings is a difficult issue for the UA for a number of reasons, including that it eliminates a substantial chunk of UA work and will result in the loss of good paying, middle class blue-collar jobs.

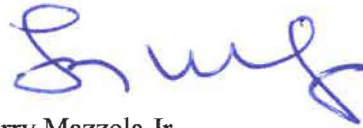
We want to extend our thanks to Supervisor Mandelman, staff and the environmental community for working with us to find a path for creating replacement jobs by recognizing the need to ensure that new buildings are not just less GHG- intensive, but also are water efficient. California faces the dual and related threats of global climate change and drought and new buildings must be designed to address both these challenges.

We look forward to working with staff and the environmental community on developing expanded alternate water system requirements that we would like to see adopted by the time the all-electric ordinance goes into effect. We also look forward to continuing to work with the SF Climate Emergency Coalition on a path for San Francisco to move forward to addressing existing buildings.

The plumbers are going to bear the brunt of lost jobs from this ordinance. For that reason, we have asked Supervisor Mandelman to move the effective date of the all-electric ordinance from April 1 to June 1 in order to reduce the gap between lost jobs and the creation of replacement jobs. Delaying the effective date to June 1 will have a significantly positive impact on workers by allowing the timely mitigation of job impacts on those workers affected by this policy change.

Going forward, we hope to see a just transition built into legislation from the beginning so that we more effectively meet the needs of both Labor and the urgency of the climate crisis. The compromise you are adopting today will help us create a blueprint for the rest of the state where the UA and the environmental community can work together on these issues instead of in opposition. For this reason, Local 38 supports adoption of this ordinance.

Sincerely

A handwritten signature in blue ink, appearing to read 'Larry Mazzola Jr.', with a stylized, cursive script.

Larry Mazzola Jr.  
Bus.Mgr. & Fin.Secty-Treas.  
UA Plumbers & Pipefitters Local 38

cc: [rafael.mandelman@sfgov.org](mailto:rafael.mandelman@sfgov.org),  
[mandelmanstaff@sfgov.org](mailto:mandelmanstaff@sfgov.org),  
[info@sfclimateemergency.org](mailto:info@sfclimateemergency.org)

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: FW: \*\*\* PRESS RELEASE \*\*\* SAN FRANCISCO TO LAUNCH INDEPENDENT REVIEW OF CITY'S EQUAL EMPLOYMENT OPPORTUNITY PRACTICES TO PREVENT WORKPLACE DISCRIMINATION  
**Date:** Friday, November 6, 2020 8:58:00 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

**From:** Isen, Carol (HRD) <carol.isen@sfgov.org>

**Sent:** Thursday, November 5, 2020 8:09 PM

**To:** Black Employee Alliance <blackemployeealliance@gmail.com>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>

**Cc:** Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; CivilService, Civil (CSC) <civilservice@sfgov.org>; District Attorney, (DAT) <districtattorney@sfgov.org>; rudy@sflaborcouncil.org; kim@sflaborcouncil.org; sflc@sflaborcouncil.org; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>; Airport Commission Secretary (AIR) <airportcommissionsecretary@flysf.com>; Commission, Fire (FIR) <fire.commission@sfgov.org>; DPH, Health Commission (DPH) <HealthCommission.DPH@sfdph.org>; MTABoard@sfmta.com; info@sfwater.org; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Chan, Deland (CPC) <deland.chan@sfgov.org>; Diamond, Susan (CPC) <sue.diamond@sfgov.org>; Fung, Frank (CPC) <frank.fung@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>; jdoherty@ibew6.org; cityworker@sfcwu.org; clavery@oe3.org; mbrito@oe3.org; tneep@oe3.org; oashworth@ibew6.org; debra.grabelle@ifpte21.org; kgeneral@ifpte21.org; jbeard@ifpte21.org; tmathews@ifpte21.org; varaullo@ifpte21.org; ewallace@ifpte21.org; aflores@ifpte21.org; smcgarry@nccrc.org; larryjr@ualocal38.org; jchiarenza@ualocal38.org; SEichenberger@local39.org; Richard Koenig <richardk@smw104.org>; anthonyu@smw104.org; Charles, Jasmin (MTA) <Jasmin.Charles@sfmta.com>; twulocal200@sbcglobal.net; roger marengo <rmarengo@twusf.org>; pwilson@twusf.org; laborers261@gmail.com; bart@dc16.us; dharrington@teamster853.org; MLeach@ibt856.org; jason.klumb@seiu1021.org; theresa.rutherford@seiu1021.org; XiuMin.Li@seiu1021.org; Hector.Cardenas@seiu1021.org; pmendeziamaw@comcast.net; mjayne@iam1414.org; raquel@sfmea.com (contact) <raquel@sfmea.com>; christina@sfmea.com; criss@sfmea.com; l200twu@gmail.com; local200twu@sbcglobal.net; lkuhls@teamsters853.org; staff@sfmea.com; president@sanfranciscodsa.com; SFDPOA@icloud.com; sfbia14@gmail.com; ibew6@ibew6.org; Tugbenyoh, Mawuli (HRD) <mawuli.tugbenyoh@sfgov.org>

**Subject:** RE: FW: \*\*\* PRESS RELEASE \*\*\* SAN FRANCISCO TO LAUNCH INDEPENDENT REVIEW OF CITY'S EQUAL EMPLOYMENT OPPORTUNITY PRACTICES TO PREVENT WORKPLACE DISCRIMINATION

Dear Black Employee Alliance,

Thank you for your email; I'm available to meet with your leadership group to discuss the issues you raise in your email, below.

Please contact Jeanne Buick at [jeanne.buick@sfgov](mailto:jeanne.buick@sfgov) to set a mutually convenient date and time.



Connecting People with Purpose

**Carol Isen** (she, her, hers)  
**Human Resources Director (Acting)**  
Department of Human Resources  
One South Van Ness Ave., 4<sup>th</sup> Floor  
San Francisco, CA 94103  
Website: [www.sfdhr.org](http://www.sfdhr.org)

---

**From:** Black Employee Alliance <[blackemployeealliance@gmail.com](mailto:blackemployeealliance@gmail.com)>

**Sent:** Wednesday, November 4, 2020 7:03 PM

**To:** Breed, Mayor London (MYR) <[mayorlondonbreed@sfgov.org](mailto:mayorlondonbreed@sfgov.org)>; Isen, Carol (HRD) <[carol.isen@sfgov.org](mailto:carol.isen@sfgov.org)>

**Cc:** Bruss, Andrea (MYR) <[andrea.bruss@sfgov.org](mailto:andrea.bruss@sfgov.org)>; Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>; Haney, Matt (BOS) <[matt.haney@sfgov.org](mailto:matt.haney@sfgov.org)>; MandelmanStaff, [BOS] <[mandelmanstaff@sfgov.org](mailto:mandelmanstaff@sfgov.org)>; Mar, Gordon (BOS) <[gordon.mar@sfgov.org](mailto:gordon.mar@sfgov.org)>; Peskin, Aaron (BOS) <[aaron.peskin@sfgov.org](mailto:aaron.peskin@sfgov.org)>; Preston, Dean (BOS) <[dean.preston@sfgov.org](mailto:dean.preston@sfgov.org)>; Fewer, Sandra (BOS) <[sandra.fewer@sfgov.org](mailto:sandra.fewer@sfgov.org)>; Ronen, Hillary <[hillary.ronen@sfgov.org](mailto:hillary.ronen@sfgov.org)>; Safai, Ahsha (BOS) <[ahsha.safai@sfgov.org](mailto:ahsha.safai@sfgov.org)>; Stefani, Catherine (BOS) <[catherine.stefani@sfgov.org](mailto:catherine.stefani@sfgov.org)>; Walton, Shamann (BOS) <[shamann.walton@sfgov.org](mailto:shamann.walton@sfgov.org)>; Yee, Norman (BOS) <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>; CivilService, Civil (CSC) <[civilservice@sfgov.org](mailto:civilservice@sfgov.org)>; District Attorney, (DAT) <[districtattorney@sfgov.org](mailto:districtattorney@sfgov.org)>; [rudysf@sflaborcouncil.org](mailto:rudysf@sflaborcouncil.org); [kimsf@sflaborcouncil.org](mailto:kimsf@sflaborcouncil.org); [sfslc@sflaborcouncil.org](mailto:sfslc@sflaborcouncil.org); SFPD, Commission (POL) <[SFPD.Commission@sfgov.org](mailto:SFPD.Commission@sfgov.org)>; Airport Commission Secretary (AIR) <[airportcommissionsecretary@flysfo.com](mailto:airportcommissionsecretary@flysfo.com)>; Commission, Fire (FIR) <[fire.commission@sfgov.org](mailto:fire.commission@sfgov.org)>; DPH, Health Commission (DPH) <[HealthCommission.DPH@sfdph.org](mailto:HealthCommission.DPH@sfdph.org)>; [MTABoard@sfmta.com](mailto:MTABoard@sfmta.com); [info@sfwater.org](mailto:info@sfwater.org); Koppel, Joel (CPC) <[joel.koppel@sfgov.org](mailto:joel.koppel@sfgov.org)>; Moore, Kathrin (CPC) <[kathrin.moore@sfgov.org](mailto:kathrin.moore@sfgov.org)>; Chan, Deland (CPC) <[deland.chan@sfgov.org](mailto:deland.chan@sfgov.org)>; Diamond, Susan (CPC) <[sue.diamond@sfgov.org](mailto:sue.diamond@sfgov.org)>; Fung, Frank (CPC) <[frank.fung@sfgov.org](mailto:frank.fung@sfgov.org)>; Imperial, Theresa (CPC) <[theresa.imperial@sfgov.org](mailto:theresa.imperial@sfgov.org)>; [jdohererty@ibew6.org](mailto:jdohererty@ibew6.org); [cityworker@sfcwu.org](mailto:cityworker@sfcwu.org); [clavery@oe3.org](mailto:clavery@oe3.org); [mbrito@oe3.org](mailto:mbrito@oe3.org); [tneep@oe3.org](mailto:tneep@oe3.org); [oashworth@ibew6.org](mailto:oashworth@ibew6.org); [debra.grabelle@ifpte21.org](mailto:debra.grabelle@ifpte21.org); [kgeneral@ifpte21.org](mailto:kgeneral@ifpte21.org); [jbeard@ifpte21.org](mailto:jbeard@ifpte21.org); [tmathews@ifpte21.org](mailto:tmathews@ifpte21.org); [varaullo@ifpte21.org](mailto:varaullo@ifpte21.org); [ewallace@ifpte21.org](mailto:ewallace@ifpte21.org); [aflores@ifpte21.org](mailto:aflores@ifpte21.org); [smcgarry@nccrc.org](mailto:smcgarry@nccrc.org); [larryjr@ualocal38.org](mailto:larryjr@ualocal38.org); [jchiarenza@ualocal38.org](mailto:jchiarenza@ualocal38.org); [SEichenberger@local39.org](mailto:SEichenberger@local39.org); Richard Koenig <[richardk@smw104.org](mailto:richardk@smw104.org)>; [anthonyu@smw104.org](mailto:anthonyu@smw104.org); Charles, Jasmin (MTA) <[Jasmin.Charles@sfmta.com](mailto:Jasmin.Charles@sfmta.com)>; [twulocal200@sbcglobal.net](mailto:twulocal200@sbcglobal.net); roger marenco <[rmarenco@twusf.org](mailto:rmarenco@twusf.org)>; [pwilson@twusf.org](mailto:pwilson@twusf.org); [laborers261@gmail.com](mailto:laborers261@gmail.com); [bart@dc16.us](mailto:bart@dc16.us); [dharrington@teamster853.org](mailto:dharrington@teamster853.org); [MLeach@ibt856.org](mailto:MLeach@ibt856.org); [jason.klumb@seiu1021.org](mailto:jason.klumb@seiu1021.org); [theresa.rutherford@seiu1021.org](mailto:theresa.rutherford@seiu1021.org); [XiuMin.Li@seiu1021.org](mailto:XiuMin.Li@seiu1021.org);

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**Subject:** Re: FW: \*\*\* PRESS RELEASE \*\*\* SAN FRANCISCO TO LAUNCH INDEPENDENT REVIEW OF CITY'S EQUAL EMPLOYMENT OPPORTUNITY PRACTICES TO PREVENT WORKPLACE DISCRIMINATION

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

Good evening Mayor Breed (Director Isen) -

After careful and thoughtful review of the Press Release issued earlier this week, the Black Employees Alliance and Coalition Against Anti-Blackness met again, and would like to request answers to the questions proposed below, as well as propose (and clarify) specific propositions made in our previous communication.

The BEA would like the opportunity to meet with William Gould upfront, and others selected to conduct the independent review - to understand better the protocol that will be used, as well as the structure of the review (i.e. Who will they be meeting with? And in what order? What kind of public oversight and input will be allowed regarding the protocols? What are the benchmarks as the process goes forward?)

In addition, the BEA feels strongly that the independent review should be structured at a minimum like the DOJ investigation into SFPD:

- There were listening sessions with the public to find out concerns for months as part of the investigation. This could be mirrored leveraging staff across all departments, with an emphasis on Black and Brown staff, women, and members from the LGBTQIA community (people from populations more prone to discrimination and harassment complaints).

In addition, we would like clarity about the review process.

- Is it an investigation or review? How are they different?
- Who will be selected to work with William Gould?
- How was Mr. Gould selected?
- Was there an RFP process to select Mr. Gould?
- Who does Mr. Gould have personal and professional relationships with in the City and County of San Francisco? More specifically, does Mr. Gould have a personal or professional relationship with DHR Director Carol Isen (or any other Department Head (or CCSF employee), Commission/Board members, City Attorney's Office, District Attorney's Office, etc.)?

Thank you for calling for this review, as well as ensuring the utmost balanced and transparent process.



Thank you for your leadership and acumen Mayor Breed!

