

**Dan Bernal**  
President  
**Laurie Green, M.D.**  
Vice President  
**Edward A. Chow, M.D.**  
Commissioner  
**Susan Belinda Christian, J.D.**  
Commissioner  
**Cecilia Chung**  
Commissioner  
**Suzanne Giraud ED.D**  
Commissioner  
**Tessie M. Guillermo**  
Commissioner

**HEALTH COMMISSION  
CITY AND COUNTY OF SAN  
FRANCISCO**

**London N. Breed Mayor  
Department of Public Health**



**Grant Colfax, MD**  
Director of Health  
**Mark Morewitz, M.S.W.**  
Executive Secretary

TEL (415) 554-2666  
FAX (415) 554-2665  
Web Site: <http://www.sfdph.org>

**MINUTES**  
**HEALTH COMMISSION MEETING**  
**Tuesday December 6, 2022 4:00 p.m.**  
**101 Grove Street, Room 300**  
**San Francisco, CA 94102 & via Webex**

**1) CALL TO ORDER**

Present: Commissioner Dan Bernal President  
Commissioner Laurie Green, MD, Vice President  
Commissioner Edward A. Chow M.D.  
Commissioner Suzanne Giraud, Ph.D

Excused: Commissioner Susan Belinda Christian, J.D.  
Commissioner Cecilia Chung  
Commissioner Tessie Guillermo

The meeting was called to order at 4:02pm.

**2) ZSFG EMPLOYEE RECOGNITION AWARDS**

The Health Commission recognized the contributions of the following ZSFG teams:

- BERT Team
- 6M Children's Health Center
- Data Migration Team - DPH IT and Health Information Management
- ZSFG Urgent Care Clinic – Vaccine Branch
- Addiction Care Team LVN's

**3) RESOLUTION: APPROVING THE "DAVID J. SANCHEZ, JR. WAY"**

Susan Ehrlich, MD, Chief Executive Officer, presented the item.

**Public Comment:**

Patrick Monette Shaw made verbal comments and submitted the following summary:

When he was a Commissioner, Dr. Sanchez thankfully agreed with me that DPH should release aggregate data on out-of-county discharges data from SFGH and LHH. May he rest in peace. As I have testified in the past, Health Commissioners should have term limits. After all, most elected officials —

from Presidents to Governors to the San Francisco Board of Supervisors — are limited to two four year consecutive terms, for a total of eight years. Sanchez served nearly three times as long, and current Health Commissioner Edward Chas served for 30 years. Although there is something to be said for having Commission members with historical and institutional knowledge, this Commission deserves to periodically have new blood and new members. While naming “David Sanchez Way” is a thoughtful touch, similar to elected officials the appointed Health Commission members should voluntarily step down after serving for eight years. Not doing so voluntarily is shameful.

Commissioner Comments:

Commissioner Bernal stated that Dr. Sanchez was very kind and always a teacher. He learned much through Dr. Sanchez’s storytelling.

Commissioner Green stated that the resolution and street naming are a wonderful tribute to Dr. Sanchez. She noted that she sat next to him when she was first appointed to the Commission. He was so welcoming and kind. Although he was an accomplished person, he was very humble. His many contributions to the Health Commission and the community will not be forgotten.

Commissioner Chow stated that it was a privilege to work with Dr. Sanchez for many years on the Health Commission. He respected Dr. Sanchez’s advice and his many anecdotes. He sends his congratulations on this well deserved recognition and best good-wishes to Dr. Sanchez’s family.

Director Colfax stated that when he first presented to the Health Commission in 1998, it was intimidating. However, Dr. Sanchez made it a great experience due in part to his kindness and insights.

