

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE REDEVELOPMENT
AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 02-2022

Adopted January 24, 2022

**ADOPTING A COVID-19 VACCINATION POLICY APPLICABLE TO MEMBERS OF
THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY, CONSISTENT WITH
THE VACCINATION REQUIREMENTS FOR MEMBERS OF THE SUCCESSOR
AGENCY COMMISSION AND FOR MEMBERS OF POLICY BODIES OF THE CITY
AND COUNTY OF SAN FRANCISCO**

- WHEREAS, The Oversight Board supervises the performance of the Successor Agency, pursuant to the Redevelopment Dissolution Law (Cal. Health & Safety Code §§ 34170 et seq.) and Resolution No. 11-12 and Ordinance No. 215-12; and,
- WHEREAS, On February 25, 2020, the Mayor issued a proclamation under California Government Code Sections 8550 et seq., the San Francisco Charter Section 3.100(14), and Chapter 7 of the San Francisco Administrative Code declaring a local emergency to exist in connection with the imminent spread within the City of COVID-19 (the “Proclamation”); 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, The U.S. Center for Disease Control advises that the vaccinations approved for use in the United States to control COVID-19 prevent severe illness, hospitalization, and death. The California Public Health Officer issued an order on August 5, 2021, requiring most workers in health care facilities to be vaccinated by September 30, 2021. On August 24, 2021, the San Francisco Health Officer issued an order limiting access to designated high-risk settings, such as acute care hospitals, skilled nursing facilities, residential care facilities for the elderly, homeless shelters, and jails, to personnel who have received their final dose of vaccine by September 30, 2021. The Health Officer’s order further prohibited personnel who may occasionally or intermittently enter those designated high-risk settings in the course of their work from entering such facilities after October 13, 2021, if those employees are not fully vaccinated; and,

WHEREAS, To protect the health and safety of City employees and the public, and to comply with legal mandates, the City required all City employees to report their vaccination status by July 29, 2021. For employees who reported their status as unvaccinated, City policy required them to update that status as they received vaccination for COVID-19. City policy requires all City employees to be fully vaccinated against COVID-19 no later than November 1, 2021, subject to limited exemptions for medical disability and sincerely held religious beliefs. City policy also provides that employees who are not vaccinated consistent with these requirements and who do not have an approved exemption on medical or religious grounds that a City department is able to reasonably accommodate will be subject to non-disciplinary separation from City employment for failure to meet a condition of City employment; and,

WHEREAS, The Successor Agency Commission adopted, by Resolution No. 39-2021 (Nov. 2, 2021), a vaccination policy that requires all OCII employees to be fully vaccinated against COVID-19 no later than January 1, 2022, subject to limited exemptions for medical disability and sincerely held religious beliefs.

WHEREAS, The Successor Agency Commission also adopted, by Resolution No. 44-2021 (Dec. 7, 2021), a vaccination policy that requires all members of the Successor Agency Commission to be fully vaccinated against COVID-19 no later than January 1, 2022; and

WHEREAS, San Francisco recently experienced a surge in new COVID-19 cases and an increase in hospitalizations, mostly among people not fully vaccinated, due to the highly contagious Delta variant. Future surges may occur due to other variants, and it is critical to protecting the public health and safety and safety in the workplace that all eligible individuals obtain vaccinations as soon as possible to protect them from COVID-19; and,

WHEREAS, During the local emergency, as authorized by state and local law, the Oversight Board as well as City boards, commissions, and advisory bodies (“Policy Bodies”) have met remotely with very limited exceptions, and members of the public have observed and participated in meetings by phone or through online platforms. In light of improving public health indicators, in-person public meetings of these Policy Bodies may resume in the near future. Most meetings of Policy Bodies are staffed by public employees, and public employees regularly present to such bodies and sit in close proximity to members of these bodies during meetings. To protect public employees and members of the public participating in these meetings from the risk of COVID-19 transmission, the public interest requires members of Policy Bodies to prove that they are fully vaccinated against COVID-19, as soon as possible but no later than January 1, 2022. Because of the location and nature of indoor in-person meetings and the extended close interactions that members of these bodies have with other members and the public, accommodating members who are unvaccinated by granting exceptions to a vaccination requirement is not feasible; and,

