



## **TWENTY-FIRST SUPPLEMENT TO MAYORAL PROCLAMATION DECLARING THE EXISTENCE OF A LOCAL EMERGENCY DATED FEBRUARY 25, 2020**

**WHEREAS**, California Government Code Sections 8550 et seq., San Francisco Charter Section 3.100(14) and Chapter 7 of the San Francisco Administrative Code empower the Mayor to proclaim the existence of a local emergency, subject to concurrence by the Board of Supervisors as provided in the Charter, in the case of an emergency threatening the lives, property or welfare of the City and County or its citizens; and

**WHEREAS**, On February 25, 2020, the Mayor issued a Proclamation (the “Proclamation”) declaring a local emergency to exist in connection with the imminent spread within the City of a novel (new) coronavirus (“COVID-19”); and

**WHEREAS**, On March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions taken by the Mayor to meet the emergency; and

**WHEREAS**, On March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency to exist within the State due to the threat posed by COVID-19; and

**WHEREAS**, On March 6, 2020, the Health Officer declared a local health emergency under Section 101080 of the California Health and Safety Code, and the Board of Supervisors concurred in that declaration on March 10, 2020; and

**WHEREAS**, On March 16, 2020, the City’s Health Officer issued a stay safe at home order, Health Officer Order No. C19-07 (the “Stay Safe At Home Order”), requiring most people to remain in their homes subject to certain exceptions including obtaining essential goods such as food and necessary supplies, and requiring the closure of non-essential businesses; the Health Officer has amended the Stay Safe At Home Order to modify the ongoing restrictions; and

**WHEREAS**, There have been 3,561 confirmed cases of COVID-19 within the City and 50 COVID-19-related deaths in the City; there have been more than 215,375 confirmed cases in California and more than 5,933 COVID-19-related deaths in California; and

**WHEREAS**, To safely open to students in compliance with health directives and guidance requiring physical distancing and to accommodate potential increases in enrollment due to school closures, schools may need to temporarily expand into



additional space and make other modifications to their operations; suspending City laws to facilitate such temporary expansion and modifications will allow schools to quickly make necessary changes so that students are protected from undue risk and able to continue their educations during the emergency; and

**WHEREAS**, In the Third Supplement to the Emergency Proclamation dated March 17, 2020, recognizing that many City employees affected by the Stay Safe At Home Order cannot perform their duties remotely and must stay home and that it is in the public interest to support such employees with paid leave, the Mayor authorized a paid leave program through April 17, 2020, to mitigate financial impacts of the emergency on City employees; the Mayor extended the program to June 30, 2020 through a further orders in the Seventh, Twelfth, and Sixteenth Supplements to the Emergency Proclamation; due to the ongoing restrictions of the Stay Safe At Home Order, it is in the public interest to further extend this paid leave program; and

**WHEREAS**, In the Second Supplement to the Emergency Proclamation, dated March 13, 2020, and in the Thirteenth Supplement to the Emergency Proclamation, dated May 11, 2020, the Mayor directed the San Francisco Public Utilities Commission to suspend water and power shutoffs and imposition of late penalties; it continues to be in the public interest to prevent the disruption of these services and the collection of penalties for late payments due to the ongoing public health and economic concerns;

**NOW, THEREFORE,**

I, London N. Breed, Mayor of the City and County of San Francisco, proclaim that there continues to exist an emergency within the City and County threatening the lives, property or welfare of the City and County and its citizens;

**In addition to the measures outlined in the Proclamation and in the Supplements to the Proclamation dated March 11, March 13, March 17, March 18, March 23, March 27, March 31, April 1, April 10, April 14, April 23, April 30, May 11, May 13, May 18, May 29, June 2, June 9, June 13, and June 19, 2020, it is further ordered that:**

(1) In order to accommodate proper social distancing of students, staff, and faculty and/or to accommodate increases in enrollment at certain schools in response to anticipated closures of other schools as a result of COVID-19 economic impacts, any School may



apply for a building or other permit to temporarily expand, intensify and/or adjust operations to accommodate the needs described above, without being subject to the limitations or restrictions of the Planning Code, including but not limited to any requirements for a new or amended Conditional Use authorization, public notification, or street frontage. Temporary expansion, intensification, or adjustment may occur at a School's current location (e.g. modular trailers) or may involve the use of additional locations, which may or may not be contiguous with the School's current location, provided no portion of the space to be occupied as an additional location is used as a dwelling unit or group housing unit. Any expansion to a different premises will occur without that premises losing its current land use designation. Any City fees required in connection with the expansion, intensification, adjustment or related alterations, including but not limited to those imposed under Articles 3.5 or 4 of the Planning Code, are hereby waived. Any provision of the Charter or Municipal Code that would allow an appeal to the Board of Appeals regarding such temporary permit or authorization is waived except in cases where a permit or authorization is denied and the School seeks to appeal the denial. For the purpose of this Order, "School" shall mean a school that provides educational instruction to students in kindergarten through twelfth grade that is accredited by the Western Association of Schools and Colleges, the California Association of Independent Schools, or another established accrediting body. The suspension of requirements and fees is subject to the following provisions:

(a) Any School which is subject to a student enrollment limit may exceed that limit by no more than ten percent.

(b) The Director of Planning or the Director's designee is authorized to issue rules, regulations, or guidance to implement this Order.

(c) Within 30 days of the end of the local emergency or termination of this Order by the Mayor or Board of Supervisors, any such expansion, intensification and/or adjustment shall terminate and be removed. Notwithstanding the foregoing, if the local emergency ends or this Order is terminated during the school year (defined for the purposes of this Order as August 15 through June 15, inclusive), then such 30-day period shall not commence until the end of the school year.

(2) The Human Resources Director is authorized, with the concurrence of the Controller, to extend the existing paid leave program for City employees, first authorized on March 17, 2020 in the Third Supplement to the Emergency Proclamation, through July 31, 2020,



to mitigate the financial impacts of the emergency on these City employees. The Director of Transportation is authorized, with the concurrence of the Controller, to extend the existing paid leave program for service critical employees of the San Francisco Municipal Transportation Agency first authorized on March 17, 2020 by the Third Supplement to the Emergency Proclamation, through July 31, 2020. As described in the Third, Seventh, Twelfth, and Sixteenth Supplements to the Emergency Proclamation, this paid leave program is for employees who are available to work, but not working, including working from home, due to the Stay Safe At Home Order.

(3) Section 2 of the Second Supplement to the Emergency Proclamation, dated March 13, 2020, and extended in the Thirteenth Supplement to the Emergency Proclamation, dated May 11, 2020, authorizing the San Francisco Public Utilities Commission (“SFPUC”) to suspend, (a) the discontinuation or shut off of water service for residents and businesses in the City for non-payment of water and sewer bills, (b) the imposition of late payment penalties or fees for delinquent water and/or sewer bills, (c) the discontinuation or shut off of power service for SFPUC Hetch Hetchy Power Customers in San Francisco for non-payment of power bills, (d) the imposition of late payment penalties or fees for delinquent Hetch Hetchy Power Customer accounts, and (e) the return of delinquent CleanPowerSF Customers to PG&E generation service for failure to pay CleanPowerSF charges, is extended for an additional 30 days through August 10, 2020.

DATED: June 29, 2020

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

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London N. Breed  
Mayor of San Francisco