

RESOLUTION 2020-068

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO, CALIFORNIA, EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO NOVEL CORONAVIRUS (COVID-19) AND CONFIRMING THE ACTIONS OF THE DIRECTOR OF EMERGENCY SERVICES

WHEREAS, Government Code Section 8558 provides for a “State of Emergency” or a “Local Emergency” when conditions as “air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor’s warning of an earthquake or volcanic prediction, or an earthquake, or other conditions, other than the conditions resulting from a labor controversy,” which conditions are likely to be beyond the control of the services, personnel, equipment and facilities of any single entity or of a particular political subdivision and require the combined forces of other political subdivisions to combat;

WHEREAS, Government Code Section 8630 authorizes the City Council to proclaim the existence of a “Local Emergency;” and to review the continuing need for such proclamation until the emergency is terminated;

WHEREAS, the Emergency Operations Center (EOC) for the City of San Pablo was activated on Monday, March 16, 2020 due to the Novel Coronavirus (“COVID-19”);

WHEREAS, following declarations of emergency by the State of California, Contra Costa County and the Federal government, the City Council of the City of San Pablo adopted Resolution 2020-034 on March 16, 2020 proclaiming the existence of a local emergency due COVID-19 pandemic;

WHEREAS, the Governor of California has issued several executive orders including Executive Order N-33-20 on March 19, 2020 directing all residents in the State of California stay at home except as needed to maintain continuity of operations of essential critical infrastructure sectors and as designated by the State Public Health Officer as critical to protect health and well-being of all Californians. The Governor continues to issue Executive Orders in light of the COVID-19;

WHEREAS, the Federal Government has also issued Federal orders and directives in response to COVID-19;

WHEREAS, the Contra Costa Health Services Officer, in conjunction with other Bay Area Health Officers, issued on March 31, 2020 further Shelter-in-Place orders through May 3, 2020 with additional limitations on essential services that could continue; and

WHEREAS, on April 6, 2020, pursuant to Resolution No. 2020-042, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services including but not limited to:

1. Emergency Services Order No. 1 issued March 23, 2020, which addressed operational issues during the emergency including a Modified City Operations Plan dated March 19, 2020; and
2. Revised Modified City Operations Plan dated April 1, 2020, declaring certain City projects as “Essential Governmental Functions/Public Works Projects” and further limiting activities.

WHEREAS, on April 20, 2020, pursuant to Resolution No. 2020-051, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services including but not limited to:

1. Revised Modified City Operations Plan dated April 8, 2020 further limiting access to City Administrative Offices and essential services occurring at City facilities; and continuing to cancel all City-sponsored community events and gatherings per the Governor’s State-wide Executive Orders No. N-25-20 (03/12/20) and No. N-33-20 (03/19/20) and Contra Costa County Health Department Order no. #HO-COVID-19-03 (03/31/2020);
2. City of San Pablo Administrative Policy – Coronavirus (COVID-19): Families First Coronavirus Response Act (FFCRA) and Emergency Family and Medical Leave Expansion Act (EFMLE) dated April 1, 2020;
3. City of San Pablo Administrative Policy – Limited Duration Telework Policy dated April 1, 2020.

WHEREAS, on April 29, 2020, pursuant to Contra Costa Health Department Order No. HO-COVID19-09, the shelter-in-place order was continued until May 31, 2020;

WHEREAS, on May 4, 2020, pursuant to Resolution No. 2020-055, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services including but not limited to:

1. Revised Modified City Operations Plan dated April 20, 2020 regarding face coverings in response to Contra Costa County Health Department Order no. #HO-COVID-19-08 (04/17/2020);
2. Revised Modified City Operations Plan dated April 30, 2020 in response to Contra Costa County Health Department Order no. #HO-COVID-19-09 (04/29/2020) extending the shelter-in-place order to May 31, 2020 but allowing some businesses and activities to resume; and
3. City Essential Business/Project Updates dated May 4, 2020; and