Best,

Black Employees Alliance and Coalition Against Anti-Blackness

On Mon, Nov 2, 2020 at 6:02 PM Black Employee Alliance <[blackemployeealliance@gmail.com](mailto:blackemployeealliance@gmail.com)> wrote:

Good evening Mr. Tugbenyoh -

Thank you for providing a copy of Mayor Breed's Press Release about the review of DHR's EEO complaint practices. While the Black Employee Alliance recognizes that this is a good faith effort by Mayor Breed to ensure problems are addressed at DHR, we are hoping that these efforts reveal the tainted practices that lie beneath the surface of the EEO complaint "process". It is the BEA's hope that this effort goes beyond reviewing "standard operating procedures" which may be solicited from DHR-EEO managers and investigators (and other EEO personnel throughout the City) to demonstrate adequate processes and practices are in-tact; potentially signifying all is well, while minimizing the collusion and coercion indicated by other departmental HR professionals and indicated in Rebecca Sherman's resignation letter. It could also serve to assert that the problems with the DHR-EEO complaint process are minimal, and they are not - as continuously evidenced by a barrage of recent employee reports and testimonials shared with the Mayor's Office, Board of Supervisors, and other leaders on October 13th.

Member of the Black Employees Alliance (along with AFRAM SEIU 1021, Black Leadership Forum, and a host of non-Black allies) are hoping that this review extends to (and is not limited to):

1. Interviewing and surveying at least 250-350 employees who have submitted discrimination and harassment complaints throughout the last 5 years; with a mix of the target group being 50% Black (as Black employees tend to be more impacted than all other groups); and 50% female (comprehensive of people from diverse racial/ethnic backgrounds).
2. Confidentially and anonymously interviewing HR professionals (i.e. HR Managers, Departmental Personnel Officers, etc.) to ensure they can speak freely about the ways in which they have been coerced by multiple DHR-EEO employees to change language in complaints, and/or prolong investigations to exhaust the statute of limitations (which many employees are not aware of; or lose sight of during investigations that take 1-2 years on average).
3. Are guided to speak with members of the Black Employees Alliance and Coalition Against Anti-Blackness, to obtain insights about potential structural and operational changes to the process. There are more than 10 members who either have current or "recently" closed cases, who could provide very valuable feedback about their experiences with DHR-EEO.

Is this something that Director Isen and DHR would support, and can ensure will happen? The Black Employee Alliance hopes Mayor Breed and Director Isen would support these actions. If not, then the effort will prove to be performative; to serve a political agenda only, and possibly put the lid back on a container that is rife with corruption, lack of ethics, and misconduct.

Thank you again for forwarding this message to us.

We look forward to hearing from you soon!

Best,

Black Employees Alliance and Coalition Against Anti-

On Mon, Nov 2, 2020 at 3:10 PM Tugbenyoh, Mawuli (HRD) <[mawuli.tugbenyoh@sfgov.org](mailto:mawuli.tugbenyoh@sfgov.org)> wrote:

Dear colleagues-

Please see the attached press release regarding efforts being undertaken to reform the DHR EEO Division.

Should you have any questions or suggestions, please do not hesitate to let me or Director Isen know.

Regards,



Connecting People with Purpose

**Mawuli Tugbenyoh 杜本樂**

*[He, Him, His]*

**Chief of Policy**

Department of Human Resources

One South Van Ness Ave., 4<sup>th</sup> Floor

San Francisco, CA 94103

Phone: (415) 551-8942

Website: [www.sfdhr.org](http://www.sfdhr.org)

**\*\*\* PRESS RELEASE \*\*\***

**SAN FRANCISCO TO LAUNCH INDEPENDENT REVIEW OF CITY'S  
EQUAL EMPLOYMENT OPPORTUNITY PRACTICES TO PREVENT**

## WORKPLACE DISCRIMINATION

*An independent review will be led by former National Labor Relations Board Chairman William Gould and will be conducted alongside separate review by City Controller*

**San Francisco, CA** — Mayor London N. Breed and Acting Human Resources Director Carol Isen today announced an independent and comprehensive review of the City's workplace policies and practices with a focus on claims of bias, harassment, discrimination, and retaliation. The investigation will be conducted by William B. Gould IV, Charles A. Beardsley Professor of Law, Emeritus, at the Stanford Law School. This investigation will be in addition to other efforts by the City to review and address concerns raised by employees about hiring, discipline, and retention practices with the goal of restoring employee confidence and trust in the Equal Employment Opportunity (EEO) complaint process.

This announcement follows Mayor Breed's Executive Directive 18-02, issued in September 2018, which established consistent standards for employee recruitment, retention, and tracking of disciplinary actions with the goal of increasing diversity in the City's workforce and ensuring the workplace is place free from harassment, bias, and discrimination. Additionally, in response to concerns raised by San Francisco Municipal Transportation Agency (SFMTA) employees, in October 2018, Mayor Breed appointed an independent ombudsperson to review and make recommendations on reforms needed to ensure transparency, accountability, and the appropriate resolution of employee EEO claims at the SFMTA.

"We appreciate Professor Gould bringing in his expertise and experience to ensure that we are doing everything we can so that the structures we have in place are not creating a discriminatory environment in any way," said Mayor Breed. "Our workplaces need to be safe and welcoming spaces for all our workers, and that starts with making sure we have the right policies and procedures in place."

Carol Isen began serving as Acting Human Resources Director in October and has been committed to cultivating a culture of respect, accountability, and belonging, as well as other structural changes that will create better transparency for EEO claims to better serve City employees.

"Professor Gould, with his long career as a leading intellectual and practitioner in the field of labor and employment law and civil rights," said Acting Human Resources Director Carol Isen. "As a third party neutral arbitrator and factfinder, is eminently qualified to lead us through a comprehensive, neutral and fair review of our EEO complaint and investigatory processes to ensure they work for all employees."

"I am honored to receive and accept this charge," said Professor William Gould. "The people of San Francisco expect a government that functions judiciously and efficiently. I am committed to a thorough and independent examination, which will be fair, equitable and constructive. I look forward to working with all the concerned parties in this endeavor."

In addition to Professor Gould's investigation, City Controller Ben Rosenfield will also conduct a



review of the EEO Division's internal controls and workflow, in order to assess any weaknesses in EEO's business processes that exposed the City to the misrepresentations made by one of its managers.

"We look forward to performing a comprehensive review of the existing EEO process and providing practical recommendations that will assist the Department of Human Resources in restructuring their EEO systems to better serve the employees of the City and County of San Francisco," said Ben Rosenfield, City Controller.

City data shows persistent inequities in the City workforce with respect to wages, and promotional opportunities. Most notably, in comparison to other races, Black employees overall hold lower-paying positions, are disciplined more frequently, and file more claims of harassment or discrimination than their colleagues of other ethnicities file. The review will include interviews, listening sessions, research of existing City policies, examination of relevant documents, and identifying best practices from comparable jurisdictions.

"Black and Latinx employees of the City and County of San Francisco experience disproportionately adverse treatment," said Sheryl Davis, Executive Director of the Human Rights Commission. "This examination of the City's EEO process comes at a pivotal time in City government when these employees are demanding equitable treatment."

Professor Gould will focus on:

- **The core provisions of the Equal Employment Opportunity Act:** The City's current structure for receiving, investigating, and resolving employee claims of harassment, discrimination, retaliation, and other prohibited behavior in the workplace. This includes reviewing past processes, outcomes, and findings in employee EEO complaints;
- **Corrective Action and Discipline:** Methods to ensure behavior found to be a violation of the City's workplace policies are addressed using fair and equal corrective action practices;
- **Data and Reporting:** Recommend best practices to track and report data regarding employee hiring, discipline, and termination with a focus on gender and race;
- **Training:** Review the effectiveness of current training practices for managers and supervisors and identifying additional support needed for these individuals in order to better supervise and resolve conflicts with employees from diverse backgrounds; and
- **Restorative practices:** Such as mediation and other innovative dispute resolution techniques which could be utilized to address and remedy allegations of workplace discrimination claims.

The City and County of San Francisco employs over 38,000 people and is home to over 60 departments that provide vital public services to City residents. Every City department, manager, and employee plays a part in shifting the culture in our City workplaces and is responsible for ensuring our workspaces are free from bias, harassment, and discrimination.

Professor Gould will have access to any appropriate City departments, records, and information deemed necessary to conduct this review. He will work collaboratively with elected officials, the Human Resources Department, Human Rights Commission, Office of Racial Equity, City agencies, labor stakeholders, employees, and other community stakeholders to receive input and make recommendations to the Department of Human Resources within 120 days. His work is expected to begin November 30th.

#### **About William B. Gould IV**

William B. Gould IV is Charles A. Beardsley Professor of Law, Emeritus, at Stanford Law School. A prolific scholar of labor and discrimination law, Gould has been an influential voice in worker–management relations for more than fifty years and served as Consultant to the U.S. Equal Employment Opportunity Commission (1966-1967) where he conciliated alleged unlawful employment practices, developed proposals for the conciliation process, and provided recommendations for the resolution of discrimination claims involving seniority which became the basis for early federal court interpretations of Title 7 of the Civil Rights Act of 1964. He served as Chairman of the National Labor Relations Board (NLRB, 1994–98) and subsequently Chairman of the California Agricultural Labor Relations Board (2014-2017). Professor Gould has been a member of the National Academy of Arbitrators since 1970.

As NLRB Chairman, he played a critical role in bringing the 1994–95 baseball strike to its conclusion and has arbitrated and mediated more than two hundred labor disputes, including the 1992 and 1993 salary disputes between the Major League Baseball Players Association and the Major League Baseball Player Relations Committee. He served as Secretary, Labor and Employment Law Section, American Bar Association (1980-81) as well as Independent Monitor for FirstGroup America, addressing freedom-of-association complaints (2008–10). Gould also served as Special Advisor to the U.S. Department of Housing and Urban Development on project labor agreements (2011–12). A critically acclaimed author of ten books and more than sixty law review articles, Professor Gould is the recipient of five honorary doctorates for his significant contributions to the fields of labor law and labor relations.

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**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: FW: \*\*\* PRESS RELEASE \*\*\* SAN FRANCISCO TO LAUNCH INDEPENDENT REVIEW OF CITY'S EQUAL EMPLOYMENT OPPORTUNITY PRACTICES TO PREVENT WORKPLACE DISCRIMINATION  
**Date:** Monday, November 9, 2020 1:57:00 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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**From:** Black Employee Alliance <blackemployeealliance@gmail.com>

**Sent:** Monday, November 9, 2020 1:18 PM

**To:** Isen, Carol (HRD) <carol.isen@sfgov.org>; Black Employee Alliance <blackemployeealliance@gmail.com>

**Cc:** Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; CivilService, Civil (CSC) <civilservice@sfgov.org>; District Attorney, (DAT) <districtattorney@sfgov.org>; rudy@sflaborcouncil.org; kim@sflaborcouncil.org; sflc@sflaborcouncil.org; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>; Airport Commission Secretary (AIR) <airportcommissionsecretary@flysf.com>; Commission, Fire (FIR) <fire.commission@sfgov.org>; DPH, Health Commission (DPH) <HealthCommission.DPH@sfdph.org>; MTABoard@sfmta.com; info@sfwater.org; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Chan, Deland (CPC) <deland.chan@sfgov.org>; Diamond, Susan (CPC) <sue.diamond@sfgov.org>; Fung, Frank (CPC) <frank.fung@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>; jdoherty@ibew6.org; cityworker@sfcwu.org; clavery@oe3.org; mbrito@oe3.org; tneep@oe3.org; oashworth@ibew6.org; debra.grabelle@ifpte21.org; kgeneral@ifpte21.org; jbeard@ifpte21.org; tmathews@ifpte21.org; varaullo@ifpte21.org; ewallace@ifpte21.org; aflores@ifpte21.org; smcgarry@nccrc.org; larryjr@ualocal38.org; jchiarenza@ualocal38.org; SEichenberger@local39.org; Richard Koenig <richardk@smw104.org>; anthonyu@smw104.org; Charles, Jasmin (MTA) <Jasmin.Charles@sfmta.com>; twulocal200@sbcglobal.net; roger marenco <rmarenco@twusf.org>; pwilson@twusf.org; laborers261@gmail.com; bart@dc16.us; dharrington@teamster853.org; MLeach@ibt856.org; jason.klumb@seiu1021.org; theresa.rutherford@seiu1021.org; XiuMin.Li@seiu1021.org; Hector.Cardenas@seiu1021.org; pmendeziamaw@comcast.net; mjayne@iam1414.org; raquel@sfmea.com (contact) <raquel@sfmea.com>; christina@sfmea.com; criss@sfmea.com; l200twu@gmail.com; local200twu@sbcglobal.net; lkuhls@teamsters853.org; staff@sfmea.com; president@sanfranciscodsa.com; SFDPOA@icloud.com; sfbia14@gmail.com; ibew6@ibew6.org; Tugbenyoh, Mawuli (HRD) <mawuli.tugbenyoh@sfgov.org>

**Subject:** Re: FW: \*\*\* PRESS RELEASE \*\*\* SAN FRANCISCO TO LAUNCH INDEPENDENT REVIEW OF CITY'S EQUAL EMPLOYMENT OPPORTUNITY PRACTICES TO PREVENT WORKPLACE DISCRIMINATION

Good afternoon Director Isen -

The Black Employees Alliance is amenable to meeting and discussing the scope of this process. We

also believe it would be most prudent for you to provide answers to several questions upfront to ensure we are able to maximize our time together. The questions we are requesting upfront information about are:

- How was Mr. Gould selected?
- Was there an RFP process to select Mr. Gould?
- Who does Mr. Gould have personal and professional relationships with in the City and County of San Francisco? More specifically, does Mr. Gould have a personal or professional relationship with you (or any other Department Head (or CCSF employee), Commission/Board members, City Attorney's Office, District Attorney's Office, etc.)?

Per your message below, BEA representative will reach out to Jeanne Buick to arrange a meeting within the next few weeks.

Best,

Black Employees Alliance and Coalition Against Anti-Blackne

On Thu, Nov 5, 2020 at 8:09 PM Isen, Carol (HRD) <[carol.isen@sfgov.org](mailto:carol.isen@sfgov.org)> wrote:

Dear Black Employee Alliance,

Thank you for your email; I'm available to meet with your leadership group to discuss the issues you raise in your email, below.

Please contact Jeanne Buick at [jeanne.buick@sfgov](mailto:jeanne.buick@sfgov) to set a mutually convenient date and time.



