

1 [Concurring in Actions to Meet Local Emergency - Coronavirus Response]

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3 **Motion concurring in actions taken by the Mayor in the Ninth and Tenth Supplements**
4 **to the Proclamation of Emergency, released on April 10, 2020, and April 14, 2020, to**
5 **meet the ongoing local emergency related to the novel coronavirus COVID-19**
6 **pandemic.**

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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 March 11, 2020, and March 13, 2020, the Mayor took additional steps
16 to meet the local emergency by issuing the First and Second Supplements to the
17 Proclamation, and on March 24, 2020, the Board of Supervisors concurred in the actions
18 taken by the Mayor in those Supplements; the First and Second Supplements and the Board's
19 concurring motion are on file with the Clerk of the Board of Supervisors in File No. 200294;
20 and

21 WHEREAS, On March 17, 2020, March 18, 2020, and March 23, 2020, the Mayor took
22 additional steps to meet the local emergency by issuing the Third, Fourth, and Fifth
23 Supplements to the Proclamation, and on March 31, 2020, the Board of Supervisors
24 concurred in the actions taken by the Mayor in those Supplements; the Third, Fourth, and

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1 Fifth Supplements and the Board's concurring motion are on file with the Clerk of the Board of
2 Supervisors in File No. 200326; and

3 WHEREAS, On March 27, 2020, and March 31 2020, the Mayor took additional steps
4 to meet the local emergency by issuing the Sixth and Seventh Supplements to the
5 Proclamation and on April 7, 2020, the Board of Supervisors concurred in the actions taken in
6 those Supplements; the Sixth and Seventh Supplements to the Proclamation and the Board's
7 concurring motion are on file with the Clerk of the Board of Supervisors in File No. 200352;
8 and

9 WHEREAS, On April 1, 2020, the Mayor took additional steps to meet the local
10 emergency by issuing the Eighth Supplement to the Proclamation, and on April 14, 2020, the
11 Board of Supervisors concurred in the actions taken in that Supplement; the Eighth
12 Supplement to the Proclamation and the Board's concurring motion are on file with the Clerk
13 of the Board of Supervisors in File No. 200369; and

14 WHEREAS, On April 10, 2020, the Mayor issued the Ninth Supplement to the
15 Proclamation, ordering three actions to meet the emergency; the Ninth Supplement to the
16 Proclamation is on file with the Clerk of the Board of Supervisors in File No. 200384; and

17 WHEREAS, On April 14, 2020, the Mayor issued the Tenth Supplement to the
18 Proclamation, ordering three actions to meet the emergency; the Tenth Supplement to the
19 Proclamation is on file with the Clerk of the Board of Supervisors in File No. 200384; and

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

23 MOVED, That the Board of Supervisors concurs with the following actions taken by the
24 Mayor to meet the local emergency included in the Mayor's Ninth Supplement to the
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1 Proclamation, dated April 10, 2020, as those actions are described in full in the Ninth
2 Supplement and summarized as follows:

3 Action #1: Capping the fee that third-party food delivery apps and online
4 platforms may charge restaurants at 15% per online order until such time as restaurants are
5 permitted to offer dine-in service. The cap on fees does not apply to fees charged to
6 restaurants that meet the definition of formula retail use;

7 Action #2: Revising and replacing Action #4 in the Second Supplement to the
8 Emergency Proclamation to authorize the Controller to accept and expend the donation of
9 goods – in addition to the donation of grants, gifts, and bequests of money – during the
10 emergency;

11 Action #3: Revising and replacing Action #9 in the Seventh Supplement to the
12 Emergency Proclamation to provide that all fees and charges authorized by the Board of
13 Supervisors for Fiscal Year 2019 – 2020 shall remain in effect until the Board’s adoption of the
14 Annual Appropriation Ordinance, or until otherwise altered by ordinance or emergency
15 declaration; and, be it

16 FURTHER MOVED, That the Board of Supervisors concurs with the following actions
17 taken by the Mayor to meet the local emergency included in the Mayor’s Tenth Supplement to
18 the Proclamation, dated April 14, 2020, as those actions are described in full in the Tenth
19 Supplement and summarized as follows:

20 Action #1: Prohibiting hotels from removing a guest who is COVID-19 positive,
21 has symptoms consistent with COVID-19, or who is self-isolating, subject to certain
22 exceptions;

23 Action #2: Waiving the public hearing requirement under Charter Section
24 16.112 for temporary facility closures, service reductions, and significant transit service
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1 changes, unless such closures, reductions, or changes will last for more than 120 days after
2 termination or expiration of the Stay Safe At Home Order; and

3 Action #3: Allowing the Fire Department to continue promoting from an expired
4 H-40 Battalion Chief eligibility list.

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