



Legislation Text

File #: 20-295, **Version:** 1

Resolution of the City Council of the City of South San Francisco amending and updating the proclamation of a local health emergency related to the novel coronavirus 2019 (COVID-19)

WHEREAS, the City of South San Francisco proclaimed a local State of Emergency related to the Novel Coronavirus (COVID-19) on March 11, 2020; and

WHEREAS, Section 8630, Article 14, of the California Emergency Services Act empowers the City Council to proclaim the existence or threatened existence of a local emergency when the City of South San Francisco is affected or likely to be affected by a public calamity; and

WHEREAS, Chapter 2.72 of the South San Francisco Municipal Code similarly empowers the City Manager, in their capacity as the Director of Emergency Services, to proclaim or request the City Council to proclaim the existence or threatened existence of a local emergency; and

WHEREAS, the County of San Mateo's Declaration of Local Health Emergency Regarding the Novel Coronavirus (COVID-19), dated March 3, 2020, provided facts that warranted the declaration of a local emergency for the City of South San Francisco; and

WHEREAS, the County of San Mateo and other California counties, including the County of Santa Clara, the County of Solano, and the City and County of San Francisco, and these public entities have similarly made declarations of local emergency and declarations of local health emergency; and

WHEREAS, the County of San Mateo ratified and extended a declaration of a local health emergency on March 10, 2020. At the time of ratification, the County of San Mateo Public Health Officer had declared that there were forty-three (43) confirmed cases detected, tested and confirmed in the United States. The County of San Mateo emergency declaration is still in effect; and

WHEREAS, the most recent Public Health Order issued by the County of San Mateo Health Officer, dated April 29, 2020, provided that the emergency and the attendant risk to public health remain significant. The County of San Mateo Health Officer declared that, as of April 27, 2020, there were 1,099 confirmed cases of COVID-19 in the County (up from 41 on March 15, 2020), at least 7,273 confirmed cases (up from 258 confirmed cases on March 15, 2020), and at least 266 deaths (up from 3 deaths on March 15, 2020) in the seven Bay Area jurisdictions; and

WHEREAS, the State of California Proclamation of a State of Emergency due to the spread of COVID-19, issued on March 4, 2020, is still in effect; and

WHEREAS, on the basis of this information, a local emergency continues to exist in the City of South

San Francisco; and

WHEREAS, the proclamation of a local emergency in South San Francisco continues to exist until it is terminated by the City Council; and

WHEREAS, Government Code section 8630 directs City staff to place this item back on the Council agenda at least every sixty (60) days from the effective date of the resolution to determine the need for continuing the local emergency. On March 4, 2020, the Governor suspended this requirement as long as the Governor's Proclamation of a State of Emergency is in effect. If the local emergency extends beyond that date, the City Council will review the emergency at least every sixty (60) days; and

WHEREAS, the purpose of an amendment to update the City of South San Francisco City Council declaration of a local health emergency related to COVID-19 on March 11, 2020 is to fulfill requirements per *California Government Code, Title 2, Division 1, Chapter 7.5 - California Disaster Assistance Act* (CDAA), which allows local governments to seek financial assistance through a local proclamation; and

WHEREAS, if a local government determines effects of an emergency are beyond the capability of local resources to mitigate effectively, the local government must proclaim a local emergency; and

WHEREAS, the purpose of a local proclamation is to provide extraordinary police powers, immunity for emergency actions, authorize issuance of orders and regulations, activate pre-established emergency provisions, and is a prerequisite for requesting state or federal assistance; and

WHEREAS, the City Council has previously found and does hereby find that conditions of extreme peril to the safety of persons and property continues within the City of South San Francisco, caused by the COVID-19 pandemic; and

WHEREAS, since the initial declaration of a local emergency, the City of South San Francisco has continued to monitor the development of conditions. Based upon its consideration of the severity, magnitude, and impact of the disaster event, as well as the amount and type of damage, the City determined that it should activate its Emergency Operations Plan and Emergency Operations Center (EOC); and

WHEREAS, the City of South San Francisco activated its EOC on April 3, 2020; and

WHEREAS, among the many priorities of the activation, the main objective is to "[e]nsure the health and safety of City staff, residents, and the public throughout the COVID-19 event"; and

WHEREAS, amendment of the declaration of a local health emergency regarding COVID-19 will align the City of South San Francisco with the County of San Mateo and the State of California, both of which have extended emergency declarations, and help to establish partnerships and mutual aid to contain and mitigate the impacts of COVID-19; and

WHEREAS, the emergency declaration, as amended, could also strengthen the City of South San Francisco's eligibility for cost recovery funds related to response to the COVID-19 outbreak.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of South San Francisco does hereby

amend and update the City of South San Francisco's Proclamation of a Local Health Emergency adopted on March 11, 2020 as set forth herein.

BE IT FURTHER RESOLVED that during the existence of said local emergency the powers, functions, and duties of the City Manager, in their capacity as Director of Emergency Services, and the emergency organization of this City shall be those prescribed by state law and by the South San Francisco Municipal Code.

BE IT FURTHER RESOLVED that the conditions in the City of South San Francisco related to COVID-19 are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the City of South San Francisco.

BE IT FURTHER RESOLVED that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of South San Francisco. If the local emergency extends beyond the date that Governor's Proclamation of a State of Emergency is in effect, the City Council will review the emergency at least every sixty (60) days.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

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