

1 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Twenty-Ninth
2 Supplement]

3 **Motion concurring in actions taken by the Mayor in the Twenty-Ninth Supplement to the**
4 **Proclamation of Emergency to meet the ongoing local emergency related to the novel**
5 **coronavirus COVID-19 pandemic by regulating the fees charged to restaurants by third-**
6 **party food delivery services.**

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8 WHEREAS, On February 25, 2020, Mayor London N. Breed declared a local
9 emergency to exist in connection with the spread of the novel coronavirus COVID-19; and

10 WHEREAS, The Mayor transmitted a copy of that Proclamation Declaring the
11 Existence of a Local Emergency to the Board of Supervisors (the "Proclamation"), and on
12 March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions
13 taken by the Mayor to meet the emergency; the Proclamation and the Board's concurring
14 Motion are on file with the Clerk of the Board of Supervisors in File No. 200228; and

15 WHEREAS, On September 30, 2020, the Mayor took additional steps to meet the
16 emergency by issuing the Twenty-Ninth Supplement to the Proclamation, ordering one action
17 to meet the emergency; the Twenty-Ninth Supplement is on file with the Clerk of the Board of
18 Supervisors in Board File No. 201171; and

19 WHEREAS, Government Code, Sections 8550 et seq. and Charter, Section 3.100
20 provide for the concurrence by members of the Board of Supervisors in such emergency
21 declaration and in action taken by the Mayor to meet the emergency; now, therefore, be it

22 MOVED, That the Board of Supervisors concurs with the following action taken by the
23 Mayor to meet the local emergency included in the Mayor's Twenty-Ninth Supplement to the
24 Proclamation, dated September 30, 2020, as such action is described in full in the Twenty-
25 Ninth Supplement and summarized as follows:

1 Action #1: Revising and replacing the Nineteenth Supplement to the
2 Emergency Proclamation, dated June 13, 2020, to prohibit third-party food delivery services
3 from charging restaurants a fee of more than 15% of the purchase price per online order until
4 such time as the Health Officer authorizes restaurants to allow the number of patrons indoors
5 to be at least 50% of the establishment’s maximum indoor occupancy.

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