**Carol Isen** (she, her, hers)  
**Human Resources Director (Acting)**  
Department of Human Resources  
One South Van Ness Ave., 4<sup>th</sup> Floor  
San Francisco, CA 94103  
Website: [www.sfdhr.org](http://www.sfdhr.org)

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**From:** Black Employee Alliance <[blackemployeealliance@gmail.com](mailto:blackemployeealliance@gmail.com)>

**Sent:** Wednesday, November 4, 2020 7:03 PM

**To:** Breed, Mayor London (MYR) <[mayorlondonbreed@sfgov.org](mailto:mayorlondonbreed@sfgov.org)>; Isen, Carol (HRD) <[carol.isen@sfgov.org](mailto:carol.isen@sfgov.org)>

**Cc:** Bruss, Andrea (MYR) <[andrea.bruss@sfgov.org](mailto:andrea.bruss@sfgov.org)>; Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>; Haney, Matt (BOS) <[matt.haney@sfgov.org](mailto:matt.haney@sfgov.org)>;

MandelmanStaff, [BOS] <[mandelmanstaff@sfgov.org](mailto:mandelmanstaff@sfgov.org)>; Mar, Gordon (BOS) <[gordon.mar@sfgov.org](mailto:gordon.mar@sfgov.org)>; Peskin, Aaron (BOS) <[aaron.peskin@sfgov.org](mailto:aaron.peskin@sfgov.org)>; Preston, Dean (BOS) <[dean.preston@sfgov.org](mailto:dean.preston@sfgov.org)>; Fewer, Sandra (BOS) <[sandra.fewer@sfgov.org](mailto:sandra.fewer@sfgov.org)>; Ronen, Hillary <[hillary.ronen@sfgov.org](mailto:hillary.ronen@sfgov.org)>; Safai, Ahsha (BOS) <[ahsha.safai@sfgov.org](mailto:ahsha.safai@sfgov.org)>; Stefani, Catherine (BOS) <[catherine.stefani@sfgov.org](mailto:catherine.stefani@sfgov.org)>; Walton, Shamann (BOS) <[shamann.walton@sfgov.org](mailto:shamann.walton@sfgov.org)>; Yee, Norman (BOS) <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>; CivilService, Civil (CSC) <[civilservice@sfgov.org](mailto:civilservice@sfgov.org)>; District Attorney, (DAT) <[districtattorney@sfgov.org](mailto:districtattorney@sfgov.org)>; [rudysflaborcouncil.org](mailto:rudysflaborcouncil.org); [kimsflaborcouncil.org](mailto:kimsflaborcouncil.org); [sflc@sflaborcouncil.org](mailto:sflc@sflaborcouncil.org); SFPD, Commission (POL) <[SFPD.Commission@sfgov.org](mailto:SFPD.Commission@sfgov.org)>; Airport Commission Secretary (AIR) <[airportcommissionsecretary@flysfso.com](mailto:airportcommissionsecretary@flysfso.com)>; Commission, Fire (FIR) <[fire.commission@sfgov.org](mailto:fire.commission@sfgov.org)>; DPH, Health Commission (DPH) <[HealthCommission.DPH@sfdph.org](mailto:HealthCommission.DPH@sfdph.org)>; [MTABoard@sfmta.com](mailto:MTABoard@sfmta.com); [info@sfwater.org](mailto:info@sfwater.org); Koppel, Joel (CPC) <[joel.koppel@sfgov.org](mailto:joel.koppel@sfgov.org)>; Moore, Kathrin (CPC) <[kathrin.moore@sfgov.org](mailto:kathrin.moore@sfgov.org)>; Chan, Deland (CPC) <[deland.chan@sfgov.org](mailto:deland.chan@sfgov.org)>; Diamond, Susan (CPC) <[sue.diamond@sfgov.org](mailto:sue.diamond@sfgov.org)>; Fung, Frank (CPC) <[frank.fung@sfgov.org](mailto:frank.fung@sfgov.org)>; Imperial, Theresa (CPC) <[theresa.imperial@sfgov.org](mailto:theresa.imperial@sfgov.org)>; [jdoherty@ibew6.org](mailto:jdoherty@ibew6.org); [cityworker@sfcwu.org](mailto:cityworker@sfcwu.org); [clavery@oe3.org](mailto:clavery@oe3.org); [mbrito@oe3.org](mailto:mbrito@oe3.org); [tneep@oe3.org](mailto:tneep@oe3.org); [oashworth@ibew6.org](mailto:oashworth@ibew6.org); [debra.grabelle@ifpte21.org](mailto:debra.grabelle@ifpte21.org); [kgeneral@ifpte21.org](mailto:kgeneral@ifpte21.org); [jbeard@ifpte21.org](mailto:jbeard@ifpte21.org); [tmathews@ifpte21.org](mailto:tmathews@ifpte21.org); [varaullo@ifpte21.org](mailto:varaullo@ifpte21.org); [ewallace@ifpte21.org](mailto:ewallace@ifpte21.org); [aflores@ifpte21.org](mailto:aflores@ifpte21.org); [smcgarry@nccrc.org](mailto:smcgarry@nccrc.org); [larryjr@ualocal38.org](mailto:larryjr@ualocal38.org); [jchiarenza@ualocal38.org](mailto:jchiarenza@ualocal38.org); [SEichenberger@local39.org](mailto:SEichenberger@local39.org); Richard Koenig <[richardk@smw104.org](mailto:richardk@smw104.org)>; [anthonyu@smw104.org](mailto:anthonyu@smw104.org); Charles, Jasmin (MTA) <[Jasmin.Charles@sfmta.com](mailto:Jasmin.Charles@sfmta.com)>; [twulocal200@sbcglobal.net](mailto:twulocal200@sbcglobal.net); roger marenco <[rmarenco@twusf.org](mailto:rmarenco@twusf.org)>; [pwilson@twusf.org](mailto:pwilson@twusf.org); [laborers261@gmail.com](mailto:laborers261@gmail.com); [bart@dc16.us](mailto:bart@dc16.us); [dharrington@teamster853.org](mailto:dharrington@teamster853.org); [MLeach@ibt856.org](mailto:MLeach@ibt856.org); [jason.klumb@seiu1021.org](mailto:jason.klumb@seiu1021.org); [theresa.rutherford@seiu1021.org](mailto:theresa.rutherford@seiu1021.org); [XiuMin.Li@seiu1021.org](mailto:XiuMin.Li@seiu1021.org); [Hector.Cardenas@seiu1021.org](mailto:Hector.Cardenas@seiu1021.org); [pmendeziamaw@comcast.net](mailto:pmendeziamaw@comcast.net); [mjayne@iam1414.org](mailto:mjayne@iam1414.org); [raquel@sfmea.com](mailto:raquel@sfmea.com) (contact) <[raquel@sfmea.com](mailto:raquel@sfmea.com)>; [christina@sfmea.com](mailto:christina@sfmea.com); [criss@sfmea.com](mailto:criss@sfmea.com); [l200twu@gmail.com](mailto:l200twu@gmail.com); [local200twu@sbcglobal.net](mailto:local200twu@sbcglobal.net); [lkuhls@teamsters853.org](mailto:lkuhls@teamsters853.org); [staff@sfmea.com](mailto:staff@sfmea.com); [president@sanfranciscodsa.com](mailto:president@sanfranciscodsa.com); [SFDPOA@icloud.com](mailto:SFDPOA@icloud.com); [sfbia14@gmail.com](mailto:sfbia14@gmail.com); [ibew6@ibew6.org](mailto:ibew6@ibew6.org); Tugbenyoh, Mawuli (HRD) <[mawuli.tugbenyoh@sfgov.org](mailto:mawuli.tugbenyoh@sfgov.org)>

**Subject:** Re: FW: \*\*\* PRESS RELEASE \*\*\* SAN FRANCISCO TO LAUNCH INDEPENDENT REVIEW OF CITY'S EQUAL EMPLOYMENT OPPORTUNITY PRACTICES TO PREVENT WORKPLACE DISCRIMINATION

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

Good evening Mayor Breed (Director Isen) -

After careful and thoughtful review of the Press Release issued earlier this week, the Black Employees Alliance and Coalition Against Anti-Blackness met again, and would like to request answers to the questions proposed below, as well as propose (and clarify) specific propositions made in our previous communication.

The BEA would like the opportunity to meet with William Gould upfront, and others selected to conduct the independent review - to understand better the protocol that will be used, as well as

the structure of the review (i.e. Who will they be meeting with? And in what order? What kind of public oversight and input will be allowed regarding the protocols? What are the benchmarks as the process goes forward?)

In addition, the BEA feels strongly that the independent review should be structured at a minimum like the DOJ investigation into SFPD:

- There were listening sessions with the public to find out concerns for months as part of the investigation. This could be mirrored leveraging staff across all departments, with an emphasis on Black and Brown staff, women, and members from the LGBTQIA community (people from populations more prone to discrimination and harassment complaints).

In addition, we would like clarity about the review process.

- Is it an investigation or review? How are they different?
- Who will be selected to work with William Gould?
- How was Mr. Gould selected?
- Was there an RFP process to select Mr. Gould?
- Who does Mr. Gould have personal and professional relationships with in the City and County of San Francisco? More specifically, does Mr. Gould have a personal or professional relationship with DHR Director Carol Isen (or any other Department Head (or CCSF employee), Commission/Board members, City Attorney's Office, District Attorney's Office, etc.)?

Thank you for calling for this review, as well as ensuring the utmost balanced and transparent process.

Thank you for your leadership and acumen Mayor Breed!

Best,

Black Employees Alliance and Coalition Against Anti-Blackness

On Mon, Nov 2, 2020 at 6:02 PM Black Employee Alliance <[blackemployeealliance@gmail.com](mailto:blackemployeealliance@gmail.com)> wrote:

Good evening Mr. Tugbenyoh -

Thank you for providing a copy of Mayor Breed's Press Release about the review of DHR's EEO complaint practices. While the Black Employee Alliance recognizes that this is a good faith effort by Mayor Breed to ensure problems are addressed at DHR, we are hoping that these efforts reveal the tainted practices that lie beneath the surface of the EEO complaint "process". It is the BEA's hope that this effort goes beyond reviewing "standard operating procedures" which may be solicited from DHR-EEO managers and investigators (and other EEO personnel throughout the City) to demonstrate adequate processes and practices are in-tact; potentially signifying all is well, while minimizing the collusion and coercion indicated by other

departmental HR professionals and indicated in Rebecca Sherman's resignation letter. It could also serve to assert that the problems with the DHR-EEO complaint process are minimal, and they are not - as continuously evidenced by a barrage of recent employee reports and testimonials shared with the Mayor's Office, Board of Supervisors, and other leaders on October 13th.

Member of the Black Employees Alliance (along with AFRAM SEIU 1021, Black Leadership Forum, and a host of non-Black allies) are hoping that this review extends to (and is not limited to):

1. Interviewing and surveying at least 250-350 employees who have submitted discrimination and harassment complaints throughout the last 5 years; with a mix of the target group being 50% Black (as Black employees tend to be more impacted than all other groups); and 50% female (comprehensive of people from diverse racial/ethnic backgrounds).
2. Confidentially and anonymously interviewing HR professionals (i.e. HR Managers, Departmental Personnel Officers, etc.) to ensure they can speak freely about the ways in which they have been coerced by multiple DHR-EEO employees to change language in complaints, and/or prolong investigations to exhaust the statute of limitations (which many employees are not aware of; or lose sight of during investigations that take 1-2 years on average).
3. Are guided to speak with members of the Black Employees Alliance and Coalition Against Anti-Blackness, to obtain insights about potential structural and operational changes to the process. There are more than 10 members who either have current or "recently" closed cases, who could provide very valuable feedback about their experiences with DHR-EEO.

Is this something that Director Isen and DHR would support, and can ensure will happen? The Black Employee Alliance hopes Mayor Breed and Director Isen would support these actions. If not, then the effort will prove to be performative; to serve a political agenda only, and possibly put the lid back on a container that is rife with corruption, lack of ethics, and misconduct.

Thank you again for forwarding this message to us.

We look forward to hearing from you soon!

Best,

Black Employees Alliance and Coalition Against Anti-

On Mon, Nov 2, 2020 at 3:10 PM Tugbenyoh, Mawuli (HRD) <[mawuli.tugbenyoh@sfgov.org](mailto:mawuli.tugbenyoh@sfgov.org)> wrote:

Dear colleagues-

Please see the attached press release regarding efforts being undertaken to reform the DHR EEO Division.

Should you have any questions or suggestions, please do not hesitate to let me or Director Isen know.

Regards,



Connecting People with Purpose

**Mawuli Tugbenyoh 杜本樂**

*[He, Him, His]*

**Chief of Policy**

Department of Human Resources

One South Van Ness Ave., 4<sup>th</sup> Floor

San Francisco, CA 94103

Phone: (415) 551-8942

Website: [www.sfdhr.org](http://www.sfdhr.org)

**\*\*\* PRESS RELEASE \*\*\***

**SAN FRANCISCO TO LAUNCH INDEPENDENT REVIEW OF CITY'S  
EQUAL EMPLOYMENT OPPORTUNITY PRACTICES TO PREVENT  
WORKPLACE DISCRIMINATION**

*An independent review will be led by former National Labor Relations Board Chairman  
William Gould and will be conducted alongside separate review by City Controller*

**San Francisco, CA** — Mayor London N. Breed and Acting Human Resources Director Carol Isen today announced an independent and comprehensive review of the City's workplace policies and practices with a focus on claims of bias, harassment, discrimination, and retaliation. The investigation will be conducted by William B. Gould IV, Charles A. Beardsley Professor of Law, Emeritus, at the Stanford Law School. This investigation will be in addition to other efforts by the City to review and address concerns raised by employees about hiring, discipline, and retention practices with the goal of restoring employee confidence and trust in the Equal Employment Opportunity (EEO) complaint process.

This announcement follows Mayor Breed's Executive Directive 18-02, issued in September 2018, which established consistent standards for employee recruitment, retention, and



tracking of disciplinary actions with the goal of increasing diversity in the City's workforce and ensuring the workplace is place free from harassment, bias, and discrimination. Additionally, in response to concerns raised by San Francisco Municipal Transportation Agency (SFMTA) employees, in October 2018, Mayor Breed appointed an independent ombudsperson to review and make recommendations on reforms needed to ensure transparency, accountability, and the appropriate resolution of employee EEO claims at the SFMTA.

"We appreciate Professor Gould bringing in his expertise and experience to ensure that we are doing everything we can so that the structures we have in place are not creating a discriminatory environment in any way," said Mayor Breed. "Our workplaces need to be safe and welcoming spaces for all our workers, and that starts with making sure we have the right policies and procedures in place."

