



CITY COUNCIL

Meeting Date: November 18, 2021

From: Clayton Holstine, City Manager

Subject: Resolution Declaring the Continued Existence of a Local Emergency in the City of Brisbane in Response to the COVID-19 Pandemic

Recommendation

Adopt the attached resolution

Background

The COVID-19 Coronavirus has been declared a pandemic by the World Health Organization and has prompted various government agencies to take action in response. In March 2020, the Governor declared a Statewide Emergency, the County Board of Supervisors declared a County wide State of Emergency and the City Manager, as Emergency Services Director, proclaimed a local emergency on March 16, 2020. On March 19, 2020, the City Council ratified and confirmed the Director of Emergency Service's proclamation of a local emergency which allowed staff to expeditiously respond to the emergency circumstances caused by the pandemic.

Since that time, the City Council has extended the local emergency numerous times as State law requires that such local emergencies be reviewed every 60 days. The last extension was September 23, 2021. Notwithstanding that many of the restrictions that were imposed since March 2020 have been lifted, some, such as mask wearing in places like City Hall, remain in place. Also, issues concerning mandating vaccines for employees remain in flux. In addition, the Governor has not rescinded the Statewide Emergency. In light of those uncertainties, staff continues to recommend that the local emergency, for now, remain in place.

Discussion

Government Code Section 8630(c) requires that, "the governing body shall review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency." The current declaration of local emergency (approved on September 23, 2021, will expire on November 21, 2021 unless Council extends the declaration of local emergency

At this time, staff is recommending that the City Council adopt a resolution continuing the existence of a local emergency in response to the COVID-19 pandemic, and directing staff to continue to respond appropriately to the local emergency.

Financial Impact

There is no direct financial impact from City Council taking this action.

Attachment:

1. Resolution Declaring the Continued Existence of a Local Emergency in the City of Brisbane in Response to the COVID-19 Pandemic

Clayton L. Holstine

Clayton Holstine
City Manager

RESOLUTION NO. 2021-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE DECLARING THE CONTINUATION OF THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, Section 2.28.060 of the Brisbane Municipal Code empowers the City Manager/Director of Emergency Services to proclaim a local emergency if the City Council is not in session and requires the City Council to take action to ratify the proclamation thereafter; and

WHEREAS, conditions of extreme peril to the health, safety and welfare of persons have arisen in the world, the nation, the State, the County of San Mateo and the City of Brisbane due to the following:

A novel coronavirus (named COVID-19 by the World Health Organization) was first detected in December 2019. The Center for Disease Control and Prevention (CDC) has stated that COVID-19 is a serious public health threat, based on current information. Cases of COVID-19 have been diagnosed throughout the world, the United States, the State of California, the County of San Mateo and the City of Brisbane.

The exact modes of transmission of COVID-19, the factors facilitating human to human transmission, the extent of asymptomatic viral shedding, the groups most at risk of serious illness, the attack rate, and the case fatality rate all remain active areas of investigation. There are now approved vaccine or specific anti-viral treatment for COVID-19 but not all persons have chosen to be vaccinated and there is no approved vaccine for children four years old or younger.

Due to COVID-19 pandemic, in March 2020 the Governor of the State of California declared a State of Emergency for the State and the City of Brisbane's Director of Emergency Services declared a Local Emergency on March 16, 2020 and the City Council of the City of Brisbane ratified the Proclamation of a Local Emergency on March 19, 2020; and

WHEREAS, the City Council of the City of Brisbane has extended the Local Emergency on several occasions, most recently on September 23, 2021, extending the Local Emergency for an additional 60 days; and

WHEREAS, for the reasons expressed above, conditions of extreme peril and a serious threat to the public health, safety and welfare have arisen, and continue to exist in the City of Brisbane; and

WHEREAS, the City Council does hereby find that the above described conditions of extreme peril and serious threat to the public health, safety, and welfare did warrant and necessitate the existence of a Local Emergency in the City of Brisbane and those conditions continue at this time.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF BRISBANE DOES RESOLVE, DECLARE, DETERMINE, AND ORDER THE FOLLOWING:

Section 1. During the existence of the Local Emergency, the powers, functions, and duties of the Director of Emergency Services and the Emergency Organization of the City shall be those prescribed by State law, ordinances and resolutions of the City of Brisbane, and by the City of Brisbane Emergency Operation Plan.

Section 2. The Local Emergency shall continue to exist until the City Council proclaims its termination or the Local Emergency is not extended as provided by law.

Section 3. This resolution is effective immediately upon its passage and adoption.

Karen Cunningham, Mayor

PASSED, APPROVED AND ADOPTED by the Brisbane City Council at a regular meeting on November 18, 2021.

I hereby certify that the foregoing resolution was adopted by the City Council at a regular meeting held on November 18, 2021 by the following vote:

AYES:

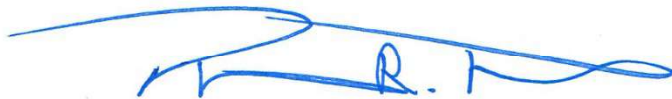
NOES:

ABSENT:

ABSTAIN:

Ingrid Padilla, City Clerk

Approved as to form:



Thomas McMorrow, Interim City Attorney