WHEREAS, On October 8, 2021, Mayor London Breed issued the Thirty-Eighth Supplement to the Mayoral Proclamation Declaring the Existence of a Local Emergency Dated February 25, 2020, which required that members of City Policy Bodies report on their vaccination status and further provided that if a member of a City Policy Body is not fully vaccinated on or after January 1, 2022 the member would not be permitted to attend or participate in an in-person meeting of the City Policy Body on which the member sits (the “City Policy Body Vaccination Requirement”); and,

WHEREAS, On December 17, 2021, Mayor London Breed issued the Forty-First Supplement to the Mayoral Proclamation Declaring the Existence of a Local Emergency Dated February 25, 2020, which states that the Mayor anticipates that the City will likely be in a position to allow City commissions, boards, and advisory bodies to begin meeting in person again on February 28, 2022, and that members of the public will be invited to observe and participate in those meetings in person, and by phone or through online platforms as well for many of those meetings; and,

WHEREAS, The City Policy Body Vaccination Requirement does not apply to the Oversight Board because it is not a City Policy Body, but the Oversight Board desires to apply to its own members vaccination requirements that are similar to the City Policy Body Vaccination Requirement and Successor Agency Commission Resolution No 44-2021; and,

WHEREAS, Section 34179(c) of the Health and Safety Code provides that: “The oversight board may direct the staff of the successor agency to perform work in furtherance of the oversight board’s and the successor agency’s duties and responsibilities under this part. The successor agency shall pay for all of the costs of meetings of the oversight board and may include such costs in its administrative budget”; now therefore be it

RESOLVED, On and after March 1, 2022, no member of the Oversight Board may attend or participate in an in-person meeting of the Oversight Board unless the member is Fully Vaccinated. To the extent local or State law requires members of the Oversight Board to be physically present at the in-person meeting, the member who is not Fully Vaccinated may not attend and shall be marked absent from the meeting; and be it further

RESOLVED, For purposes of this Resolution, the following definitions apply:
Fully Vaccinated” and “Full Vaccination” mean two weeks after completing the entire recommended series of vaccination (usually one or two doses) with a vaccine authorized to prevent COVID-19 by the FDA, including by way of an emergency use authorization, or by the World Health Organization. For example, as of the date of issuance of this Order, an individual would be fully vaccinated at least two weeks after receiving a second dose of the Pfizer or Moderna COVID-19 vaccine or two weeks after receiving the single dose Johnson & Johnson’s Janssen COVID-19 vaccine. A list if FDA authorized vaccines is available at <https://www.fda.gov/emergency-preparedness-and-response/coronavirus-disease->

2019-covid-19/covid-19-vaccines. A list of WHO authorized vaccines is available at <https://extranet.who.int/pqweb/vaccines/covid-19-vaccines>; and be it further

RESOLVED, By no later than February 28, 2022, every member of the Oversight Board must submit information to the OCII Human Resources/Administrative Services Manager stating whether the member is Fully Vaccinated. If the member is Fully Vaccinated, the member must provide documentary verification. If the member is not Fully Vaccinated on February 28, 2022, the member must report whether the member intends to become Fully Vaccinated, the date that the member anticipates becoming Fully Vaccinated, and any additional information required by the OCII Human Resources/Administrative Services Manager consistent with the information required of City Policy Bodies under the City Policy Body Vaccination Requirement; and be it further

RESOLVED, The Oversight Board directs the OCII Human Resources/Administrative Services Manager to perform these duties and responsibilities, and related administrative functions related to the implementation of this Resolution, all of which are in furtherance of the Oversight Board's and OCII's duties and responsibilities under the Redevelopment Law.

RESOLVED, That this Resolution shall remain in place during the local emergency unless the Mayor or the Board of Supervisors terminates the City Policy Body Vaccination Requirement.

I hereby certify that the foregoing resolution was adopted by the Oversight Board at its meeting of January 24, 2022.