WHEREAS, on May 18, 2020, pursuant to Contra Costa Health Department Order No. HO-COVID19-14, the shelter-in-place order was continued although allowing some businesses to reopen under certain conditions;

WHEREAS, on May 18, 2020, pursuant to Resolution No. 2020-060, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services including but not limited to:

1. Memorandum dated May 7, 2020 to implement COVID-19 Informational Hotline for San Pablo residents

WHEREAS, as of May 26, 2020, there were 1,353 confirmed cases of COVID-19 in Contra Costa County, and 37 deaths. As of May 24, 2020, there were 94,558 confirmed cases of COVID-19 in California with 3,795 deaths. As of May 26, 2020, there were 1,662,414 cases of COVID-19 in the United States with 98,261 deaths. All of those numbers are expected to continue to rise;

WHEREAS, many San Pablo residents have experienced job loss or reduced hours due to COVID-19 and shelter-in-place orders and Contra Costa County overall saw an increase in unemployment from a March unemployment rate of 4.1 percent to an April unemployment rate of 14.5 percent, with nearly 3.7 million Californians filing for unemployment during the first six weeks of COVID-19 pandemic and the nation seeing the highest level of unemployment in 70 years;

WHEREAS, the City of San Pablo is losing \$2.34 million in revenue for each month that Casino San Pablo is closed due to the shelter-in-place orders, in addition to \$1.3 million every month from other City revenue sources, forcing a hiring freeze, suspension of all non-essential spending and elimination of part-time employees;

WHEREAS, the economic recovery from COVID-19 and its impacts are estimated in terms of years not months;

WHEREAS, the City Manager/Director of Emergency Services recommends that the City Council extend the declaration of a local emergency and confirm the actions taken by the Director of Emergency Services since May 18, 2020 including but not limited to:

1. Letter dated May 22, 2020 to the Contra Costa County Health Services Department re: Casino San Pablo Notification to Re-Open and discussion with Contra Costa County Health Officials.

WHEREAS, in addition, the nation is experiencing civil unrest in the wake of the death of George Floyd while detained by a Minneapolis police officer on May 25, 2020, which has led to peaceful protests, but also to some rioting and looting in neighboring communities in violation of shelter-in-place and social distancing orders that could further exacerbate the spread of COVID-19 and placing additional demands on public safety resources, which are already taxed by COVID-19 issues;

WHEREAS, the City Council of the City of San Pablo hereby finds conditions of extreme peril to the health and safety of persons and property have continued within the

City of San Pablo caused by COVID-19 including not only health impacts but economic impacts with many residents having jobs eliminated or hours reduced, as well as impacts to the City's own financial condition; these conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the City of San Pablo and require the combined forces of other political subdivisions to combat; and these conditions are of such extreme peril to warrant and necessitate the proclamation of the existence of a local emergency.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Pablo that:

1. A local emergency continues to exist throughout the City of San Pablo commencing on or about 7:00 am on Monday, March 16, 2020 and shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of San Pablo;
2. All actions taken by the Director of Emergency Services and City Manager in response to this local emergency are confirmed, including but not limited to Revised Modified City Operations Plan dated May 7, 2020; and
3. During the existence of said local emergency, the Director of Emergency Services and the Emergency Organization of the City shall continue to have the duties and responsibilities as set forth in Resolution 2020-034; and
4. Within the next thirty (30) days, a report on the most recent conditions of emergency and disaster shall be presented to this City Council so that this City Council may determine whether conditions of emergency and disaster still exist.

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ADOPTED this 1st day of June 2020, by the following votes:

AYES:	COUNCILMEMBERS:	Kinney, Pineda, Xavier, Pabon-Alvarado and Cruz
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:	APPROVED:
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/s/ LaTanya Fisher
LaTanya Fisher, Acting Deputy City Clerk

/s/ Arturo M. Cruz
Arturo M. Cruz, Mayor