



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 09/15/2020

ITEM NO: 4

DATE: September 9, 2020
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Continue Local Emergency Proclamation

RECOMMENDATION:

Continue Local Emergency Proclamation.

BACKGROUND:

On February 10, 2020, the Santa Clara County Board of Supervisors and Department of Public Health declared a local emergency and local public health emergency to aid in the regional response to the COVID-19 pandemic. On March 4, 2020, the Governor of the State of California took similar action and declared a state of emergency for the entirety of California.

On March 12, 2020, Town Manager and Director of Emergency Services, Laurel Prevetti, issued a Proclamation of Local Emergency in response to the global Coronavirus pandemic and its spread in the Santa Clara County community. On March 17, 2020, the Town Council ratified the Proclamation of Local Emergency. Resolution 2020-008 (Attachment 1) as adopted by Council stipulated among other things that "The Director of the Office of Emergency Services is hereby directed to report to the Town Council within sixty (60) days on the need for further continuing the local emergency."

Per the Town's Municipal Code the proclamation of a local emergency allows the Town to:

1. Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the Town Council;

PREPARED BY: Arn Andrews
Assistant Town Manager

Reviewed by: Town Attorney and Assistant Director of Emergency Services (Chief of Police)

2. Obtain vital supplies, equipment and such other properties found lacking and needed for the protection of life and property and to bind the Town for the fair value thereof and, if required immediately, to commandeer the same for public use;
3. Require emergency services of any Town officer or employee and, in the event of the proclamation of a state of emergency in the County in which this Town is located or the existence of a state of war emergency, to command the aid of as many citizens of this community as the Director deems necessary in the execution of the Director's duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by State law for registered disaster service workers;
4. Requisition necessary personnel or material of any Town department or agency; and
5. Execute all of the Director's ordinary powers as Town Manager, all of the special powers conferred upon the Director by this chapter or by resolution or emergency plan pursuant hereto adopted by the Town Council, and all powers conferred upon the Director by any statute, by an agreement approved by the Town Council, and by any other lawful authority.

On March 16, 2020, the Health Officer of Santa Clara County issued an Order directing all individuals living in the County to shelter at their place of residence beginning March 17, 2020. The cumulative result of these public health efforts is the continuation of significant restrictions affecting Town residents and unprecedented impacts to the business community.

DISCUSSION:

Since the initial proclamation of local emergency, the Town Council and Town organization have responded to a multitude of issues related to the County-wide Covid-19 mitigation efforts. Of note, the Town Council has enacted the following:

- On March 24, 2020, the Town Council adopted an Interim Urgency Ordinance for a moratorium on evictions due to nonpayment of rent for residential tenants where the failure to pay rent results from income loss resulting from the novel coronavirus (COVID-19) and suspending all deadlines related to land use entitlements.
- On April 4, 2020, the Town Council amended existing human services grant agreements with West Valley Community Services, Counseling and Support Services for Youth, Next Door Solutions, and Live Oak Senior Nutrition to donate an additional \$10,000 to each organization, for a total of \$40,000, to assist Town residents with needed services due to COVID-19 and related Public Health Orders.

DISCUSSION (continued):

- On April 21, 2020, the Town Council approved the waiver of rent and utilities for the Town of Los Gatos lessees New Museum of Los Gatos (NUMU), Friends of the Library, Billy Jones Railroad, Soccer and Little Leagues, and Los Gatos-Saratoga Community Education and Recreation (LGS Rec) for the duration of the Santa Clara County shelter-in-place order due to significant business disruption.

On May 5, 2020, the Town Council continued the local emergency proclamation in recognition of the ongoing State and County proclamations and sustained impacts of COVID-19. In addition, the Council extended the moratorium on evictions and suspension of deadlines related to land use entitlements. Since the May 5, 2020, extension of the local emergency proclamation the Town Council and Town organization have continued to respond to the unprecedented effects associated with public health orders.

- On May 19, 2020, the Town Council received the Proposed Operating Budget and revised Five-Year Forecast which illustrated the anticipated revenue impacts associated with the Covid-19 regional and national recession.
- On May 26, 2020, the Town Council held a Special Meeting to consider options for stimulating local economic recovery and community vitality opportunities.
- On June 6, 2020, Council adopted temporary modifications to specific provisions related to business permits, processes, provisions, and activities to offer economic relief, recovery and other opportunities for community and economic vitality.
- On June 6, 2020, the Town Council provided direction on the development of temporary parklets and authorization of \$750,000 toward the program.
- On September 3, 2020, the Town submitted the initial reimbursement request for Coronavirus Aid, Relief, and Economic Security (CARES) Act payments related to the Town's Covid-19 response.

CONCLUSION:

Given the continuation of State and County proclamations of emergency and local shelter-in-place orders, business restrictions, and corresponding Town responses, the continuation of the Town's emergency proclamation is warranted. Because the Governor has suspended the legal requirement for 60-day considerations of Emergency Proclamations, the Director of the Office of Emergency Services recommends keeping this Emergency Proclamation in effect for the extent of the COVID local emergency. Periodic updates pertaining to the emergency and potential actions by the Council will continue to be provided to the Town Council.

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COORDINATION:

This report was coordinated with the Town's Disaster Council and Town Attorney.

FISCAL IMPACT:

Total fiscal impact is unknown at this time and at the conclusion of the emergency event, staff will seek any reimbursable expenses allowed by the Federal Emergency Management Agency (FEMA) and the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachment:

1. Resolution 2020-008