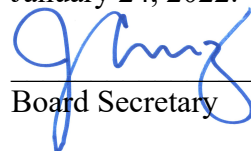

Board Secretary

Exhibit 1: 38th Supplement to Mayoral Proclamation Declaring the Existence of a Local Emergency dated February 25, 2020

Exhibit 2: 41st Supplement to Mayoral Proclamation Declaring the Existence of a Local Emergency dated February 25, 2020

OFFICE OF THE MAYOR
SAN FRANCISCO



LONDON N. BREED
MAYOR

**THIRTY-EIGHTH 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, The U.S. Center for Disease Control advises that the vaccinations approved for use in the United States to control COVID-19 prevent severe illness, hospitalization, and death. The California Public Health Officer issued an order on August 5, 2021, requiring most workers in health care facilities to be vaccinated by September 30, 2021. On August 24, 2021, the San Francisco Health Officer issued an order limiting access to designated high-risk settings, such as acute care hospitals, skilled nursing facilities, residential care facilities for the elderly, homeless shelters, and jails, to personnel who have received their final dose of vaccine by September 30, 2021. The Health Officer’s order further prohibited personnel who may occasionally or intermittently enter those designated high-risk settings in the course of their work from entering such facilities after October 13, 2021, if those employees are not fully vaccinated; and



WHEREAS, To protect the health and safety of City employees and the public, and to comply with legal mandates, the City required all City employees to report their vaccination status by July 29, 2021. For employees who reported their status as unvaccinated, City policy required them to update that status as they received vaccination for COVID-19. City policy requires all City employees to be fully vaccinated against COVID-19 no later than November 1, 2021, subject to limited exemptions for medical disability and sincerely held religious beliefs. And depending on their work duties some City employees must be fully vaccinated before November 1 under State and City health orders, including, but not limited to, the orders mentioned above. City policy also provides that employees who are not vaccinated consistent with these requirements and who do not have an approved exemption on medical or religious grounds that the department is able to reasonably accommodate will be subject to non-disciplinary separation from City employment for failure to meet a condition of City employment; and

WHEREAS, San Francisco recently experienced a surge in new COVID-19 cases and an increase in hospitalizations, mostly among people not fully vaccinated, due to the highly contagious Delta variant. Future surges may occur due to other variants, and it is critical to protecting the public health and safety and safety in the workplace that all eligible individuals obtain vaccinations as soon as possible to protect them from COVID-19; and

WHEREAS, The City contracts with many third-parties to perform work and provide services at City facilities and other locations. Some employees of contractors or subcontractors working under these agreements may spend time working in close proximity to City employees. To help protect those City employees from the risk of COVID-19 transmission by contractors and subcontractors, it is in the public interest to require City contractors and subcontractors to ensure their employees who work in such settings prove that they have been fully vaccinated against COVID-19, as soon as possible but no later than December 31, 2021; and

WHEREAS, During the local emergency, as authorized by state and local law, City boards, commissions, and advisory bodies have met remotely with very limited exceptions, and members of the public have observed and participated in meetings by phone or through online platforms. In light of improving public health indicators, it is anticipated that in-person public meetings of these City bodies will resume in the near future. Most meetings of City boards, commissions, and policy bodies are staffed by City employees, and City employees regularly present to such bodies and sit in close



proximity to members of these bodies during meetings. To protect City employees and members of the public participating in these meetings from the risk of COVID-19 transmission, it is in the public interest to require members of City boards, commissions, and advisory bodies to prove that they are fully vaccinated against COVID-19, as soon as possible but no later than January 1, 2022. Because of the location and nature of indoor in-person meetings and the extended close interactions that members of these bodies have with other members and the public, it is infeasible to accommodate members who are unvaccinated by granting exceptions to the vaccination requirement in this Order;

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 issued on various dates, it is further ordered that:

(1) Vaccination Requirements for City Contractors and Subcontractors.

(a) For purposes of this Order, the following definitions apply:

“Contract” means an agreement between the City and any other entity or individual and any subcontract under such agreement, where Covered Employees of the Contractor or Subcontractor work in-person with City employees in connection with the work or services performed under the agreement at a City owned, leased, or controlled facility. Such agreements include professional services contracts, general services contracts, public works contracts, and grants. “Contract” includes such agreements currently in place or entered into during the term of this order. “Contract” does not include an agreement with a state or federal governmental entity or agreements that do not involve the City paying or receiving funds.

“Contractor” means any individual or legal entity that enters into a Contract with the City.



“Covered Employee” means any person employed by a Contractor or Subcontractor whose job duties require the employee to work in close proximity to City employees for a substantial amount of the employee’s working hours.