Carol Isen began serving as Acting Human Resources Director in October and has been committed to cultivating a culture of respect, accountability, and belonging, as well as other structural changes that will create better transparency for EEO claims to better serve City employees.

"Professor Gould, with his long career as a leading intellectual and practitioner in the field of labor and employment law and civil rights," said Acting Human Resources Director Carol Isen. "As a third party neutral arbitrator and factfinder, is eminently qualified to lead us through a comprehensive, neutral and fair review of our EEO complaint and investigatory processes to ensure they work for all employees."

"I am honored to receive and accept this charge," said Professor William Gould. "The people of San Francisco expect a government that functions judiciously and efficiently. I am committed to a thorough and independent examination, which will be fair, equitable and constructive. I look forward to working with all the concerned parties in this endeavor."

In addition to Professor Gould's investigation, City Controller Ben Rosenfield will also conduct a review of the EEO Division's internal controls and workflow, in order to assess any weaknesses in EEO's business processes that exposed the City to the misrepresentations made by one of its managers.

"We look forward to performing a comprehensive review of the existing EEO process and providing practical recommendations that will assist the Department of Human Resources in restructuring their EEO systems to better serve the employees of the City and County of San Francisco," said Ben Rosenfield, City Controller.

City data shows persistent inequities in the City workforce with respect to wages, and promotional opportunities. Most notably, in comparison to other races, Black employees overall hold lower-paying positions, are disciplined more frequently, and file more claims of harassment or discrimination than their colleagues of other ethnicities file. The review will include interviews, listening sessions, research of existing City policies, examination of relevant documents, and identifying best practices from comparable jurisdictions.

“Black and Latinx employees of the City and County of San Francisco experience disproportionately adverse treatment,” said Sheryl Davis, Executive Director of the Human Rights Commission. “This examination of the City’s EEO process comes at a pivotal time in City government when these employees are demanding equitable treatment.”

Professor Gould will focus on:

- **The core provisions of the Equal Employment Opportunity Act:** The City’s current structure for receiving, investigating, and resolving employee claims of harassment, discrimination, retaliation, and other prohibited behavior in the workplace. This includes reviewing past processes, outcomes, and findings in employee EEO complaints;
- **Corrective Action and Discipline:** Methods to ensure behavior found to be a violation of the City’s workplace policies are addressed using fair and equal corrective action practices;
- **Data and Reporting:** Recommend best practices to track and report data regarding employee hiring, discipline, and termination with a focus on gender and race;
- **Training:** Review the effectiveness of current training practices for managers and supervisors and identifying additional support needed for these individuals in order to better supervise and resolve conflicts with employees from diverse backgrounds; and
- **Restorative practices:** Such as mediation and other innovative dispute resolution techniques which could be utilized to address and remedy allegations of workplace discrimination claims.

The City and County of San Francisco employs over 38,000 people and is home to over 60 departments that provide vital public services to City residents. Every City department, manager, and employee plays a part in shifting the culture in our City workplaces and is responsible for ensuring our workspaces are free from bias, harassment, and discrimination.

Professor Gould will have access to any appropriate City departments, records, and information deemed necessary to conduct this review. He will work collaboratively with elected officials, the Human Resources Department, Human Rights Commission, Office of Racial Equity, City agencies, labor stakeholders, employees, and other community stakeholders to receive input and make recommendations to the Department of Human Resources within 120 days. His work is expected to begin November 30th.

#### **About William B. Gould IV**

William B. Gould IV is Charles A. Beardsley Professor of Law, Emeritus, at Stanford Law School. A prolific scholar of labor and discrimination law, Gould has been an influential voice in worker–management relations for more than fifty years and served as Consultant to the U.S. Equal Employment Opportunity Commission (1966-1967) where he conciliated alleged unlawful employment practices, developed proposals for the conciliation process, and provided recommendations for the resolution of discrimination claims involving seniority

which became the basis for early federal court interpretations of Title 7 of the Civil Rights Act of 1964. He served as Chairman of the National Labor Relations Board (NLRB, 1994–98) and subsequently Chairman of the California Agricultural Labor Relations Board (2014-2017). Professor Gould has been a member of the National Academy of Arbitrators since 1970.

As NLRB Chairman, he played a critical role in bringing the 1994–95 baseball strike to its conclusion and has arbitrated and mediated more than two hundred labor disputes, including the 1992 and 1993 salary disputes between the Major League Baseball Players Association and the Major League Baseball Player Relations Committee. He served as Secretary, Labor and Employment Law Section, American Bar Association (1980-81) as well as Independent Monitor for FirstGroup America, addressing freedom-of-association complaints (2008–10). Gould also served as Special Advisor to the U.S. Department of Housing and Urban Development on project labor agreements (2011–12). A critically acclaimed author of ten books and more than sixty law review articles, Professor Gould is the recipient of five honorary doctorates for his significant contributions to the fields of labor law and labor relations.

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**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS Legislation, \(BOS\)](#)  
**Subject:** FW: CONCURRING WITH BOS Agenda Item #37 Condemning Recent Attacks on Board of Education Members File #201269  
**Date:** Monday, November 9, 2020 1:18:00 PM

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**From:** aeboken <aeboken@gmail.com>  
**Sent:** Monday, November 9, 2020 1:13 PM  
**To:** BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative\_aides@sfgov.org>  
**Subject:** CONCURRING WITH BOS Agenda Item #37 Condemning Recent Attacks on Board of Education Members File #201269

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TO: Board of Supervisors members

I am strongly concurring with condemning the recent attacks on Board of Education members.

Hate speech should be called out whenever it occurs.

Eileen Boken  
Coalition for San Francisco Neighborhoods\*

\* For identification purposes only.

Sent from my Verizon, Samsung Galaxy smartphone

**From:** [AnnaRae Grabstein](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Yee, Norman \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)  
**Cc:** [Fregosi, Ian \(BOS\)](#); [Herzstein, Daniel \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Wright, Edward \(BOS\)](#); [Kyle.Smealie@sfgov.org](#); [RivamonteMesa, Abigail \(BOS\)](#); [Low, Jen \(BOS\)](#); [Temprano, Tom \(BOS\)](#); [Beinart, Amy \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Ho, Tim \(BOS\)](#); [Amber Morris](#)  
**Subject:** Support Letter- File #201009 Temporary Suspension of Cannabis Business Tax, and Tax Reduction  
**Date:** Monday, November 9, 2020 2:15:40 PM  
**Attachments:** [Support Letter for File #201009- Temporary Suspension of Cannabis Business Tax, and Tax Reduction.pdf](#)

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Dear Members of the Board,

Please find attached written public comments for the November 10, 2020 Board of Supervisors Meeting, Agenda Item #4, File #201009. Thank you for your consideration.

Kind regards,

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**ANNARAE GRABSTEIN** | Chief Compliance Officer  
831-234-3745 | [annarae@norcalcann.com](mailto:annarae@norcalcann.com)  
[NorCal Cannabis Company](#)

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Osiris Ventures, Inc.  
dba NorCal Cannabis Company  
77 Van Ness Avenue  
Suite 101, Box 1604  
San Francisco, CA 94102

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November 9, 2020

City and County of San Francisco, Board of Supervisors  
submitted via email: [Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

**RE: Support- File# 201009 (Mandelman) Temporary Suspension of Cannabis Business Tax**

Dear Members of the Board,

On behalf of NorCal Cannabis, we strongly support Supervisor Mandelman's proposal to temporarily suspend the cannabis business tax, and tax reduction (File #201009).

We have operated in the legal San Francisco cannabis space since 2015 and appreciate this opportunity to provide our insights in an effort to ensure positive progress for the industry, our communities and the city at large.

COVID-19 has been tremendously challenging in our cultivation and distribution environment. We have worked diligently to create new safety protocols and have paid financial support to staff to weather this pandemic. This has come at a high cost. We currently contribute the same taxes to San Francisco as all other businesses. We are not in an economic position to take on additional taxes that other businesses are not subject to in the midst of the pandemic. Based on the already high costs of operation in the City, any increase in taxes could cause us to close or force us to relocate out of the City.

By delaying the implementation of the cannabis business tax, the City can avoid the loss of PDR jobs in the already tough COVID-19 induced economy.

For additional context on the complicated tax environment in cannabis, legal CA cannabis businesses are subject to cannabis specific cultivation and excise taxes at the state level. The current taxation structure for legal cannabis at the state level has created an unstable economic environment for the legal market; taxes are too complicated and too high- while the unregulated, illicit market has thrived in a zero tax environment. There is a general consensus that over inflated cannabis taxes are threatening the ability of the legal market to mature and compete with illicit operators. Unfortunately, the efforts underway for state level tax reform were sidelined earlier this year by COVID-19 and no progress has been made to date.

We strongly support the delay in implementation of the San Francisco cannabis business tax and encourage your support of these efforts.

Sincerely,

A handwritten signature in blue ink that reads "AR Grabstein".

AnnaRae Grabstein, Chief Compliance Officer  
NorCal Cannabis Company  
[annarae.grabstein@norcalcann.com](mailto:annarae.grabstein@norcalcann.com)

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Wong, Linda \(BOS\)](#)  
**Subject:** FW: Public comment to support temp suspension of the cannabis business tax  
**Date:** Tuesday, November 10, 2020 2:54:00 PM

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**From:** Ivan Castro <icastro@syncsf.org>  
**Sent:** Tuesday, November 10, 2020 12:24 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Public comment to support temp suspension of the cannabis business tax

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My name is Ivan Castro and I'm an equity applicant with a retail application submitted to the Office of Cannabis that has been referred to Planning. I heard that the proposal to delay the cannabis business taxes until January 1, 2022 will be heard by the Board of Supervisors tomorrow and wanted to send in my support (agenda item #4, file #201009).

I appreciate that San Francisco decided early on to give permittees the opportunity to get their feet under them before an additional tax was applied to their businesses (cannabis business taxes). Unfortunately, the pace at which permits have been issued is much slower than anyone expected and those that the delay initially intended to help will still be coming online through 2021, including my dispensary which I am hopeful will be opening in 2021.

Taxing my business more than other businesses simply because we sell cannabis doesn't seem right especially when the state taxes are already so high. I know the Board of Supervisors really wants to see businesses like mine succeed and by supporting this delay you can help make that happen.

Thank you,

Ivan Castro

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [BOS Legislation, \(BOS\)](#)  
**Subject:** FW: SUPPORT Items 22 & 26, 10 Nov. agenda (File Nos. 20112 & 20116)  
**Date:** Monday, November 9, 2020 1:27:00 PM

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-----Original Message-----

From: Bob Planthold <political\_bob@att.net>

Sent: Sunday, November 8, 2020 4:56 PM

To: Yee, Norman (BOS) <norman.yee@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>

Cc: Bob Planthold <political\_bob@att.net>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Maybaum, Erica (BOS) <erica.maybaum@sfgov.org>; Low, Jen (BOS) <jen.low@sfgov.org>; Vejby, Caitlin (BOS) <caitlin.vejby@sfgov.org>; Hsieh, Frances (BOS) <frances.hsieh@sfgov.org>; Mysliwiec, Traci (BOS) <traci.mysliwiec@sfgov.org>; Yu, Angelina (BOS) <angelina.yu@sfgov.org>; Fregosi, Ian (BOS) <ian.fregosi@sfgov.org>; Boilard, Chelsea (BOS) <chelsea.boilard@sfgov.org>; Thornhill, Jackie (BOS) <jackie.thornhill@sfgov.org>; Herzstein, Daniel (BOS) <daniel.herzstein@sfgov.org>; Mullan, Andrew (BOS) <andrew.mullan@sfgov.org>; Bennett, Samuel (BOS) <samuel.bennett@sfgov.org>; Falzon, Frankie (BOS) <frankie.falzon@sfgov.org>; Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>; Hepner, Lee (BOS) <lee.hepner@sfgov.org>; Yan, Calvin (BOS) <calvin.yan@sfgov.org>; sarah.souza@sfgov.org; Quan, Daisy (BOS) <daisy.quan@sfgov.org>; Wright, Edward (BOS) <edward.w.wright@sfgov.org>; Wong, Alan (BOS) <alan.wong1@sfgov.org>; PrestonStaff (BOS) <prestonstaff@sfgov.org>; Snyder, Jen (BOS) <jen.snyder@sfgov.org>; Smeallie, Kyle (BOS) <kyle.smeallie@sfgov.org>; Kilgore, Preston (BOS) <preston.kilgore@sfgov.org>; Yu, Avery (BOS) <avery.yu@sfgov.org>; RivamonteMesa, Abigail (BOS) <abigail.rivamontemesa@sfgov.org>; McDonald, Courtney (BOS) <courtney.mcdonald@sfgov.org>; Mahogany, Honey (BOS) <honey.mahogany@sfgov.org>; Zou, Han (BOS) <han.zou@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Temprano, Tom (BOS) <tom.temprano@sfgov.org>; Mundy, Erin (BOS) <erin.mundy@sfgov.org>; Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>; Adkins, Joe (BOS) <joe.adkins@sfgov.org>; Monge, Paul (BOS) <paul.monge@sfgov.org>; Beinart, Amy (BOS) <amy.beinart@sfgov.org>; Lerma, Santiago (BOS) <santiago.lerma@sfgov.org>; Li-D9, Jennifer (BOS) <jennifer.li-d9@sfgov.org>; Burch, Percy (BOS) <percy.burch@sfgov.org>; Gallardo, Tracy (BOS) <tracy.gallardo@sfgov.org>; Gee, Natalie (BOS) <natalie.gee@sfgov.org>; Evans, Abe (BOS) <abe.evans@sfgov.org>; Sandoval, Suhagey (BOS) <suhagey.sandoval@sfgov.org>; Chinchilla, Monica (BOS) <monica.chinchilla@sfgov.org>; Ho, Tim (BOS) <tim.h.ho@sfgov.org>; Berenson, Samuel (BOS) <sam.berenson@sfgov.org>

Subject: SUPPORT Items 22 & 26, 10 Nov. agenda

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

I urge support of Items 22 and 26, the appeal by Safeway of changes to Church St. and to the J LRV line.

Diversion of traffic off the 200 block of Church is slowing traffic onto and through the detoured streets, thereby making entry into the Safeway parking lot more circuitous.

During my necessary trips to buy food at Safeway, the parking lot is less full than before the changes to the 200 block of Church St.



In addition, the actual changes to the 200 block of Church St. result in traffic at Church & 15th suddenly slowing and making unexpected, quick turns.