Action Item: The Health Commission unanimously approved the resolution (See Attachment A)

**4) GENERAL PUBLIC COMMENT**

Patrick Monette Shaw made verbal comments and submitted the following summary:

I’m informing the Commission I placed a FOIA request to Centers for Medicare and Medicaid Services (CMS) on December 1 — the same date that I placed a concurrent identical records request to SFDPH — requesting the “Root Cause Analysis” report due to CMS on December 1 from the Quality Improvement Expert LHH hired. I was shocked when DPH public records staff responded the next day on December 2 saying: “ SFDPH does not have possession, custody, or control of the record responsive to your request. You are free to submit a records request to CMS to obtain a copy of the record you seek. The FOIA request was placed given the critical importance of keeping Laguna Honda Hospital open for current and future residents. Hopefully, CMS will produce the *Root Cause Analysis* SFDPH claimed it didn’t have possession, custody, or control of. It’s shameful SFDPH didn’t produce the Root Cause Analysis.

Alissa wondered how the Commission can avoid its duty to the public to protect public health by mandating indoor masking, based on current COVID-19 data. She noted that long COVID is real and devastating. A mask mandate would protect everyone. She encouraged the Commission and DPH to act on data.

A caller urged reinstatement of a mask mandate for schools, public transportation, and indoor businesses. She also requested that masks be provided by the DPH in all public buildings and schools.

Jen, Senior and Disability Action, urged the DPH to reinstate indoor mask mandates. She stated that hospitalization data is a lagging indicator; action on indoor masking should not wait because long COVID can occur. There is emerging research showing that COVID can contribute to blood clotting issues, immune system

issues, and heart attacks. She fears for the next generation, kids who are growing up with fear and possible health issues.

Emily stated that data shows that there is currently a COVID-19 surge in San Francisco. Therefore, an indoor-mask mandate is needed. She noted that last year 400 teachers were out in one day due to COVID-19; masking is needed to protect everyone. She urged more assistance with providing masks and testing to the community.

Stephanie Wilks stated that an individual continues to dump birdseed at Glen Park and other areas, attracting rats to the neighborhood. She noted that many people and entities are working on this problem, including DPH and the Board of Supervisors. She also stated that the BART Police have refused to help stop the individual. She reminded the Commissioners that business owners have to clean up the mess and rodents. She hopes the Health Commission determines next steps in this process to help the individual and stop her behavior.

**5) ZSFG FY2021-22 ANNUAL REPORT**

Susan Ehrlich, MD, Chief Executive Officer, presented the item.

Public Comment:

Alice stated that it does not sound as though Dr. Ehrlich is taking COVID-19 seriously; the pandemic has resulted in many deaths and brought long COVID-19 to many people. She noted that an October 6 Fortune magazine article discussed serious long-term impacts of COVID-19. The article discusses analysis of 30,000 individuals who had been diagnosed with COVID-19, those who were vaccinated still experienced a higher rate of death and/or multiple organ symptoms, when compared to control groups. ZSFG needs to be monitoring and reporting on long COVID and post-COVID health hazards and educating people about long term health impacts of COVID-19. The hospital needs to take COVID-19 seriously.

Commissioner Comments:

Commissioner Chow commended the ZSFG administration and all staff for the great work conducted this year, when they continued to provide an excellent and comprehensive COVID-19 response while continuing to complete excellent quality improvement work.

Commissioner Green noted that the report is beautifully done. She finds it remarkable that ZSFG has been able to maintain its high quality of care while maintaining its dedication, humility and sensitivity to community needs, despite all the barriers that COVID-19 has provided. She acknowledged the successful efforts to maintain staff morale which impacts patient care and patient experience.

Commissioner Bernal acknowledged the incredible work of all ZSFG staff. He acknowledged the excellent care that ZSFG staff provided ~~to~~ Paul Pelosi during his stay at the hospital.

**6) ZSFG FY2021-22 ENVIRONMENT OF CARE ANNUAL REPORT**

Susan Ehrlich, MD, Chief Executive Officer, presented the item.

Commissioner Comments:

Commissioner Bernal thanked Dr. Ehrlich and staff for the report.

Action Item: The Health Commission unanimously approved report.