“Fully Vaccinated” means two weeks after completing the entire recommended series of vaccination (usually one or two doses) with a vaccine authorized to prevent COVID-19 by the FDA, including by way of an emergency use authorization, or by the World Health Organization. For example, as of the date of issuance of this Order, an individual would be fully vaccinated at least two weeks after receiving a second dose of the Pfizer or Moderna COVID-19 vaccine or two weeks after receiving the single dose Johnson & Johnson’s Janssen COVID-19 vaccine. A list of FDA authorized vaccines is available at <https://www.fda.gov/emergency-preparedness-and-response/coronavirus-disease-2019-covid-19/covid-19-vaccines>. A list of WHO authorized vaccines is available at <https://extranet.who.int/pqweb/vaccines/covid-19-vaccines>.

“Qualifying Medical Reason” means a medical condition or disability recognized by the FDA or CDC as a contra-indication to COVID-19 vaccination.

“Religious Beliefs” means a sincerely held religious belief, practice, or observance protected by state or federal law.

“Subcontractor” means any individual or legal entity that performs services under a Contract.

(b) As soon as possible but no later than December 31, 2021, Contractors must ensure that all Covered Employees are Fully Vaccinated, or have a valid exemption based on a Qualifying Medical Reason or Religious Beliefs that can be reasonably accommodated with appropriate safety precautions consistent with those that the City affords at the City work setting.

(c) Within 14 days of the date of this Order, the City Administrator shall issue a Vaccination Policy for City Contractors (“Vaccination Policy”). The Vaccination Policy shall create processes and procedures for City departments to implement and enforce the requirement of subsection (b) and shall provide guidance to City departments and Contractors as the City Administrator deems necessary. The Vaccination Policy shall authorize Contractors and Subcontractors to grant exemptions to Covered Employees for Qualifying Medical Reasons or Religious Beliefs, provided that any exemption from the



vaccination requirement complies with local and state health orders and that any accommodation the Contractor or Subcontractor grants is consistent with the availability of accommodations for City employees working at the same worksite. The Vaccination Policy may impose additional health and safety requirements, such as periodic testing and masking, for Covered Employees for whom a Contractor or Subcontractor grants an exemption from the vaccination requirement based on Qualifying Medical Reasons or Religious Beliefs. The Vaccination Policy shall create a process for City departments to grant waivers to Contractors from compliance with subsection (b) and shall specify the allowable bases for such waivers.

(d) The City Administrator is delegated authority to modify the definition of Fully Vaccinated under this Order, upon the prior written approval of the Health Officer. The City Administrator is further delegated authority to modify the definition of Contract under this order, with written consent of the Mayor or the Mayor's designee upon a determination that such modification is necessary or appropriate to further the intent of this Order.

(e) In addition to applying to all Contracts in place on the date of this Order, beginning on January 1, 2022, City departments shall require as a condition of any new Contract the City enters into during the term of this Order that the Contractor comply with the City Administrator's Vaccination Policy and that the Contractor require any Subcontractor to comply with the City Administrator's Vaccination Policy.

(f) This Order does not supersede the Safer Return Together Order or any other order or directive of the Health Officer, or any other, state or federal orders or laws, and to the extent any of those orders or laws are more protective of public health or safety than this order, they control. Also, this Order does not supersede the policy of any City department that has implemented a policy to ensure compliance with orders or directives of the Health Officer, or any state or federal orders or laws with respect to facilities under the department's control, to the extent such policy is more protective of public health or safety than this Order. This Order does not supersede the policy of the San Francisco International Airport regarding vaccination of the on-site personnel of Airport tenants or contractors.

(g) This Order shall remain in place during the local emergency unless terminated earlier by the Mayor or the Board of Supervisors.



(2) Vaccination Requirements for Members of City Policy Bodies.