Beyond that, within this 200 block of Church St., there are confusing and improper changes.

A barricade and soft hit posts have been placed across the curb lane, at the beginning of the accessible high boarding platform. This prevents bicycles from using that lane and thereby forcing bicycles into the red-transit-only lane.

In addition, on the EAST side of the curb lane, there is an improperly constructed mini-parklet that DPW has not yet abated.

All this is due to the haste and the lack of careful thought and co-ordination for this J Church St program; none of these changes were necessary to deal with COVID-19.

MTA overstepped their authority to make these changes.

Please uphold the appeal for Item22 and 26.

Bob Planthold

**From:** Board of Supervisors, (BOS)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: November 10 item 22-29 MTA CEQA appeals on 201112 and 201116  
**Date:** Thursday, November 12, 2020 11:26:00 AM

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**From:** zrants <zrants@gmail.com>  
**Sent:** Friday, November 6, 2020 9:52 AM  
**To:** Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>  
**Cc:** Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>  
**Subject:** re: November 10 item 22-29 MTA CEQA appeals on 201112 and 201116

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

October 8, 2020

Board of Supervisors,

re: **Re: Support for MTA COVID-19 8-22-20 Muni Bus Service Adjustments and Associated Stop, Street, and Parking Changes (BOS File 201112) MTA COVID-19 8-22-20 and Fall 2020 Muni Rail Service Adjustments and Associated Stop, Street, and Parking Changes (BOS File 201116) California Environmental Quality Act (CEQA) Appeals**

**Please consider supporting these appeals regardless of how you feel about the changes on the streets of San Francisco for the reasons described below. No due process, notice, review or record of approvals at public meetings are evident. Confusion and lack of knowledge is acknowledged by the MTA Director, Steve Heminger.**

**I just checked the recorded documents and there is only one letter recorded on the files, even though I sent one last week and have seen evidence of other letters received. Is there a problem with the web site?**

David Pilpel Motion attached describes some of the issues we have experienced in our investigations as private citizens regarding this case:

<https://sfgov.legistar.com/View.ashx?M=F&ID=8874112&GUID=E6238CEB-ACC8-4A76-848F-73DE5EABFD92>

Please read this 6 page appeal if you want to better understand some of the under lying issues the residents are dealing with as we are trying to navigate our way through the changes SFMTA is making without any pubic notice or review. If we are to believe this allegations, the MTA Director, Steve Heminger does not know what the SFMTA is doing.

*(see page 2 paragraph 4 of the above referenced document)*

**“...In fact, at the September 15, 2020 MTA Board meeting, MTA Director Steve Heminger requested a list of the programs and projects to better understand them.** An accurate and comprehensive description of the current status of each Project from MTA, including the locations that have been approved or are planned under each Project, when each element was approved, and by whom, would help clarify the scope and potential impacts of these two projects...”

If the MTA boss is confused about the programs under his authority how can the public know what is going on. This is pretty alarming, but confirms what we found in attempts to uncover how decisions are being made when they are not documented in public meeting agendas. Who is suggesting the changes and who is approving them if they are not approved by the SFMTA Board? Are they being generated out of someone's basement with no authority? Are they coming from the same source as the fake news that seeks to undermine our civil government?

Please also consider the lost or unrecorded letters in the system.

Mari Eliza, concerned citizen

cc: Sent separately to each supervisor today. Please acknowledge receipt of this email.

PS: Please note that Portions of this letter were originally sent on October 26, 2020.

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [BOS Legislation, \(BOS\)](#)  
**Subject:** FW: Public Comment for 11/10: Items 22 and 26 (File Nos. 201112 & 201116)  
**Date:** Tuesday, November 10, 2020 9:16:00 AM

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**From:** Avishai Halev <avishaihalev@gmail.com>  
**Sent:** Monday, November 9, 2020 4:59 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Public Comment for 11/10: Items 22 and 26

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

Dear Board of Supervisors,

I write today to urge you in the strongest terms to reject the CEQA appeals regarding the J Church Transfer Improvements Project in items 22 and 26.

We are both in a pandemic, and, as per your resolution, a climate emergency; the city and the SFMTA are in budget crises, and traffic is returning with a vengeance. It could not be clearer that this is the exact scenario that CEQA exemptions are envisioned for.

Projects like the J Church Transfer Improvements Project allow riders – disproportionately low income and people of color – to benefit sooner, and piloting projects in this manner allow for vastly better community outreach as people experience the changes first hand, rather than via a poster.

Please reject the CEQA appeals in items 22 and 26.

Thank you,  
Avishai

Avishai Halev  
District 3 Resident

**From:** Board of Supervisors, (BOS)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: Church street closed for traffic  
**Date:** Thursday, November 12, 2020 9:11:00 AM

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-----Original Message-----

From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>  
Sent: Thursday, November 12, 2020 8:39 AM  
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
Cc: BOS Legislation, (BOS) <bos.legislation@sfgov.org>  
Subject: FW: Church street closed for traffic

-----Original Message-----

From: Michel Suas <michel@bpatisserie.com>  
Sent: Wednesday, November 11, 2020 8:42 AM  
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>  
Subject: Church street closed for traffic

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

Dear Members of the Board of Supervisors, I write to you in support of the appeal to the street closure at the 200 block of Church Street and its impact on my business. From being denied access to deliver ingredients, to Muni buses parked on the block blocking visibility, to my front door being vandalized, to a reduction of people on the street, the street closure has been yet another unnecessary and painful challenge to the business.

My name is Michel Suas and I am the owner of Thorough Bread and Pastry at 242 Church Street. For the past 15 years my bakery has served fresh bread and pastries made in the traditional French style. Using only the best ingredients, we strive to create an authentic culinary experience that is within reach for all San Franciscans.

While we are a Castro neighborhood community bakery, over the years we managed to obtain recognition and a following across the city. Many of the customers come from other neighborhoods, and rely on their cars to reach us. For those customers, the ability to arrive and briefly park by the Bakery is of such importance, that even the small change to the meter in front of the store from a grey meter top to a red meter top, created a noticeable reduction in sales. Unfortunately, the Do Not Enter signs the City placed at either end of our block have further discouraged customers from reaching the bakery.

We are all aware of the devastating impact on commerce and the challenges to the survivability of business Covid-19 has had on San Francisco small businesses. Ultimately, the closure of our block to through traffic created yet another obstacle we could do without. In the past weeks we noticed a decline in sales between 10%-15%. And while the pitch by MTA staff of placing tables and chairs on the sidewalk or street might create a place for neighbors to enjoy a pastry and a cup of coffee, we could obtain the same benefit with a parklet and avoid the street closure. If I was to weigh the benefit verses the drawback, the net effect of the street closure to vehicular traffic is overwhelmingly negative.

I ask that city officials reopen the block to through car traffic.

Thank you for your consideration.

Michel Suas

Send from my bench

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [BOS Legislation, \(BOS\)](#)  
**Subject:** FW: Public Comment on 11/10/20 Agenda Items 22 and 26 - Please Reject these CEQA Appeals (File Nos. 201112 & 201116)  
**Date:** Monday, November 9, 2020 3:17:00 PM

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**From:** Parker Day <parkerday@gmail.com>  
**Sent:** Monday, November 9, 2020 2:26 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Public Comment on 11/10/20 Agenda Items 22 and 26 - Please Reject these CEQA Appeals

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

Hello,

I am writing today to provide my comment on Agenda Item 22 and Agenda Item 26 for the Tuesday, November 10 Board of Supervisors meeting. These are the two CEQA appeals relating to the Muni adjustments on Church Street. I ask that you reject their appeal. It is difficult to argue that these changes would cause any significant burden on drivers, whereas it would make things much more difficult for both Muni riders and staff alike.

I am a resident in District 6 at Valencia and Market and the Safeway is my closest grocery store. I shop there often and am familiar with the changes SFMTA has been making on Church Street to improve Muni service. I applaud these changes. Muni is a lifeline in normal times, and even more so during the COVID pandemic. We need these improvements to keep the riders and staff on Muni safe from hazardous car traffic.

Another consideration is that the pandemic has hurt the City's resources. Any time a Muni vehicle is sitting in traffic, it is wasting City funds. Unlike private automobiles, a Muni vehicle stuck in traffic means transit riders are forced to spend unnecessary time in close proximity to other riders.

This pilot project and other projects like these show Muni riders and neighbors what is possible. It allows the City and SFMTA to gather important feedback that looking at drawings or schematics cannot. Oftentimes, concerns over driver access have proven to be largely unwarranted.

Finally, by rejecting the CEQA appeal, Muni riders will get immediate benefits during this pandemic. More permanent changes can be evaluated at a later date when urgency isn't as critical, but at this moment, time is of the essence.

Thank you,

Parker Day  
415-488-6812

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [BOS Legislation, \(BOS\)](#)  
**Subject:** FW: Public Comment, File Number 201233: Shelter-In-Place Rehousing  
**Date:** Tuesday, November 10, 2020 3:05:00 PM

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-----Original Message-----

From: Stefan Nandzik <stefan.nandzik@gmail.com>  
Sent: Tuesday, November 10, 2020 2:39 PM  
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
Subject: Public Comment, File Number 201233: Shelter-In-Place Rehousing

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

To the Board of Supervisors

I support moving everyone from the shelter-in-place hotels into permanent housing so that no one goes back to the streets. More than 2,500 individuals will need to be rehoused, and SF Department of Homelessness and Supportive Housing must provide a specific plan for how this will be accomplished, so we deliver on our promise to house these individuals.

Best regards,  
Stefan Nandzik



**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [BOS Legislation, \(BOS\)](#)  
**Subject:** FW: Public Comment, File Number 201233: Shelter-In-Place Rehousing  
**Date:** Tuesday, November 10, 2020 3:06:00 PM

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**From:** Safiyyah Abdul-Khabir <safiyyah@mediacause.org>  
**Sent:** Tuesday, November 10, 2020 2:22 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Public Comment, File Number 201233: Shelter-In-Place Rehousing

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

To the Board of Supervisors:

I support moving everyone from the shelter-in-place hotels into permanent housing so that no one goes back to the streets. More than 2,500 individuals will need to be rehoused, and SF Department of Homelessness and Supportive Housing must provide a specific plan for how this will be accomplished, so we deliver on our promise to house these individuals.

Thanks,  
Safiyyah

**SAFIYYAH ABDUL-KHABIR**  
Senior Account Strategist  
she / her / hers

[LinkedIn](#) | [@mediacause](#) | [Our Work](#)

**From:** Board of Supervisors, (BOS)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: Great highway and balboa!!!  
**Date:** Thursday, November 12, 2020 10:51:00 AM

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**From:** christina altick <[cwissy727@hotmail.com](mailto:cwissy727@hotmail.com)>  
**Sent:** Thursday, November 12, 2020 10:35 AM  
**To:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>; Ginsburg, Phil (REC) <[phil.ginsburg@sfgov.org](mailto:phil.ginsburg@sfgov.org)>; Mar, Gordon (BOS) <[gordon.mar@sfgov.org](mailto:gordon.mar@sfgov.org)>; Yee, Norman (BOS) <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>  
**Cc:** Fewer, Sandra (BOS) <[sandra.fewer@sfgov.org](mailto:sandra.fewer@sfgov.org)>  
**Subject:** Great highway and balboa!!!

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

Why after multiple months are there tents and insane amounts of trash and open air drugs on the land of great highway and balboa on the sidewalk?!! Isn't they park land?! Right across from the beach.

What on earth is going on and HOW IS THIS LEGAL?! One tent has even been graffitied "private property"

Needs to be removed ASAP!!!

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**From:** christina altick <[cwissy727@hotmail.com](mailto:cwissy727@hotmail.com)>  
**Sent:** Saturday, May 30, 2020 12:09:44 PM  
**To:** [Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org) <[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)>; [Phil.Ginsburg@sfgov.org](mailto:Phil.Ginsburg@sfgov.org) <[Phil.Ginsburg@sfgov.org](mailto:Phil.Ginsburg@sfgov.org)>; [Gordon.Mar@sfgov.org](mailto:Gordon.Mar@sfgov.org) <[Gordon.Mar@sfgov.org](mailto:Gordon.Mar@sfgov.org)>; [Norman.Yee@sfgov.org](mailto:Norman.Yee@sfgov.org) <[Norman.Yee@sfgov.org](mailto:Norman.Yee@sfgov.org)>  
**Cc:** [Sandra.Fewer@sfgov.org](mailto:Sandra.Fewer@sfgov.org) <[Sandra.Fewer@sfgov.org](mailto:Sandra.Fewer@sfgov.org)>  
**Subject:** Re: Neighbors have lots of concern about district 1 recent events

This is what should be happening. Please read the whole article.

<https://www.marinatimes.com/2019/07/dignity-through-accountability/>

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**From:** christina altick <[cwissy727@hotmail.com](mailto:cwissy727@hotmail.com)>  
**Sent:** Monday, May 18, 2020 6:17:49 PM  
**To:** [Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org) <[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)>; [Phil.Ginsburg@sfgov.org](mailto:Phil.Ginsburg@sfgov.org) <[Phil.Ginsburg@sfgov.org](mailto:Phil.Ginsburg@sfgov.org)>; [Gordon.Mar@sfgov.org](mailto:Gordon.Mar@sfgov.org) <[Gordon.Mar@sfgov.org](mailto:Gordon.Mar@sfgov.org)>; [Norman.Yee@sfgov.org](mailto:Norman.Yee@sfgov.org) <[Norman.Yee@sfgov.org](mailto:Norman.Yee@sfgov.org)>  
**Cc:** [Sandra.Fewer@sfgov.org](mailto:Sandra.Fewer@sfgov.org) <[Sandra.Fewer@sfgov.org](mailto:Sandra.Fewer@sfgov.org)>  
**Subject:** Re: Neighbors have lots of concern about district 1 recent events

I listened to the discussion today online.

To get these encampments off the sidewalks and into proper facilities, I am thinking this could work:

Use the cow palace  
 Have assigned offices for psych treatment and drug addiction treatment

Have curfews and consequences

Have specialists that know exactly how to deal with drug addiction and wheening of drugs, and deal with mental illness such as schizophrenia.

Have food delivered, and proper sanitation

Have training for jobs

Have these people be held accountable. San Francisco shouldn't have open drug use, violence, tents on sidewalks, scared and freaked out residents who follow rules and pay taxes

When it comes to severe drug addicts, extreme mental issues, and drug dealers, law enforcement and jail is needed.

