

Resolution No. C-2020-16

A RATIFICATION OF A RESOLUTION OF LOCAL EMERGENCY RELATED TO COVID-19

WHEREAS, pursuant to California Government Code Sections 8680.9 and 8558(c), a local emergency is a condition of extreme peril to persons or property proclaimed as such by the governing body of the local agency affected by a natural or manmade disaster; and

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

WHEREAS, a local emergency proclamation is a prerequisite for requesting state or federal assistance; and

WHEREAS, the Director of Emergency Services is identified in the Half Moon Bay Municipal Code as the City Manager and is provided powers delineated in Municipal Code Section 2.25.060; and

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within the City, based on the following:

- 1) A novel coronavirus (named "COVID-19" by the World Health Organization) was first detected in Wuhan City, Hubei Province, China, in December 2019. The Centers for Disease Control and Prevention ("CDC") has stated that COVID-19 is a serious public health threat, based on current information; and
- 2) Cases of COVID-19 have been diagnosed in the United States, originally primarily in individuals who have traveled to other countries, but there have been cases identified of "community spread" of COVID-19 involving individuals who have not traveled overseas and who have no known connections to overseas travel; and
- 3) In part, the virus is considered a very serious health threat because much is unknown. The exact modes of transmission, 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; and
- 4) The best information to date suggests that the virus is spread between people primarily via respiratory droplets produced when an infected person coughs or sneezes. Symptoms of the virus include fever, cough, and shortness of breath, and infected individuals have experienced a range of outcomes, from mild sickness to severe illness and death; and

- 5) The CDC believes at this time that symptoms appear two to 14 days after exposure. Currently, there is no vaccine or specific antiviral treatment for COVID-19; and
- 6) The number of reported cases of COVID-19 has escalated dramatically over a short period of time. As of March 12, 2020, the Centers for Disease Control and Prevention (CDC) had reported 1,215 confirmed cases of COVID-19 in the United States, including 36 deaths. A March 11, 2020 statement from the World Health Organization (WHO) stated the global number of COVID-19 cases surpassed 118,000 cases in 114 countries, with 4,291 deaths. These numbers are growing daily; and
- 7) Actions are being taken to protect public health and limit the spread of COVID-10 in the United States. The CDC recommends that travelers avoid all nonessential travel to China, Iran, South Korea, and Italy. Moreover, media accounts report that the Federal Emergency Management Agency is preparing for the possibility that the President may make an emergency declaration at the federal level related to COVID-19; and
- 8) On March 16, 2020, the San Mateo County Health Officer, in conjunction with the health officers of seven Bay Area jurisdictions, has directed individuals living in the County to shelter in their place of residence, except that they may leave to provide or receive essential services and activities, until April 7, 2020; and
- 9) On March 16, 2020, Governor Gavin Newsom issued Executive Order N-28-20, which authorizes local governments to enact protections against residentially and commercial evictions until May 31, 2020, unless extended. The Executive Order does not relieve a tenant of the obligation to pay rent, nor restrict a landlord's ability to recover rent due.

WHEREAS, the above facts give rise to conditions of extreme peril to the safety and health of persons within the City; and

WHEREAS, the above facts give rise to conditions of extreme peril to the safety and health of persons within the City; and

WHEREAS, these conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the City; and the efforts required to prepare for, respond to, mitigate, and recover from the increasing spread of COVID-19 have and will continue to impose extraordinary requirements and expenses on the City, requiring diversion of resources from day-to-day operations; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Half Moon Bay that the City Council hereby proclaims that a local emergency now exists throughout Half Moon Bay.

BE IT FURTHER RESOLVED that the local emergency shall be deemed to continue consistent with the statewide emergency declared by the Governor on March 4, 2020 until its termination is proclaimed by the City Council of the City of Half Moon Bay.

BE IT FURTHER RESOLVED that during the existence of said local emergency, the powers, functions and duties of the City Council, the Director of Emergency Services and the Emergency Organization of the City shall be those prescribed by state law, ordinances, resolutions and administrative policies of this City and by the City of Half Moon Bay Emergency Plan.

BE IT FURTHER RESOLVED that the City Manager as Director of Emergency Services of the City of Half Moon Bay is hereby authorized to execute for and on behalf of the City of Half Moon Bay any agreement or application for, and to file the agreement with, the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance.

BE IT FURTHER RESOLVED that the City Council hereby authorizes that non-exempt City employees will be paid out of an administrative call-pack pay related to COVID-19 responses, through April 7, 2020, unless extended by the City Manager, in accordance with the March 16, 2020 San Mateo County Health Officer Order.

BE IT FURTHER RESOLVED that, pursuant to Governor Newsom's Executive Order N-28-20, the City Council directs the City Manager to research options for Council consideration that would protect against residential and commercial evictions in the City of Half Moon Bay consistent with the criteria of the Executive Order.

IT IS REQUESTED that the Governor of the State of California include the City of Half Moon Bay in any emergency declaration by the State; ensure the City of Half Moon Bay is included in any emergency declaration that may be issued by the President of the United States of America; waive regulations that may hinder response and recovery efforts; and make available all relevant funds to the City of Half Moon Bay and all eligible community members, organizations, service providers, and businesses, including, but not limited to, aid made available by the California Disaster Act, the State Private Nonprofit Organizations Assistance Program Funding, the Small Business Administration, and HUD, to assist the City of Half Moon Bay and its community.

I, the undersigned, hereby certify that the foregoing resolution was duly passed and adopted on the 17th day of March 2020 by the City Council of Half Moon Bay by the following vote:

AYES, Councilmembers: Penrose, Rarback, Ruddock, Brownstone, Eisen

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

ATTEST:

APPROVED:

For 

Jessica Blair, City Clerk



Adam Eisen, Mayor