



AGENDA REPORT SUMMARY

Meeting Date: December 13, 2022
Subject Emergency Declaration Resolution
Prepared by: Jon Maginot, Assistant City Manager
Approved by: Gabe Engeland, City Manager

Attachment(s):

1. Resolution No. 2022-xx

Initiated by:

Staff

Previous Council Consideration:

March 12, 2020 (Declaration of Emergency); March 17, 2020; August 24, 2021; October 12, 2021; November 9, 2021; December 7, 2021; January 11, 2022; February 8, 2022; March 8, 2022; April 12, 2022; May 10, 2022; June 14, 2022; July 12, 2022; August 4, 2022; August 23, 2022; September 20, 2022; October 11, 2022; November, 15, 2022

Fiscal Impact:

None; however, a local emergency declaration is a prerequisite for requesting state or federal assistance.

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

- Does the Council wish to renew its existing declaration by adopting a resolution declaring a local emergency to emphasize the need for continued adherence to public health guidance?

Summary:

- AB 361 requires the City to adopt a resolution every 30 days extending a local emergency declaration to continue to allow legislative bodies to meet virtually

Staff Recommendation:

Adopt a Resolution extending the declaration of a local emergency due to the COVID-19 pandemic

Reviewed By:

City Manager

City Attorney

Finance Director

GE

JH

JD



Subject: Emergency Declaration Resolution

Purpose

To adopt a resolution extending the existing declaration of emergency

Background

On March 12, 2020, the City Manager issued an Emergency Declaration in response to the COVID-19 pandemic. On March 17, 2020, the City Council adopted Resolution No. 2020-08 ratifying the Emergency Proclamation. The City Council subsequently adopted resolutions monthly beginning in October 2021 continuing the declaration of the existence of a local emergency due to the COVID-19 pandemic.

The threat posed by COVID-19 continues to pose a serious risk to the public health and safety of the City of Los Altos.

Discussion/Analysis

AB 361, signed into law on September 15, 2021, allows a public agency to continue to hold virtual City Council and Commission meetings while under a declaration of emergency without complying with certain elements of the Ralph M. Brown Act. The bill requires that a legislative body renew the declaration of emergency every 30 days in order to continue meeting in this manner. AB 361 applies to local agencies until January 1, 2024.

Although the availability of vaccines against COVID-19 has helped to lower overall case numbers and the severity of cases, COVID-19 remains a serious health concern, particularly for those with compromised immune systems. Adoption of the proposed resolution is needed to continue the City's Emergency Declaration.

On October 17, 2022, Governor Newsom announced that the State COVID-19 State of Emergency will end on February 28, 2023. Should the City Council determine that the City's Emergency Declaration should end at the same time, Council will need to adopt a Resolution declaring the end of the emergency. Termination of the Emergency Declaration will mean the City will be required to fully comply with all elements of the Brown Act, including the provisions of AB 2449. In addition, the ending of the Emergency Declaration will affect the Parklet Program. Staff will be returning to Council in early 2023 regarding the permanent Parklet Program. At the November 15, 2022 meeting, Council requested additional information regarding changes to the Brown Act related to teleconferencing. Staff will present this information in January 2023.

Recommendation

The staff recommends Council adopt the attached resolution extending the declaration of emergency due to the COVID-19 pandemic.