No more turning blind eye or not having real solutions.

Moving encampments around, allowing covid to easily spread, and have people not follow laws and rules causes danger and peacefulness to many people. It is not "compassionate" to let this pattern of encampments of legal open crimes to keep occurring. If anything, people that think this ok and don't have proper solutions are the ones not being compassionate!

I was appalled at people yelling and completely not getting the message, thinking as if we don't consider these people humans. It seems they don't have real solutions and think it is ok. If anything, those people have no compassion and think they are being "humane" letting encampment situations continue. They need to be educated. This is not a political issue or money issue. I make below 75k. I'm not a rich republican. I'm actually liberal and a democrat. However I am educated, a tax payer, follow rules, want a peaceful life, AND I studied psychology in college. I can easily see what these people in encampments need.

Thanks for listening.

Christina

**From:** christina altick <[cwissy727@hotmail.com](mailto:cwissy727@hotmail.com)>  
**Sent:** Monday, May 18, 2020 7:25 AM  
**To:** [Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org); [Phil.Ginsburg@sfgov.org](mailto:Phil.Ginsburg@sfgov.org); [Gordon.Mar@sfgov.org](mailto:Gordon.Mar@sfgov.org); [Norman.Yee@sfgov.org](mailto:Norman.Yee@sfgov.org)  
**Subject:** Fwd: Neighbors have lots of concern about district 1 recent events

Hi all,

I just want to be clear that the people that live here are not going to take this, and have the Richmond district turn into the new Tenderloin. You guys moved three new encampments here to spread them out and move from the city encampments, let in more danger from other cities and states because you guys don't care about citizens getting crime, robberies, fear happening to them, you give them services on neighbors' sidewalks, not follow covid rules, turn a blind eye to open drug use, crime, aggressive behavior, lewd acts, toxic and human waste, open fires etc.

And no, putting encampments in golden gate park also does not work!!!

Shuffling these people around are just "band-aids".

Sf is already sued because of tenderloin, it could happen with the other districts suing the city as well. I heard many neighbors will even get the federal government and media notified about this dangerous, negligent and horrible situation.

What these people need are proper mental and drug help, consequences, tougher rules, and proper housing.

Sf is not "compassionate" to them, nor are they compassionate to law abiding tax paying citizens living in this neighborhood properly.

And just a reminder, WE ALL DESERVE TO FEEL SAFE, A FEELING OF PEACE, A FEELING OF RULES AND REGULATIONS, etc.

Christina

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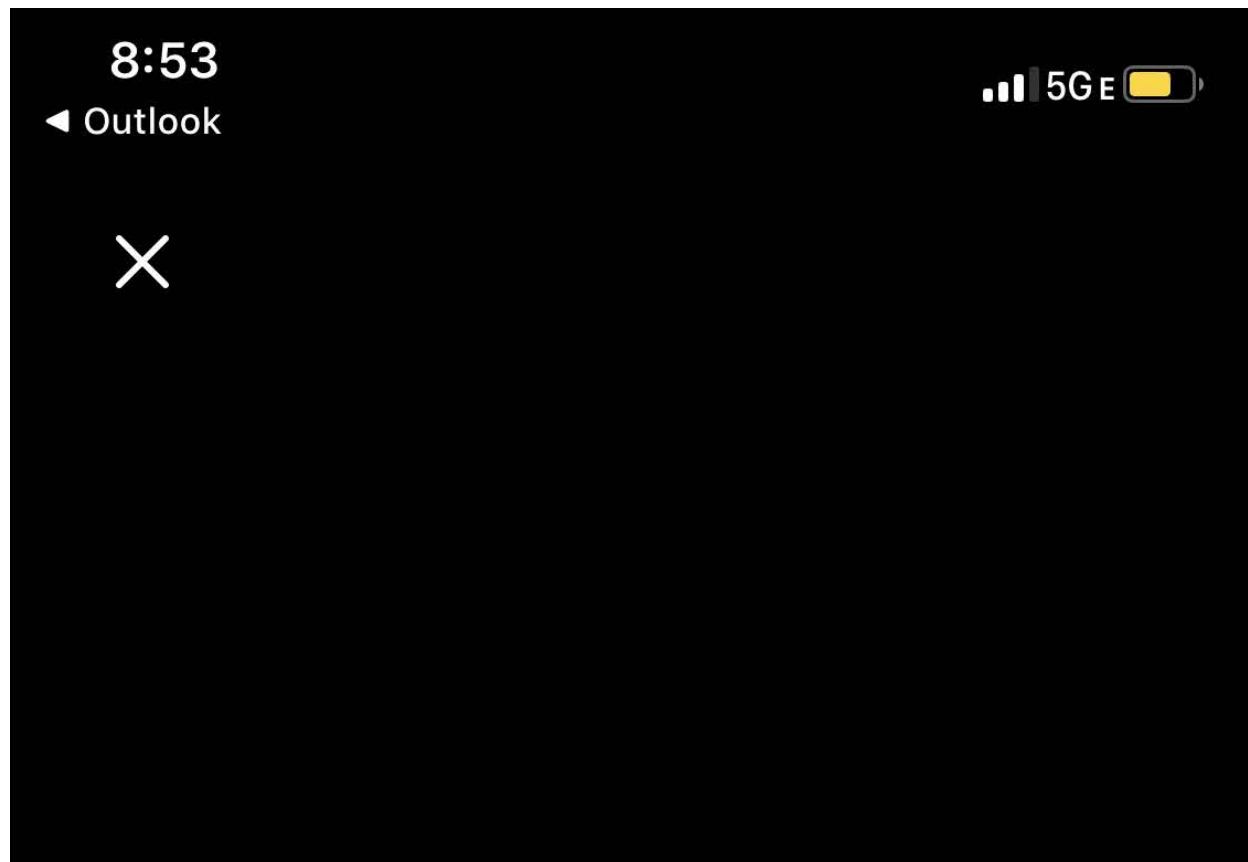
**From:** christina altick <[cwissy727@hotmail.com](mailto:cwissy727@hotmail.com)>  
**Sent:** Friday, May 8, 2020 9:02 AM  
**To:** [MayorLondonBreed@sfgov.org](mailto:MayorLondonBreed@sfgov.org)  
**Subject:** Fwd: Neighbors have lots of concern about district 1 recent events

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**From:** christina altick <[cwissy727@hotmail.com](mailto:cwissy727@hotmail.com)>  
**Sent:** Friday, May 8, 2020 8:56 AM  
**To:** [SFPDRichmondStation@sfgov.org](mailto:SFPDRichmondStation@sfgov.org)  
**Subject:** Re: Neighbors have lots of concern about district 1 recent events

48th before was empty normal sidewalk next to Safeway area.

Here is it now. Pictures posted on next door

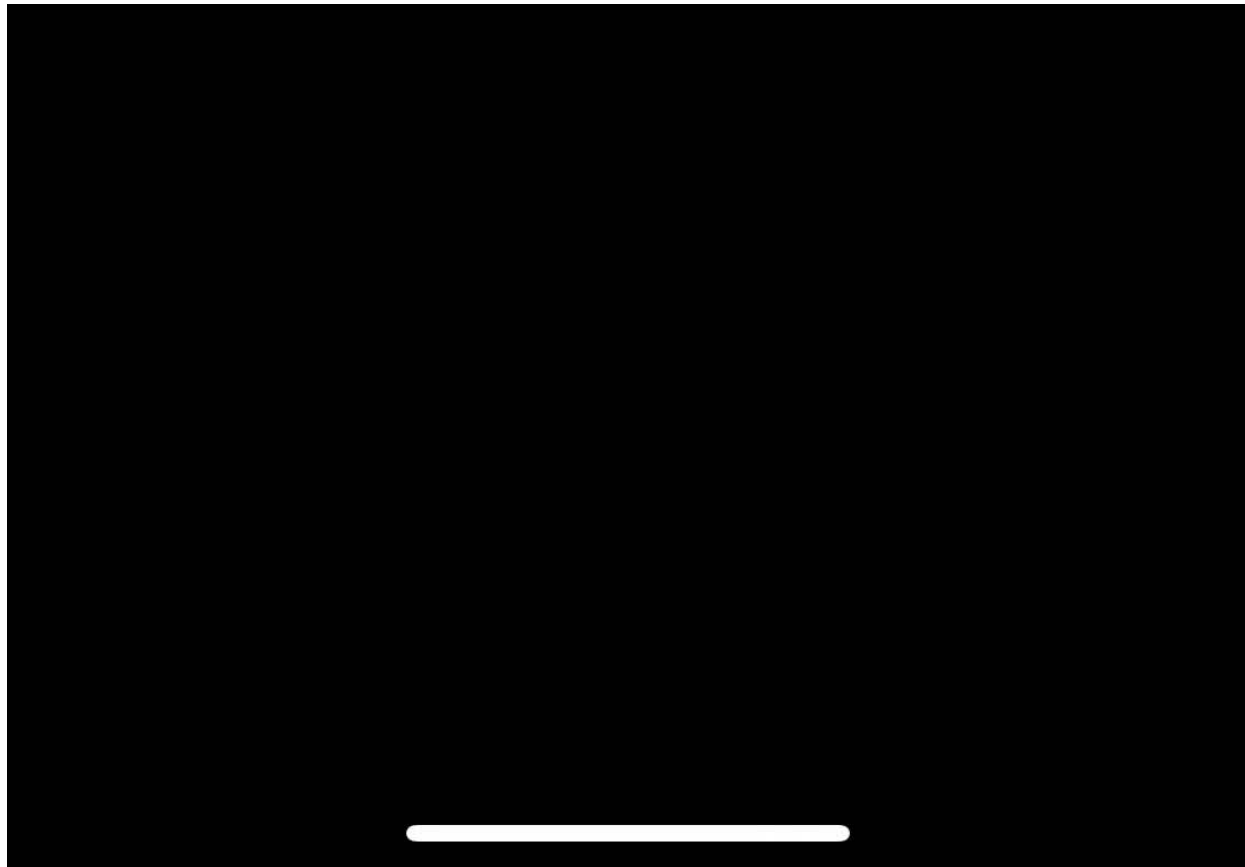




8:53

◀ Outlook





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**From:** christina altick <[cwissy727@hotmail.com](mailto:cwissy727@hotmail.com)>  
**Sent:** Wednesday, May 6, 2020 9:15:08 PM  
**To:** [SFPDRichmondStation@sfgov.org](mailto:SFPDRichmondStation@sfgov.org) <[SFPDRichmondStation@sfgov.org](mailto:SFPDRichmondStation@sfgov.org)>  
**Subject:** Neighbors have lots of concern about district 1 recent events

Hello,

There is a huge problem in Richmond district (district 1) that is causing hundreds of neighbors to feel distress and worry not only because of covid but because of other health hazards and dangerous aggressive behavior, open drug use, intimidation, etc.

It is - the 3 homeless encampments that have popped up since shelter in place. Located at  
Geary and 18th  
Balboa and 24th  
Balboa and 48th

This is a huge concern for the people that live here for many reasons, and moving them to our neighborhood has not solved anything whatsoever for the homeless issue. These encampments were not here before. There has also been a lot of trash from sutro heights parked that has spilled over on the highway, so I am assuming they are also there. Once again, this doesn't solve anything. Neither for them nor for the people that live here.

These people in the encampments truly need mental and/or drug addiction help and proper housing-- not tents and open area with crime, health hazard, etc.

Please let me know how my neighbors and I can get this addressed/who we should reach out to. We deserve to feel safe and ok in our neighborhood. We shouldn't have to feel scared and unsafe, we already are worried about the virus and now this has caused more anguish for us. And this is totally out of control that the city allows this...

Thanks,  
Christina

**From:** Board of Supervisors, (BOS)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: Public Comment about the Good Food Purchasing Program  
**Date:** Monday, November 9, 2020 1:17:00 PM

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**From:** Ajay Thakur <ajaythakurdotnet@gmail.com>  
**Sent:** Sunday, November 8, 2020 10:24 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Public Comment about the Good Food Purchasing Program

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

My name is Ajay Thakur , and I'm submitting a public comment about the Good Food Purchasing Program ordinance that's being proposed by Supervisor Fewer. I like that this food policy has climate goals, but it doesn't go far enough. Animal agriculture is a breeding ground for future pandemics like bird flu and swine flu, and it is a major driver of deforestation and our climate emergency. San Francisco needs to divest and defund animal agriculture by transitioning to a 100% plant-based purchasing policy.