(a) For purposes of this Order, the following definitions apply:

“Fully Vaccinated” and “Full Vaccination” mean two weeks after completing the entire recommended series of vaccination (usually one or two doses) with a vaccine authorized to prevent COVID-19 by the FDA, including by way of an emergency use authorization, or by the World Health Organization. For example, as of the date of issuance of this Order, an individual would be fully vaccinated at least two weeks after receiving a second dose of the Pfizer or Moderna COVID-19 vaccine or two weeks after receiving the single dose Johnson & Johnson’s Janssen COVID-19 vaccine. A list of FDA authorized vaccines is available at <https://www.fda.gov/emergency-preparedness-and-response/coronavirus-disease-2019-covid-19/covid-19-vaccines>. A list of WHO authorized vaccines is available at <https://extranet.who.int/pqweb/vaccines/covid-19-vaccines>.

“City Policy Body” means a City board, commission, committee, task force, or other legislative or policy body established by the Charter, City ordinance, or California statute and that is subject to the open meeting requirements of the Ralph M. Brown Act (Cal. Govt. Code §§ 54950 et seq.). “City Policy Body” also means all subcommittees of bodies described in the preceding sentence. “City Policy Body” does not include passive meeting bodies under Administrative Code Section 67.4, other City bodies that were not established through legislation, bodies whose jurisdiction is not limited to the City (e.g., Association of Bay Area Governments Executive Board, Bay Area Air Quality Management District Board, Transbay Joint Powers Authority Board, and Metropolitan Transportation Commission), and bodies that govern agencies distinct from the City (e.g., Board of Education, Governing Board of the Community College District, Housing Authority Commission, Law Library Board of Trustees, Parking Authority, Health Authority, Local Agency Formation Commission, Commission on Community Investment and Infrastructure, and Oversight Board of the Successor Agency to the San Francisco Redevelopment Agency).

(b) By no later than October 31, 2021, each City department that provides administrative support to one or more City Policy Bodies (“Supporting Department”) shall submit to the Department of Human Resources a list of the City Policy Bodies that the Supporting Department supports and the name of each member of each such City Policy Body. Each City department shall timely submit updated information of the names of the members of



each such City Policy Body to reflect any changes in the composition of each such City Policy Body. The Department of Human Resources shall take any necessary steps to ensure that each City Policy Body member may provide information about their vaccination status in the City's People & Pay portal as required in section (c).

(c) By no later than December 15, 2021, every member of a City Policy Body must submit information to the City's People & Pay portal stating whether the member is Fully Vaccinated, or must provide such information to the Supporting Department to submit to the portal. If the member is Fully Vaccinated, the member must provide any documentary verification requested by the City. If the member is not Fully Vaccinated on December 15, 2021, the member must report whether the member intends to become Fully Vaccinated, the date that the member anticipates becoming Fully Vaccinated, and any additional information required by the City. The department head of each Supporting Department shall designate one or more individuals to review information in the portal regarding the vaccination status of each City Policy Body member. In the discretion of the Human Resources Director, the Department of Human Resources is authorized to issue guidance specifying alternative means other than the portal for City Policy Body members to submit information about their vaccination status.

(d) On and after January 1, 2022, no member of a City Policy Body may attend or participate in an in-person meeting of the City Policy Body unless the member is Fully Vaccinated. To the extent local or State law requires members of the City Policy Body to be physically present at the in-person meeting, the member who is not Fully Vaccinated may not attend and shall be marked absent from the meeting.

(e) Violations of section (c) or (d) of this Order shall be official misconduct.

(f) This Order shall remain in place during the local emergency unless terminated earlier by the Mayor or the Board of Supervisors.

DATED: October 8, 2021

A handwritten signature in blue ink that reads "London Breed".

London N. Breed
Mayor of San Francisco

**FORTY-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, During the local emergency, as authorized by State and local law, City boards, commissions, and advisory bodies have met remotely with very limited exceptions, and members of the public have observed and participated in meetings by phone or through online platforms. The Twenty-Fourth Supplement to the Mayor’s Proclamation, issued July 31, 2020, required that public meetings of City commissions, boards, and advisory bodies other than the Board of Supervisors and its committees occur by teleconference or other electronic means without providing a physical meeting place. That order authorized the Mayor to waive the requirement and allow members of such a body to convene at a physical location for the sole purpose of discussing and/or taking action on an item concerning a personnel matter. The order has remained in effect since July 31, 2020; and

WHEREAS, Although it is difficult to predict how the pandemic will progress in the coming months, the Mayor anticipates that the City will likely be in a position to allow City commissions, boards, and advisory bodies to begin meeting in person again on February 28, 2022, and that members of the public will be invited to observe and participate in those meetings in person, and by phone or through online platforms as well for many of those meetings; and