**7) POLICY 8.09 HOSPITAL PLAN FOR PROVISION OF PATIENT CARE**

Susan Ehrlich, MD, Chief Executive Officer, presented the item.

Commissioner Comments:

Commissioner Bernal thanked Dr. Ehrlich and staff for the policy.

Action Item: The Health Commission unanimously approved policy.

**8) POLICY 17.01 PERFORMANCE IMPROVEMENT AND PATIENT SAFETY PROGRAM (PIPS)**

Susan Ehrlich, MD, Chief Executive Officer, presented the item.

Commissioner Comments:

Commissioner Bernal thanked Dr. Ehrlich and staff for the policy.

Action Item: The Health Commission unanimously approved policy.

**9) APPROVAL OF THE MINUTES OF THE HEALTH COMMISSION MEETING OF NOVEMBER 15, 2022**

Action Item: The Health Commission unanimously approved November 15, 2022 meeting minutes.

**10) DIRECTOR'S REPORT**

Grant Colfax, MD, DPH Director of Health, presented the item.

**POPULATION HEALTH DIVISION AWARDED 5-YEAR \$11.9 MILLION CDC PUBLIC HEALTH INFRASTRUCTURE GRANT**

Supported in part by the American Rescue Plan Act, CDC issued the Notice of Funding Opportunity OE22-2203: *Strengthening U.S. Public Health Infrastructure, Workforce, and Data Systems*—an unprecedented \$3.2 billion investment in critical public health infrastructure needed by jurisdictions across the U.S. In response, DPH Population Health Division's (PHD) Center for Learning & Innovation and stakeholders from across the Division developed a highly collaborative proposal entitled Project INVEST (INovations that Value Equity and Strengthen Teams). Led by Principal Investigators Drs. Jonathan Fuchs and Susan Philip, the Division will be awarded \$11.9 million over the next 5 years to increase hiring of diverse public health staff and to strengthen foundational capabilities in training, equity, communications, data management, and community engagement. Project INVEST will play a vital role in helping to advance PHD's Workforce Development plan as the Department applies for Public Health reaccreditation in early 2023.

**DPH CELEBRATES UNVEILING OF NEW MURAL AT SF CITY CLINIC**

DPH celebrated the unveiling of a new mural in collaboration with Precita Eyes Muralists at SF City Clinic in the South of Market neighborhood. SF City Clinic is an outpatient clinic whose goal is to prevent, diagnose and treat sexually transmitted infections and HIV as well as serve the sexual health needs of San Franciscans.

Funding for the mural was provided by the Centers for Disease Prevention and Control. Precita Eyes Muralists has been celebrating community mural art and culture since 1977. A community-based, mural arts organization, their work enriches and beautifies urban environments. They also educate the public about the process of creating art. The mural design for SF City Clinic is framed by a flowing waterfall on the left and a Bodhi tree on the right. Birds from all over the world are found in the mural to represent the diverse population of San Francisco and the clinic's patients.

### About SF City Clinic:

SF City Clinic is part of the DPH's Population Health Division which provides the core of public health services in the City that includes health protection, health promotion, disease and injury prevention, and disaster preparedness and response. At SF City Clinic, patients can access testing, diagnosis, and treatment of HIV and other STIs, PEP and PrEP for HIV prevention, vaccines against hepatitis A/B and HPV. Additionally, they provide women's health services.

SF City Clinic sees about 250 patients a week, primarily between the ages of 20-40, who are uninsured or part of the San Francisco Health Network. Patients experiencing new symptoms of STIs make up 40% of clinical visits. Patients represent a wide diversity in gender, sexuality and ethnicities that reflect San Francisco.

For over four decades, SF City Clinic has contributed to critical advances in the scientific and public health knowledge of STI and HIV epidemiology, testing and treatment. Along with patient care and clinical teaching, research is one of core activities of the clinic. Most recently, SF City Clinic participated in a national clinical trials study and issued [guidance on doxy-PEP](#), a method of reducing sexually transmitted infections.