Regards,

Ajay Thakur

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Angela Tsao](#)  
**Subject:** FW: SFCTA --Item 8 Better Market St. --bicyclists ignored needs of the disabled and of taxi industry  
**Date:** Tuesday, November 10, 2020 8:27:00 AM

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-----Original Message-----

From: Bob Planthold <political\_bob@att.net>  
 Sent: Monday, November 9, 2020 6:51 PM  
 To: Yee, Norman (BOS) <norman.yee@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; tilly.chang@sfcta.org  
 Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Maybaum, Erica (BOS) <erica.maybaum@sfgov.org>; Low, Jen (BOS) <jen.low@sfgov.org>; Vejby, Caitlin (BOS) <caitlin.vejby@sfgov.org>; Hsieh, Frances (BOS) <frances.hsieh@sfgov.org>; Mysliwiec, Traci (BOS) <traci.mysliwiec@sfgov.org>; Yu, Angelina (BOS) <angelina.yu@sfgov.org>; Fregosi, Ian (BOS) <ian.fregosi@sfgov.org>; Boilard, Chelsea (BOS) <chelsea.boilard@sfgov.org>; Thornhill, Jackie (BOS) <jackie.thornhill@sfgov.org>; Herzstein, Daniel (BOS) <daniel.herzstein@sfgov.org>; Mullan, Andrew (BOS) <andrew.mullan@sfgov.org>; Bennett, Samuel (BOS) <samuel.bennett@sfgov.org>; Falzon, Frankie (BOS) <frankie.falzon@sfgov.org>; Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>; Hepner, Lee (BOS) <lee.hepner@sfgov.org>; Yan, Calvin (BOS) <calvin.yan@sfgov.org>; sarah.souza@sfgov.org; Quan, Daisy (BOS) <daisy.quan@sfgov.org>; Wright, Edward (BOS) <edward.w.wright@sfgov.org>; Wong, Alan (BOS) <alan.wong1@sfgov.org>; PrestonStaff (BOS) <prestonstaff@sfgov.org>; Snyder, Jen (BOS) <jen.snyder@sfgov.org>; Smeallie, Kyle (BOS) <kyle.smeallie@sfgov.org>; Kilgore, Preston (BOS) <preston.kilgore@sfgov.org>; Yu, Avery (BOS) <avery.yu@sfgov.org>; RivamonteMesa, Abigail (BOS) <abigail.rivamontemesa@sfgov.org>; Mcdonald, Courtney (BOS) <courtney.mcdonald@sfgov.org>; Mahogany, Honey (BOS) <honey.mahogany@sfgov.org>; Zou, Han (BOS) <han.zou@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Temprano, Tom (BOS) <tom.temprano@sfgov.org>; Mundy, Erin (BOS) <erin.mundy@sfgov.org>; Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>; Adkins, Joe (BOS) <joe.adkins@sfgov.org>; Monge, Paul (BOS) <paul.monge@sfgov.org>; Beinart, Amy (BOS) <amy.beinart@sfgov.org>; Lerma, Santiago (BOS) <santiago.lerma@sfgov.org>; Li-D9, Jennifer (BOS) <jennifer.li-d9@sfgov.org>; Burch, Percy (BOS) <percy.burch@sfgov.org>; Gallardo, Tracy (BOS) <tracy.gallardo@sfgov.org>; Gee, Natalie (BOS) <natalie.gee@sfgov.org>; Evans, Abe (BOS) <abe.evans@sfgov.org>; Sandoval, Suhagey (BOS) <suhagey.sandoval@sfgov.org>; Chinchilla, Monica (BOS) <monica.chinchilla@sfgov.org>; Ho, Tim (BOS) <tim.h.ho@sfgov.org>; Berenson, Samuel (BOS) <sam.berenson@sfgov.org>; info@sfcta.org; bob Planthold <political\_bob@att.net>  
 Subject: SFCTA --Item 8 Better Market St. --bicyclists ignored needs of the disabled and of taxi industry

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

SFCTA Directors,

Regarding Item 8 on the 10 Nov. agenda, Better Market St.

Since i am having dental surgery Tuesday here are my comments.

I listened to public comment at the recent previous SFCTA meeting and again



participated in the 9 Nov. "virtual open house".

You are overwhelmingly getting "public comment" from people who, disproportionately, are bicycle riders.

The views of the disability communities and of the taxi industry are not being heard.

The DPW staff project leader said public comment closes tomorrow[ Tuesday with the SFCTA meeting. Yet, the Lighthouse for the Blind has a presentation this Thursday, 12 Nov.

And, the BMS survey now has been extended to close on 30 Nov., meaning many more people can voice a concern or ask a question.

The commenters so far want taxis and delivery trucks taken off Market St.; they seemed ignorant that taxis are a legally authorized component of the federally-mandated COMPLEMENTARY paratransit service -- and so cannot be blocked from any street in SF.

Some wanted paratransit users to be transported by pedi-cabs and / or golf carts -- even though neither are accessible.

Some wanted taxis to pick up passengers only at the corners of side streets intersecting Market.

Some wanted delivery trucks to stop at corners of intersecting streets and then deliver anywhere within that block.

Since private motor vehicles are diverted onto side streets, that means delivery trucks would partially obstruct those same side streets used by private vehicles.

All these ideas came from people speaking for what they wanted while also making suggestions for other groups about whom they are clearly ignorant.

\*\*\*\*\*

I have previously offered a simple solution:  
allow taxis and paratransit vans to ride in the center MUNI red lanes, and only pull in to the curb to drop off or pick up passengers.

In 2019, taxis, ramped taxis, and paratransit vans were banned from riding in the center lane and relegated to the curb lane.

As of now, the curb lane's necessity to carry

bicyclists, roller-bladers, taxis, skateboarders, paratransit vans, scooter users, ramped taxis, and Segways means a mix of modes, each travelling at different speeds.

The human-powered modes are harder to see and travel slower than a taxi or paratransit van, allowing for a multiplicity of bumps and minor/ major side-swiping collisions.

The current planned curb lane usage can be dangerous for all modes, including passengers in wide-bodied paratransit vans and ramped taxis.

While MTA staff head said there will be too many MUNI vehicles in the center lane to also allow use by taxis, ramped taxis and paratransit vans, no stats. or even range of stats. have been offered.

So, with all the pro-bike support for big changes to the curb lane usage and the necessity for their safety,

think also of a solution other than trying to illegally ban taxis and paratransit vans from Market.

Bob Planthold

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: SFCTA Congestion Pricing Opposition Letter  
**Date:** Thursday, November 12, 2020 9:05:00 AM  
**Attachments:** [image016.png](#)  
[image017.png](#)  
[SFCTA Congestion Pricing Opposition Letter.pdf](#)  
[image014.png](#)  
[image015.png](#)  
[image018.png](#)  
[image019.png](#)  
[image022.png](#)

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**From:** Kevin Carroll <kevin@hotelcouncilsf.org>  
**Sent:** Wednesday, November 11, 2020 2:30 PM  
**To:** Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; tilly.chang@sfcta.org  
**Cc:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Elsbernd, Sean (MYR) <sean.elsbernd@sfgov.org>; Tumlin, Jeffrey (MTA) <Jeffrey.Tumlin@sfmta.com>; Torres, Joaquin (ECN) <joaquin.torres@sfgov.org>; mli@boma.com; Rodney Fong <rfong@sfchamber.com>; Joe D'Alessandro <joe@sftravel.com>; Laurie Thomas <laurie@ggra.org>; Michon Coleman (mcoleman@hospitalcouncil.org) <mcoleman@hospitalcouncil.org>; Maryo Mogannam <maryo@sfdma.org>; Janan New <janan@sfaa.org>; karin@unionsquarebid.com; Randall Scott <randall@fwcbd.com>  
**Subject:** SFCTA Congestion Pricing Opposition Letter

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

Dear Chair Peskin and Executive Director Chang,

On behalf of the Hotel Council of San Francisco and undersigned organizations, we are writing this letter in opposition to the congestion pricing study that is being presented to the community for feedback. Our industries and small businesses are being devastated by the economic impacts of COVID-19 and we believe this is simply not the time to be considering congestion pricing. Timing for the program study is inappropriate and if the program were implemented it would create yet another barrier to the economic recovery of our city and would negatively impact the livelihoods of our residents, employees, vendors, customers, and visitors. We request that any further consideration of the program not be pursued at this time for the following reasons:

- The study does not adequately address the current harsh reality, and unknown future, that businesses are experiencing from the devastating impacts of COVID-19. The Financial District, Union Square, Fisherman's Wharf, Chinatown, Polk Street, Van Ness Ave, Hayes Valley, Tenderloin, Larkin Street and Merchants of South of Market are all impacted by this study.
- The plans do not include an economic impact study to determine how it will impact our already fractured economy and businesses.

- Companies and cities are requiring employees to work from home and traffic patterns will be changed dramatically both in the short and long-term. Relying on traffic studies conducted prior to COVID-19 is not appropriate and any decisions should be made based upon post COVID-19 business conditions.
- The international cities that have congestion pricing all had world class transportation systems that provide strong alternatives for automobiles prior to implementing congestion pricing. San Francisco and the Bay Area do not currently have the level of transit options and service that is needed for success.
- Our public transportation systems are all reducing service due to COVID and would need to be expanded significantly to offer alternatives to driving.
- Congestion pricing will hurt our employees. For example, \$12 a day equates to a total of \$3,000 a year to an employee. Layer this on top of bridge tolls of up to \$8.40, demand responsive metered parking from up to \$7 an hour, and 25% tax on off-street parking for employees who have no alternative to driving.
- Our industries have employees who must travel to work at times when MUNI and BART don't operate.
- San Francisco businesses are crippled by the pandemic and congestion pricing could be the "Nail in the coffin" to businesses that are struggling to survive.
- The plan does not consider how the dirty and unsafe conditions on our streets already is hurting business and keeping visitors and customers from coming into our city. This plan would provide one more reason for people not to come to our city to stay, visit and shop.

We strongly urge the SFCTA not to move forward with any further study of the impacts of congestion pricing at this time. San Francisco must first be able to provide reliable public transportation solutions and, in addition, must first recover from and be able to understand the potential long-term impacts of the COVID-19 pandemic prior to entertaining any additional fees associated with accessing the City core.

Sincerely,



Kevin Carroll, President & CEO  
President  
Hotel Council of San Francisco



Marc Intermaggio, Executive Vice  
BOMA San Francisco



Rodney Fong, President & CEO  
San Francisco Chamber of Commerce



Joe D'Alessandro, President & CEO  
San Francisco Travel Association



Laurie Thomas, Executive Director  
President  
Golden Gate Restaurant Association  
California



Michon Coleman, Regional Vice  
Hospital Council Northern & Central



Maryo Mogannam, President  
San Francisco Council of District Merchant  
Associations



Janan New, Executive Director  
San Francisco Apartment Association



Karin Flood, Executive Director  
of Directors  
Union Square Business Improvement District  
Benefit District

Sina von Reitzenstein, President Board  
Fisherman's Wharf Community



Yerba Buena Community Benefit District  
Management Association



Mission Bay Transportation



**Kevin Carroll**

President & CEO

[Hotel Council of San Francisco](#)

323 Geary Street, Suite 405

San Francisco, CA 94102

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*Please consider the environment before printing this email.*

To donate supplies to the city during COVID-19: [Give2SF@sfgov.org](mailto:Give2SF@sfgov.org)

November 11, 2020

Aaron Peskin, SFCTA Board Chair  
Tilly Chang, Executive Director SFCTA  
1455 Market Street, 22nd Floor  
San Francisco, CA 94013

RE: Opposition to Downtown Congestion Pricing Program

Dear Chair Peskin and Executive Director Chang,

On behalf of the Hotel Council of San Francisco and undersigned organizations, we are writing this letter in opposition to the congestion pricing study that is being presented to the community for feedback. Our industries and small businesses are being devastated by the economic impacts of COVID-19 and we believe this is simply not the time to be considering congestion pricing. Timing for the program study is inappropriate and if the program were implemented it would create yet another barrier to the economic recovery of our city and would negatively impact the livelihoods of our residents, employees, vendors, customers, and visitors. We request that any further consideration of the program not be pursued at this time for the following reasons:

- The study does not adequately address the current harsh reality, and unknown future, that businesses are experiencing from the devastating impacts of COVID-19. The Financial District, Union Square, Fisherman's Wharf, Chinatown, Polk Street, Van Ness Ave, Hayes Valley, Tenderloin, Larkin Street and Merchants of South of Market are all impacted by this study.
- The plans do not include an economic impact study to determine how it will impact our already fractured economy and businesses.
- Companies and cities are requiring employees to work from home and traffic patterns will be changed dramatically both in the short and long-term. Relying on traffic studies conducted prior to COVID-19 is not appropriate and any decisions should be made based upon post COVID-19 business conditions.
- The international cities that have congestion pricing all had world class transportation systems that provide strong alternatives for automobiles prior to implementing congestion pricing. San Francisco and the Bay Area do not currently have the level of transit options and service that is needed for success.
- Our public transportation systems are all reducing service due to COVID and would need to be expanded significantly to offer alternatives to driving.
- Congestion pricing will hurt our employees. For example, \$12 a day equates to a total of \$3,000 a year to an employee. Layer this on top of bridge tolls of up to \$8.40, demand responsive metered parking from up to \$7 an hour, and 25% tax on off-street parking for employees who have no alternative to driving.
- Our industries have employees who must travel to work at times when MUNI and BART don't operate.
- San Francisco businesses are crippled by the pandemic and congestion pricing could be the "Nail in the coffin" to businesses that are struggling to survive.
- The plan does not consider how the dirty and unsafe conditions on our streets already is hurting business and keeping visitors and customers from coming into our city. This plan would provide one more reason for people not to come to our city to stay, visit and shop.

We strongly urge the SFCTA not to move forward with any further study of the impacts of congestion pricing at this time. San Francisco must first be able to provide reliable public transportation solutions and, in addition, must first recover from and be able to understand the potential long-term impacts of the COVID-19 pandemic prior to entertaining any additional fees associated with accessing the City core.

Sincerely,



Kevin Carroll, President & CEO  
Hotel Council of San Francisco



Marc Intermaggio, Executive Vice President  
BOMA San Francisco



Rodney Fong, President & CEO  
San Francisco Chamber of Commerce



Joe D'Alessandro, President & CEO  
San Francisco Travel Association



Laurie Thomas, Executive Director  
Golden Gate Restaurant Association



Michon Coleman, Regional Vice President  
Hospital Council Northern & Central California



Maryo Mogannam, President  
San Francisco Council of District Merchant Associations



Janan New, Executive Director  
San Francisco Apartment Association



Karin Flood, Executive Director  
Union Square Business Improvement District



Sina von Reitzenstein, President Board of Directors  
Fisherman's Wharf Community Benefit District



Yerba Buena Community Benefit District



Mission Bay Transportation Management Association

CC: San Francisco Board of Supervisors, Mayor London Breed, Sean Elsbernd, Jeffrey Tumlin  
Joaquin Torres



**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: Tax Collector drop box needed NOW  
**Date:** Thursday, November 12, 2020 9:08:00 AM

---

**From:** Mary Donnici <[mdonnici@pacbell.net](mailto:mdonnici@pacbell.net)>  
**Sent:** Wednesday, November 11, 2020 3:56 PM  
**To:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Subject:** Tax Collector drop box needed NOW

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

With SF property taxes due in December it is appalling that the City Tax Collectors office does not have a drop box in front of their office. When we called and asked the reason for this the response was they have not addressed this issue yet-ALL OTHER BAY AREAS COUNTIES HAVE A DROP BOX- What an embarrassment that Jose Cisneros our City Treasurer has put in a drop box in place this being a huge revenue for the City!  
PLEASE GET THIS IMPELEMENTED ASAP.  
Thank you

Mary Louise Donnici  
Sr. Loan Officer  
Pacific Bay Lending, Inc.  
CA Dept. of Real Estate #1375656, 01874818  
NMLS# 237617, 318011  
Direct 415-794-4554  
Fax 415-753-6777



**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW:  
**Date:** Friday, November 6, 2020 9:33:00 AM

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**From:** jeff wlech <metalbynaturesf@gmail.com>  
**Sent:** Tuesday, November 3, 2020 11:30 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:**

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

You think the Wuhan virus is bad, wait till water is scare, this town wastes more water than I've ever seen, Hechty, Hechty never dries up ya? We're in a major drought and this state is burning up, nothing said about

Water, pass an ordinance to use pressure washers, not 🖐 held garden hoses, get off your policat! high horse and get real, Jeff Welch 916 217 9403 [metalbynaturesf@gmail.com](mailto:metalbynaturesf@gmail.com)

**From:** [Jim Grossman](#)  
**To:** [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Yee, Norman \(BOS\)](#); [raphael.mandelman@sfgov.org](mailto:raphael.mandelman@sfgov.org); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Sandoval, Suhagey \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [Stefani, Catherine \(BOS\)](#)  
**Subject:** Whole Foods Application to occupy the long vacant Best Buy building in City Center  
**Date:** Thursday, November 12, 2020 11:46:33 AM

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

Hello SF Supervisors,

I am a homeowner at 975 Baker Street in San Francisco and a Vice-President of the Anza Vista Homeowners Association and I want to strongly support the Whole Foods application to locate a store in my neighborhood. Whole Foods is planning on occupying a vacant building in the City Center Shopping Center which would be a real plus for our area and the City of SF. Vacant retail buildings are a problem for the local area as they are for the whole of SF. SF voters recently approved a measure that taxes landlords that fail to fill their vacant storefronts. Here we have a vacant building left by Best Buy that Whole Foods wants to occupy. I can't believe there would be any opposition to this plan. In fact, I believe the City of SF should be giving Whole Foods a tax incentive to fill this empty building. The City gets increased tax income, 200 new jobs for its residents, and a responsible and much needed tenant supplying food for residents. In fact, this application has already been approved by the SF Planning Commissioners so I and the homeowners I represent in the immediate neighborhood are not sure why a CEQA appeal is even applicable.