WHEREAS, Despite the well-documented public health justifications for most commissions, boards, and advisory bodies to continue meeting remotely during the



months of January and February, there are some situations in which the public interest would be best served by allowing a body to meet in person, either with or without members of the public present at the same location, with appropriate health precautions. For example, in some circumstances a board or commission conducting a quasi-adjudicatory hearing may be able to more effectively take evidence or testimony from witnesses in person. And for some boards and commissions, in-person meetings in the community serve a critical and necessary function. Most notably, the Charter requires the Redistricting Task Force (“Task Force”) to convene once every ten years to consider and redraw Supervisorial district lines. The Task Force must approve final district maps before April 15, 2022. Historically, the Task Force and the public have benefitted tremendously from the Task Force holding in-person meetings in neighborhoods to hear directly from residents where they live; and

WHEREAS, As set forth in the Thirty-Eighth Supplement to the Mayor’s Proclamation, to protect City employees and members of the public participating in in-person meetings from the risk of COVID-19 transmission, it is in the public interest to require members of City boards, commissions, and advisory bodies to be fully vaccinated against COVID-19 before they begin to meet in person. For that reason, the Thirty-Eighth Supplement required members of City Policy Bodies (as defined below in Section 2 of this Order) to submit to the City proof of their vaccination status by December 15, 2021, and prohibited members of City Policy Bodies from attending or participating in any in-person meetings unless they are fully vaccinated; and

WHEREAS, To ensure that the City is fully prepared for City Policy Bodies to begin meeting safely in person on February 28, 2022, it is critical that policy body members be fully vaccinated by no later than January 31, 2022. The January 31, 2022 deadline will provide adequate time for the Mayor, Board of Supervisors, or other appointing authorities to decide to remove unvaccinated policy body members from office and to replace them with qualified members who are fully vaccinated; and

WHEREAS, Consistent with recommendations from the San Francisco Health Officer and other public health authorities, policy body members are strongly urged to receive a booster vaccination as soon as they are eligible to do so;



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 issued on various dates, it is further ordered that:

(1) Section 2 of the Twenty-Fourth Supplement to the Emergency Proclamation is revised and replaced as follows:

Public meetings of City commissions, boards, and advisory bodies other than the Board of Supervisors and its committees must comply with the following conditions for all public meetings:

(a) Except as provided in sections (b), (c) and (d) below, the meetings must occur by teleconference or other electronic means without providing a physical meeting place, and the commission, board, or advisory body must comply with all applicable laws governing public meetings during the emergency, including allowing public observation and participation.

(b) Upon written request from the chairperson of a board or commission, the Mayor or the Mayor's designee may, by a written notice or letter provided to the chairperson, waive the requirement in subsection (a) and allow members of the board or commission to convene at a physical location for the sole purpose of discussing and/or acting on an item concerning a personnel matter. But, the board or commission must not provide a physical location for members of the public to attend and must comply with all applicable requirements concerning public observation and participation.

For any meeting allowed by the Mayor under this subsection (b), all of the following conditions apply: All members of the board or commission attending the meeting must be Fully Vaccinated, as defined in Section 2 of this Supplement. The board or commission members and other participants must comply with all applicable health orders, guidance or directives from the Department of Human Resources, and rules governing the use of the facility in which the meeting occurs.



(c) Beginning January 8, 2022, the Redistricting Task Force may convene at a physical location for regular or special meetings, without advance permission from the Mayor. All Task Force members attending an in-person meeting must be Fully Vaccinated, as defined in Section 2 of this Supplement. No members of the Task Force may attend an in-person meeting remotely by teleconference or other electronic means. The Task Force shall ensure that members of the public may observe the meeting remotely by electronic means and shall offer an opportunity for members of the public to provide public comment remotely by phone or through online platforms. The Task Force may also allow members of the public to attend meetings in person and provide public comment at the same location. The Task Force members, City staff and consultants, and members of the public attending in-person meetings shall comply with all applicable health orders, guidance or directives from the Department of Human Resources, and rules governing the use of the facility in which the meeting occurs.