### **SF TO OFFER ASSISTANCE TO RESTAURANTS AND OTHER FOOD SERVICE INDUSTRY BUSINESSES IMPACTED BY THE COVID-19 PANDEMIC**

DPH partnered with Supervisor Rafael Mandelman, Supervisor Connie Chan, the Office of the Treasurer & Tax Collector (TTX) to announce the creation of a payment plan option to assist small businesses, mostly restaurants and food related industry businesses, impacted by the COVID-19 pandemic. Certain businesses that fell behind on payments for DPH license fees can now continue to operate with valid licenses as long as they enter into a payment plan by April 30, 2023.

As COVID-19 restrictions eased, DPH's Environmental Health Branch conducted an analysis finding that a significant number of businesses, such as restaurants and other food service industry businesses, fell behind on bills and had unpaid permit and license fees. TTX used this data to verify that more than 1,000 businesses with outstanding fees owed a collective \$2.6 million to DPH and \$7 million in other taxes to the City.

Under existing law, businesses were required to pay all outstanding fees in full in order to maintain their regulatory permits to operate. Recognizing that the requirement to pay in full was a significant barrier to small businesses, TTX and DPH worked with Supervisor Mandelman to amend the Business and Tax Regulations Code to allow businesses to enter into payment plans, giving them the time and flexibility to catch up on payments as they continue to recover from the financial impacts of the COVID-19 pandemic. The legislation was unanimously approved by the Board of Supervisors.

TTX collects license fees for various City departments on the Unified License Bill including DPH. Previously, the Business and Tax Regulations Code did not allow TTX to accept partial payments of DPH fees. If a business did not pay its fees within 30 days after they became due, the permit automatically expired by operation of the law. Under this legislation, businesses have until April 30, 2023 to enter into installment payment plans for fees that were delinquent prior to March 31, 2023. Businesses that enter into payment plans will have their DPH licenses tentatively reinstated and are allowed to continue to operate as long as they remain current on their respective payments and comply with additional conditions under the plan. The installment payment plans are a critical tool to ensure public health codes are met, while ensuring businesses can continue to operate while in compliance with the law.

This payment plan option will help keep San Francisco's commercial corridors active and vibrant by supporting neighborhood-serving small businesses, especially restaurants and other food service businesses, and protect jobs in the community.

For more information and to verify eligibility for the installment payment plans, visit [sftreasurer.org/SFDPHPaymentPlan](https://sftreasurer.org/SFDPHPaymentPlan).

For more information regarding DPH’s Environmental Health branch and permitting process, visit <https://www.sfdph.org/dph/eh/>.

### **DPH AND GETTING TO ZERO SF RECOGNIZE WORLD AIDS DAY**

On December 1, Getting to Zero SF (GTZ-SF) hosted an event marking World AIDS Day. World AIDS Day, designated on December 1<sup>st</sup> of every year since 1988, is an international day dedicated to raising awareness of the AIDS pandemic and mourning those who have died of the disease. The President of the United States has made an official annual proclamation for World AIDS Day since 1993. This year’s Getting to Zero event highlighted how the PrEP and RAPID GTZ committees have pivoted their work to address racial/ethnic disparities as well as provided an update on overdose prevention. Dr. Grant Colfax provided opening remarks. Thank you to GTZ-SF and DPH leadership for raising awareness and centering collective action on this important day.

### **MPX UPDATE**

<b>LOCATION</b>	<b>TOTAL CASES AS OF 11/5/22 (probable and confirmed)</b>
San Francisco	839
California	5,572
U.S.	29,367
Worldwide	81,462

### **COVID-19 UPDATE**

As of November 23:

- San Francisco’s 7-day rolling average of new COVID cases per day is 141 and 74 people are hospitalized, including 5 in the ICU.
- San Francisco’s remaining ICU capacity is 32.6% and remaining non-ICU capacity is 16.6%.
- Eighty-six percent of all SF residents have been vaccinated and 64% have received booster dose(s).