There is a Whole Foods Market at Franklin and California Streets but its parking is terrible as there are few slots and on Sundays, its almost impossible to park . As I understand it, a Church owns this lands and leases the property to Whole Foods and required Whole Foods to reserve a number of their parking spaces for church members on Sundays. This location does not work well for the residents of our neighborhood Also their is a Trader Joe's at Masonic and Geary but parking here is also terrible. Trader Joe's tells me this particular store is their busiest store in the country.

Our neighborhood strongly recommends your speedy approval for Whole Foods to occupy the vacant building at City Center Shopping Center as soon as possible. This building has sat vacant too long. (I believe its been two years now ) I just hope the shopping center owners do not go under during these Covid 19 times. Grocery stores are essential businesses.

**Jim Grossman, Vice-President of the Anza Vista Neighborhood Association**  
 975 Baker Street  
 San Francisco, CA 94115

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: Support of Supervisor Haney's 30% legislation  
**Date:** Monday, November 9, 2020 1:28:00 PM

---

**From:** Anne Bluethenthal <abdprod@me.com>  
**Sent:** Monday, November 9, 2020 6:01 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>  
**Cc:** Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Kirkpatrick, Kelly (MYR) <kelly.kirkpatrick@sfgov.org>; Major, Erica (BOS) <erica.major@sfgov.org>  
**Subject:** Support of Supervisor Haney's 30% legislation

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

Dear Supervisors and Mayor,

I am a district 8 resident, working in district 6. I am writing to express my fervent support of Matt Haney's legislation that would set a 30% standard for all supportive housing in San Francisco, introduced on October 20, 2020 (File: 201185), and to urge the mayor to properly fund this by the 2021-2022 budget cycle.

Many formerly unhoused tenants in city contracted housing are starving and rent burdened, not by a private landlords, but by the city and county of San Francisco. Supervisor Haney's legislation would correct this untenable situation, affecting supportive housing buildings that came online before 2016, when all new buildings were required to adhere to the 30% standard.

A significant number of these tenants (the vast majority of whom are disabled) are Black, Brown, seniors, and LGBTQ+ Those who profess to care about racial justice must find a way to correct these housing inequities, rendered more stark by COVID 19, which has exposed how economic inequality can hurt the most vulnerable, especially those supportive housing tenants.

In addition, according to the 2019–20 evictions report from the Department of Homelessness and Supportive Housing, numerous housing sites with rent burdens have had households with multiple eviction notices for non-payment of rent.

The #30RightNow Coalition (policy statement viewable here: <https://medium.com/@30rightnow/we-are-the-30rightnow-coalition-fef2fde8c442> ) is a tenan-led coalition consisting of many trusted organizations such as the Supportive Housing Providers Network, Homeless Emergency Services Providers Network, DISH, Episcopal Community Services SF, The Housing Rights Committee, the Coalition on Homelessness, and many more. We are demanding that the City go all out to get a universal 30% standard in supportive housing by the 2021-2022 budget cycle. This is 20 years long overdue, it follows a long-standing federal standard, and would help so many weather this crisis and enhance their lives and prevent evictions.

Sincerely,

Anne Bluethenthal, District 8 and 6

Artistic Director, ABD Productions / Skywatchers

<http://www.abdproductions.org>

"...the opposite of poverty is not wealth; the opposite of poverty is justice...

We all need mercy, we all need justice, and--perhaps--we all need some measure of unmerited grace." Bryan Stevenson

"If you don't have a seat at the table, you're probably on the menu." (Unattributed but quoted here from Elizabeth Warren)

**From:** Board of Supervisors, (BOS)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Wong, Linda \(BOS\)](#)  
**Subject:** FW: In Support of 30 Right Now Coalition and Supervisor Haney's Legislation  
**Date:** Thursday, November 12, 2020 1:41:00 PM

---

**From:** Jaime Vilorio <jaimemvilorio@hotmail.com>

**Sent:** Tuesday, November 10, 2020 1:22 PM

**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Kirkpatrick, Kelly (MYR) <Kelly.Kirkpatrick@sfgov.org>; Major, Erica (BOS) <erica.major@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>

**Subject:** In Support of 30 Right Now Coalition and Supervisor Haney's Legislation

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

To Mayor London Breed and the Board of Supervisors:

My name is Jaime Vilorio and I live in District 6, specifically in the Tenderloin. I am writing to you all in support of my D6 Supervisor Matt Haney's legislation that would set a 30% standard for all supportive housing in San Francisco, introduced on October 20, 2020, and for the Mayor to properly fund this by the 2021-2022 budget cycle.

Many formerly homeless tenants in city contracted housing are starving and rent burdened, not by a private landlord, but by the city and county of San Francisco. Supervisor Haney's legislation would correct this injustice, which applies to supportive housing buildings which came online before 2016, when all new buildings would follow the 30% standard. A significant number of these tenants (the vast majority of whom are disabled) are Black, seniors, and LGBTQ+. Those who care about racial justice need to find a way to correct these housing inequities, and COVID-19 only laid bare how economic inequality can hurt the most vulnerable and posed extra expenses for many supportive housing tenants.

In addition, according to the 2019–20 evictions report from the Department of Homelessness and Supportive Housing, numerous housing sites with rent burdens have had households with multiple eviction notices for non-payment of rent. The #30RightNow Coalition ([policy statement viewable here](#)) is a tenant let coalition consisting of many trusted organizations such as the Supportive Housing Providers Network, Homeless Emergency Services Providers Network, DISH, Episcopal Community Services SF, The Housing Rights Committee, the Coalition on Homelessness, and many more. We are demanding that the City go all out to get a universal 30% standard in supportive housing by the 2021-2022 budget cycle. This is 20 years long overdue, it follows a long-standing federal standard, and would help so many

weather this crisis and enhance their lives and prevent evictions.

I appreciate your support and for finding ways to take care of the people, especially for the most in need in San Francisco

Sincerely,  
Jaime Vilorio  
Tenderloin, SF  
District 6

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Wong, Linda \(BOS\)](#)  
**Subject:** FW: Please Support #30RightNow (File: 201185)  
**Date:** Thursday, November 12, 2020 1:42:00 PM

---

**From:** Simone Manganelli <simx@me.com>

**Sent:** Tuesday, November 10, 2020 2:40 PM

**To:** Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Cohen, Emily (HOM) <emily.cohen@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Major, Erica (BOS) <erica.major@sfgov.org>; Kirkpatrick, Kelly (MYR) <Kelly.Kirkpatrick@sfgov.org>

**Subject:** Please Support #30RightNow (File: 201185)

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

Dear Supervisors and Mayor:

My name is Simone Manganelli and I live in District 8, and I am writing to you all in support of Matt Haney's legislation that would set a 30% standard for all supportive housing, introduced on October 20, 2020 (File: 201185), and for the mayor to properly fund this by the 2021-2022 budget cycle.

Many formerly homeless tenants in city contracted housing are starving and rent burdened, not by a private landlord, but by the city and county of San Francisco. Supervisor Haney's legislation would correct this injustice, which applies to supportive housing buildings which came online before 2016, when all new buildings would follow the 30% standard.

A significant number of these tenants (the vast majority of whom are disabled) are Black, seniors, and LGBTQ+. Those who care about racial justice need to find a way to correct these housing inequities, and COVID-19 only laid bare how economic inequality can hurt the most vulnerable and posed extra expenses for many supportive housing tenants.

While I am not an unhoused person myself, I have many unhoused neighbors who lived in the area around my house. A few weeks ago, I was dismayed to find out the City conducted a whole sweep of our area, pushing unhoused people out of the area. Instead of using these city resources to do absolutely nothing for unhoused people, how about we use some of that money to support the #30RightNow legislation, so that we can prevent even more people from being pushed out on to the streets, with the coming eviction crisis caused by the pandemic.

The #30RightNow Coalition (policy statement viewable here:

<https://medium.com/@30rightnow/we-are-the-30rightnow-coalition-fef2fde8c442>) is a tenant let coalition consisting of many trusted organizations such as the Supportive Housing Providers Network, Homeless Emergency Services Providers Network, DISH, Episcopal Community Services SF,



The Housing Rights Committee, the Coalition on Homelessness, and many more, and we are demanding that the City go all out to get a universal 30% standard in supportive housing by the 2021-2022 budget cycle. This is 20 years long overdue, it follows a long-standing federal standard, and would help so many weather this crisis and enhance their lives and prevent evictions.

Sincerely,

Simone Manganelli, District 8 Resident

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Wong, Linda \(BOS\)](#)  
**Subject:** FW: Please Support #30RightNow (File: 201185)  
**Date:** Thursday, November 12, 2020 1:43:00 PM

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**From:** Edna Kozikaro <ednakozikaro@gmail.com>  
**Sent:** Tuesday, November 10, 2020 11:44 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>  
**Cc:** Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Kirkpatrick, Kelly (MYR) <Kelly.Kirkpatrick@sfgov.org>; Major, Erica (BOS) <erica.major@sfgov.org>  
**Subject:** Please Support #30RightNow (File: 201185)

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

Dear Supervisors and Mayor,

My name is Edna and I live in District 4, and I am writing to you all in support of Matt Haney's legislation that would set a 30% standard for all supportive housing in San Francisco, introduced on October 20, 2020 (File: 201185), and for the mayor to properly fund this by the 2021-2022 budget cycle.

Many formerly homeless tenants in city contracted housing are starving and rent burdened, not by a private landlord, but by the city and county of San Francisco. Supervisor Haney's legislation would correct this injustice, which applies to supportive housing buildings which came online before 2016, when all new buildings would follow the 30% standard.

A significant number of these tenants (the vast majority of whom are disabled) are Black, seniors, and LGBTQ+ Those who care about racial justice need to find a way to correct these housing inequities, and COVID-19 only laid bare how economic inequality can hurt the most vulnerable and posed extra expenses for many supportive housing tenants. In addition, according to the 2019–20 evictions report from the Department of Homelessness and Supportive Housing, numerous housing sites with rent burdens have had households with multiple eviction notices for non-payment of rent.

The #30RightNow Coalition (policy statement viewable here: <https://medium.com/@30rightnow/we-are-the-30rightnow-coalition-fef2fde8c442>) is a tenant let coalition consisting of many trusted organizations such as the Supportive Housing Providers Network, Homeless Emergency Services Providers Network, DISH, Episcopal Community Services SF, The Housing Rights Committee, the Coalition on Homelessness, and many more, and we are demanding that the City go all out to get a universal 30% standard in supportive housing by the 2021-2022 budget cycle. This is 20 years long overdue, it follows a long-standing federal standard, and would help so many weather this crisis and enhance their lives and prevent evictions.

Sincerely,

Edna Kozikaro  
District 4

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-Edna Kozikaro

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Subject:** FW: Please Support #30RightNow (File: 201185)  
**Date:** Monday, November 9, 2020 1:30:00 PM

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**From:** Tenaya Lafore <tslafore@dons.usfca.edu>  
**Sent:** Monday, November 9, 2020 9:34 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Kirkpatrick, Kelly (MYR) <kelly.kirkpatrick@sfgov.org>; Major, Erica (BOS) <erica.major@sfgov.org>  
**Subject:** Please Support #30RightNow (File: 201185)

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

Dear Supervisors and Mayor,

My name is Tenaya Lafore and I live in District 8, and I am writing to you all in support of Matt Haney's legislation that would set a 30% standard for all supportive housing in San Francisco, introduced on October 20, 2020 (File: 201185), and for the mayor to properly fund this by the 2021-2022 budget cycle.

Many formerly homeless tenants in city contracted housing are starving and rent burdened, not by a private landlord, but by the city and county of San Francisco. Supervisor Haney's legislation would correct this injustice, which applies to supportive housing buildings which came online before 2016, when all new buildings would follow the 30% standard.

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(Feel free to tell your story here if applicable, whether you are/were an affected tenant or service provider)

The #30RightNow Coalition (policy statement viewable here: <https://medium.com/@30rightnow/we-are-the-30rightnow-coalition-fef2fde8c442>) is a tenant led coalition consisting of many trusted organizations such as the Supportive Housing Providers Network, Homeless Emergency Services Providers Network, DISH, Episcopal Community Services SF, The Housing Rights Committee, the Coalition on Homelessness, and many more, and we are demanding that the City go all out to get a universal 30% standard in supportive housing by the 2021-2022 budget cycle. This is 20 years long overdue, it follows a long-standing federal standard, and would help so many weather this crisis and enhance their lives and prevent evictions.

Sincerely,

Tenaya Lafore

District 8