(d) Upon written request from the chairperson of a board, commission, or advisory body demonstrating that holding an in-person meeting would provide a significant benefit to the public, the Mayor may, by a written notice or letter provided to the chairperson, waive the requirement in subsection (a) and allow members of the board, commission, or advisory body to convene at a physical location for a specific meeting. The chairperson must submit the written request at least 14 calendar days before the date of the proposed in-person meeting, and the written request must (i) include an explanation of the special need for an in-person meeting and the reasons an in-person meeting would provide a significant benefit to the public, (ii) describe the proposed meeting location, (iii) state whether members of the public will be permitted to attend the in-person meeting, and (iv) describe measures the board, commission, or advisory body will take to minimize the risk of COVID-19 transmission at the meeting.

For any meeting allowed by the Mayor under this subsection (d), all of the following conditions apply: All members of the board, commission, or advisory body attending the meeting must be Fully Vaccinated, as defined in Section 2 of this Supplement. No members of the body may attend the meeting remotely by teleconference or other electronic means. The board, commission, or advisory body must ensure that members of the public may observe the meeting remotely and must offer an opportunity for members of the public to provide public comment remotely by phone or through online platforms. With the written consent of the Mayor, the board, commission, or advisory body may also allow members of the public to attend the meeting in person and provide public comment at the same location. The body's members and other



participants and members of the public must comply with all applicable health orders, guidance or directives from the Department of Human Resources, and rules governing the use of the facility in which the meeting will occur.

(e) This Order shall remain in place during the local emergency, unless terminated earlier by the Mayor or the Board of Supervisors.

(2) Vaccination Deadline for Members of City Policy Bodies.

(a) For purposes of this Order, the following definitions apply, consistent with the definitions in the Thirty-Eighth Supplement to the Mayor's Proclamation:

“Fully Vaccinated” and “Full Vaccination” mean two weeks after completing the entire recommended series of vaccination (usually one or two doses) with a vaccine authorized to prevent COVID-19 by the FDA, including by way of an emergency use authorization, or by the World Health Organization. For example, as of the date of issuance of this Order, an individual would be fully vaccinated at least two weeks after receiving a second dose of the Pfizer or Moderna COVID-19 vaccine or two weeks after receiving the single dose Johnson & Johnson's Janssen COVID-19 vaccine. A list of FDA authorized vaccines is available at <https://www.fda.gov/emergency-preparedness-and-response/coronavirus-disease-2019-covid-19/covid-19-vaccines>. A list of WHO authorized vaccines is available at <https://extranet.who.int/pqweb/vaccines/covid-19-vaccines>.

“City Policy Body” means a City board, commission, committee, task force, or other legislative or policy body established by the Charter, City ordinance, or California statute and that is subject to the open meeting requirements of the Ralph M. Brown Act (Cal. Govt. Code §§ 54950 et seq.). “City Policy Body” also means all subcommittees of bodies described in the preceding sentence. “City Policy Body” does not include passive meeting bodies under Administrative Code Section 67.4, other City bodies that were not established through legislation, bodies whose jurisdiction is not limited to the City (e.g., Association of Bay Area Governments Executive Board, Bay Area Air Quality Management District Board, Transbay Joint Powers Authority Board, and Metropolitan Transportation Commission), and bodies that govern agencies distinct from the City (e.g., Board of Education, Governing Board of the Community College District, Housing Authority Commission, Law Library Board of Trustees, Parking Authority, Health Authority, Local Agency Formation Commission, Commission on Community



Investment and Infrastructure, and Oversight Board of the Successor Agency to the San Francisco Redevelopment Agency).

(b) In addition to the requirements imposed in the Thirty-Eighth Supplement to the Mayor's Proclamation, all members of City Policy Bodies must be Fully Vaccinated by no later than January 31, 2022. Any member of a City Policy Body who is not Fully Vaccinated on February 1, 2022 will be deemed unqualified for office. Failure of a City Policy Body member to be Fully Vaccinated on or after February 1, 2022 shall be official misconduct.

(c) This Order shall remain in place during the local emergency unless terminated earlier by the Mayor or the Board of Supervisors.

DATED: December 17, 2021

A handwritten signature in blue ink that reads "London N. Breed".

London N. Breed
Mayor of San Francisco