### **[DPH in the News](#)**

**SAN FRANCISCO HEALTH NETWORK  
ZUCKERBERG SAN FRANCISCO GENERAL  
HOSPITAL & TRAUMA CENTER**

December 2022

Governing Body Report - Credentialing Summary  
(12/5/2022 MEC)

	12/2022	07/2022 to 07/2023
<i>New Appointments</i>	4	174
Reinstatements	0	1
<i>Reappointments</i>	44	270
Delinquencies:		
Reappointment Denials:		
<b>Resigned/Retired:</b>	9	79
<i>Disciplinary Actions</i>	0	0
<b>Administrative Suspension</b>	0	2
<i>Restriction/Limitation-Privileges</i>		
<b>Deceased</b>		
<i>Changes in Privileges</i>		
Voluntary Relinquishments	16	98
Additions	5	70
Proctorship Completed	20	147

***Current Statistics – as of 11/30/22***

Active Staff	560
<i>Courtesy Staff</i>	653
Affiliated Professionals (non-physicians)	298
<b>TOTAL MEMBERS</b>	<b>1,511</b>

<i>Applications in Process</i>	25
<b>Applications Withdrawn Month of December 2022</b>	0
<b>SFGH Reappointments in Process 1/1/23 to 3/31/23</b>	<b>137</b>

Public Comment:

Patrick Monette Shaw made verbal comments and submitted the following summary:

I was shocked hearing Director Colfax state tonight that SFDPH is meeting LHH Settlement Agreement requirements. Did he hear me when I just testified DPH public records staff claimed it didn't have the "Root Cause Analysis" report LHH's QIE was to submit to CMS by December 1? That's obviously not meeting Settlement Agreement deadlines. To keep LHH open, observers have been hoping LHH and SFDPH were meeting CMS' deadlines. This Commission should look into why the Root Cause Analysis report wasn't located under my records request, and whether it was submitted to CMS by the

December 1 deadline. SFDPH is playing the delay game by not releasing the “Root Cause Analysis” report instead of being fully transparent. It seems SFDPH is choosing secrecy to potentially cover up losing greatly needed skilled nursing facility services in San Francisco. It’s long past time SFDPH be more honest and transparent with the public!

Jennifer Lerner, Senior and Disability Action, is concerned with the lack of systemic policy interventions. The community needs the DPH to provide masks. The community needs moral courage. People are looking for guidance. The vaccine booster uptake has been low. She doesn’t know what to do to get the DPH and Commission to do the right thing. We need intervention. Stop doing nothing. Start requiring masks.

Raia Small, Senior and Disability Action, noted that the Director’s Report indicates that the DPH has given up on mitigating disease since it lifted the mask mandate in February. It has provided no other actions to protect disabled and immune-compromised people. She noted that the Director said San Francisco is experiencing a surge but is doing nothing about it. A mask mandate could mitigate the surge and prevent so much illness and death. Mask mandates should be reinstated for public transportation, schools, and all businesses.

Sarah, Senior and Disability Action, urges the DPH and Commission to bring back masking. Experts are predicting another flu and COVID-19 surge. Vaccines alone are not enough; masking is needed.

A San Francisco resident and educator stated that Director Colfax mentioned the high rate of COVID-19 cases and strain on hospitals but gave no indication of any action to help mitigate the situation. She urged a reinstatement of indoor masking mandates.

Elizabeth, Senior and Disability Action, said there is a cognitive dissonance: you realize there is a problem with COVID-19 but are in denial about what is happening. She urged for a reinstatement of the indoor mask mandates.

Norma Deggleman said please save LHH with all its beds and find alternative treatment beds for those needing substance use and mental health treatment.

#### Commissioner Comments:

Commissioner Green requested more information on RSV data in future reports because there remains confusion about who is at risk and who may get ill. Director Colfax stated that he will check with his team to determine if this is possible.

Commissioner Chow requested more discussion on what will be done and current parameters, regarding COVID-19 mitigation matters. Dr. Susan Philip, San Francisco Health Officer, stated that she understands the public’s concerns about COVID-19. She added that a challenge to the current situation is that it is not only COVID-19 and RSV patients who are taking up hospital beds right now. Mask mandates would not address all the current issues related to the current rate of hospitalizations. She added that last winter COVID-19 was the sole driver of high rates of hospitalizations. The DPH will continue to encourage an increase in vaccine boosters and continue to recommend masking.

Commissioner Bernal asked if current hospitalization data includes individuals who are in the hospital for other reasons and tested positive for COVID-19. Director Colfax stated that the hospitalization data does include individuals who may have tested positive for COVID in the hospital.



**11) RESOLUTION MAKING FINDINGS TO ALLOW TELECONFERENCED MEETINGS UNDER CALIFORNIA GOVERNMENT CODE SECTION 54953(e)**

Mark Morewitz, Health Commission Executive Secretary, presented the item.

Public Comment:

Alice stated it is important that hybrid meetings continue as long as COVID continues to be a problem. She noted that one-way masking is not effective against COVID-19. She also stated that several people from her group that raised hands but were not called upon during the previous items.

An individual stated that it is very important to hold hybrid meetings. It is not safe for a lot of people to attend in person. Government and public health officials have failed to keep those most at risk and everyone safe.

Action Item: The Health Commission unanimously approved the resolution (See Attachment B)

**12) FINANCE AND PLANNING COMMITTEE UPDATE**

Commissioner Chow noted that there was not quorum for the committee; therefore he held an information session to review the contracts on the Contracts Report. He verbally reviewed the details of each contract and recommended that the full Health Commission approve the Consent Calendar. He noted that he did not discuss the Chinese Hospital contract due his conflict of interest with the vendor.

**13) CONSENT CALENDAR**

Action taken: The Health Commission unanimously voted to extract the Chinese Hospital contract from the Report due to Commissioner Chow's conflict of interest with the vendor. (The contract will be considered at a future Health Commission meeting.)

Action taken: The Health Commission unanimously voted to approve the December 2022 Contracts Report, without the Chinese Hospital contract.

**14) OTHER BUSINESS:**

This item was no discussed.

**15) JOINT CONFERENCE COMMITTEE REPORTS**

Commissioner Chow, ZSFG JCC Chair, stated that at the November 22, 2022 meeting, the Committee reviewed all the draft ZSFG documents presented at today's meeting. In closed session, the committee approved the Credentials Report and PIPS Minutes report.

**16) CLOSED SESSION**

- A) Public comments on All Matters Pertaining to the Closed Session
- B) Vote on whether to hold a Closed Session (San Francisco Administrative Code Section 67.11)
- C) Closed Session Pursuant to Evidence Code Sections 1156, 1156.1, 1157, 1157.5 and 1157.6; Health and Safety Code Section 1461; and California Constitution, Article I, Section 1.

**CONSIDERATION OF ZSFG CREDENTIALING MATTERS**

RECONVENE IN OPEN SESSION

1. Possible report on action taken in closed session (Government Code Section 54957.1(a)2 and San Francisco Administrative Code Section 67.12(b)(2).)
2. *Vote to elect whether to disclose any or all discussions held in closed session (San Francisco Administrative Code Section 67.12(a).)*

Action Item: The Health Commission unanimously voted to not disclose discussions held in closed session.

**17) ADJOURNMENT**

The meeting was adjourned at 6:28pm.

**Attachment A**

**Health Commission  
City and County of San Francisco  
Resolution No. 22-25**

**DESIGNATION OF DR. DAVID SANCHEZ WAY ON THE ZSFG CAMPUS**

WHEREAS, David J. Sanchez, Jr., Ph.D. was appointed to the San Francisco Health Commission by Mayor Willie Brown in 1997 and retired from the Commission in 2019, having served for 22 years. During his long tenure on the Health Commission, he served as Commission Vice President, Chair of the Laguna Honda Hospital Joint Conference Committee, and Chair of the Finance and Planning Committee. He was also a devoted member of the Zuckerberg San Francisco General Hospital (ZSFG) Joint Conference Committee and represented the Health Commission on the San Francisco General Hospital Foundation; and

WHEREAS, Dr. Sanchez joined the University of California San Francisco (UCSF) Department of Family and Community Medicine at the San Francisco General Campus in 1969 and retired in 2005. During his 36-year tenure, he held many positions at ZSFG, including UCSF Assistant Vice Chancellor of Academic Affairs. He was instrumental in connecting the hospital campus to the community through the development of significant programs such as the Child and Adolescent Support Advocacy and Resource Center (CASARC), Urban Health Program, and the Latino Assessment Center; and

WHEREAS, Dr. Sanchez was a dedicated advocate and leader within San Francisco throughout his life. He served as President of the Police Commission and President of the Board of Education. He was a member of many boards of directors including the Community College Board, the San Francisco Foundation, The California Commission on Aging, Catholic Charities, Columbia Park Boy's and Girl's Club, San Francisco Education Fund, San Francisco Maritime Association, and the American GI Forum. He was also a respected leader within the San Francisco Latinx communities and was an active member of the Centro Latino and Mission Language and Vocational School boards of directors; and

WHEREAS, Dr. Sanchez was a lifelong resident of San Francisco, a Navy veteran, and very proud that members of his family helped build the original buildings on the ZSFG campus; and

WHEREAS, Dr. Sanchez passed away peacefully on December 12, 2020, survived by his wife, children, grandchildren, and many other family members.

BE IT RESOLVED, The Health Commission supports the designation of the Zuckerberg San Francisco General Hospital campus roadway connecting Building 5 and the new UCSF Research and Academic building as "Dr. David Sanchez Way," honoring the connection Dr. Sanchez brought between UCSF, ZSFG, and the general San Francisco community.

I hereby certify that the San Francisco Health Commission at its meeting on December 6, 2022, adopted the foregoing resolution

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Mark Morewitz, MSW  
Health Commission Executive Secretary

**Attachment B**

**Health Commission  
City and County of San Francisco  
Resolution No. 22-24**

**RESOLUTION MAKING FINDINGS TO ALLOW TELECONFERENCED MEETINGS UNDER CALIFORNIA GOVERNMENT  
CODE SECTION 54953(e)**

WHEREAS, California Government Code Section 54953(e) empowers local policy bodies to convene by teleconferencing technology during a proclaimed state of emergency under the State Emergency Services Act so long as certain conditions are met; and

WHEREAS, In March, 2020, the Governor of the State of California proclaimed a state of emergency in California in connection with the Coronavirus Disease 2019 (“COVID-19”) pandemic, and that state of emergency remains in effect; and

WHEREAS, On February 25, 2020, the Mayor of the City and County of San Francisco (the “City”) declared a local emergency, and on March 6, 2020 the City’s Health Officer declared a local health emergency, and both those declarations also remain in effect; and

WHEREAS, On March 11 and March 23, 2020, the Mayor issued emergency orders suspending select provisions of local law, including sections of the City Charter, that restrict teleconferencing by members of policy bodies; and

WHEREAS, Consistent with the Mayor’s orders and State law, the Health Commission met remotely during the COVID-19 pandemic through March 6, 2022; and

WHEREAS, On February 10, 2022, the Mayor issued an emergency order that (1) requires decision-making boards and commissions established in the Charter (with the exception of the Board of Supervisors) to hold meetings in person at a physical location where members of the public may attend and provide comment, (2) allows members of those boards and commissions to participate remotely in the in-person meetings for COVID-related health reasons, (3) allows but does not require subcommittees of those boards and commissions to meet in person at a physical location where members of the public may attend and provide comment, and (4) prohibits all other policy bodies (with the exception of the Board of Supervisors and its committees) from meeting in person under any circumstances, with limited exceptions; and

WHEREAS, On September 16, 2021, the Governor signed AB 361, a bill that amended the Brown Act to allow local policy bodies to continue to meet by teleconferencing during a state of emergency without complying with restrictions in State law that would otherwise apply, provided that the policy bodies make certain findings at least once every 30 days; and

WHEREAS, While federal, State, and local health officials emphasize the critical importance of vaccination (including a booster once eligible) and consistent mask-wearing, regardless of vaccination status, to prevent the spread of COVID-19, the City’s Health Officer has issued at least one order (Health Officer Order No. C19-07y, available online at [www.sfdph.org/healthorders](http://www.sfdph.org/healthorders)) and one directive (Health Officer Directive No. 2020-33i, available online at [www.sfdph.org/directives](http://www.sfdph.org/directives)) that continue to recommend measures to promote safety for indoor gatherings, including vaccination, masking, improved ventilation, and other measures, in certain contexts; and

WHEREAS, The California Department of Industrial Relations Division of Occupational Safety and Health (“Cal/OSHA”) has promulgated Section 3205 of Title 8 of the California Code of Regulations, which requires most employers in California, including in the City, to train and instruct employees about measures that can decrease the spread of COVID-19; and

WHEREAS, Without limiting any requirements under applicable federal, state, or local pandemic-related rules, orders, or directives, the City’s Department of Public Health, in coordination with the City’s Health Officer, has advised that for group gatherings indoors, such as meetings of boards and commissions, people can increase safety and greatly reduce risks to the health and safety of attendees from COVID-19 by maximizing ventilation, wearing well-fitting masks regardless of vaccination status (and as strongly recommended for everyone by the State of California’s indoor masking order and Health Officer Order No. C19-07y), encouraging vaccination (including a booster as soon as eligible), staying home when sick or when experiencing any COVID-19 symptom, discouraging consumption of food or beverages in the meeting, following good hand hygiene practices, and making informed choices when gathering with people whose vaccination status is not known; and

WHEREAS, the Health Commission will begin meeting in person consistent with the Mayor’s February 10, 2022 order, allowing members to participate by video from a separate location for COVID-related health reasons and providing members of the public an opportunity to observe and provide public comment either in person or remotely; now, therefore, be it

RESOLVED, That the Health Commission finds as follows:

1. As described above, the State of California and the City remain in a state of emergency due to the COVID-19 pandemic. At this meeting, the Health Commission has considered the circumstances of the state of emergency.
2. As described above, because of the COVID-19 pandemic, conducting meetings of this body and its committees in person without allowing certain members of this body to attend remotely would present imminent risks to the health or safety of certain attendees due to COVID-19, and the state of emergency continues to directly impact the ability of those members to meet safely in person; and, be it

FURTHER RESOLVED, That for at least the next 30 days, the Health Commission will hold in-person meetings, with some members possibly appearing remotely. If all members of the Health Commission are unable to attend in person for COVID-related health reasons, then the Health Commission will hold the meeting remotely without providing an in-person meeting location. If the Health Commission votes to allow it and appropriate space is available, the Health Commission’s subcommittees may hold in-person meetings as well, or alternatively, the subcommittees may hold meetings exclusively by teleconferencing technology (and not by any in-person meetings or any other meetings with public access to the places where any policy body member is present for the meeting). All meetings of the Health Commission and its committees will provide an opportunity for members of the public to address the body and will otherwise occur in a manner that protects the statutory and constitutional rights of parties and the members of the public attending the meeting via teleconferencing; and, be it

FURTHER RESOLVED, That the Executive Secretary of the Health Commission is directed to place a resolution substantially similar to this resolution on the agenda of a future meeting of the Health Commission within the

next 30 days. If the Health Commission does not meet within the next 30 days, the Executive Secretary is directed to place a such resolution on the agenda of the next meeting of Health Commission.

I hereby certify that the San Francisco Health Commission at its meeting on November 1, 2022, adopted the foregoing resolution

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Mark Morewitz, MSW  
Health Commission Executive Secretary