



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**DATE:** March 19, 2020  
**TO:** Christine Daniel, City Manager  
**FROM:** Sheri Hartz, City Clerk  
**SUBJECT:** **Resolution Of The City Council Of The City Of Emeryville Confirming the Director of Emergency Services' Proclamation of Existence of A Local Emergency**

### RECOMMENDATION

Adopt a Resolution confirming the Director of Emergency Services' Proclamation of Existence of A Local Emergency.

### BACKGROUND

Emeryville Municipal Code section 4-2.01 and California Government Code section 8558 define "emergency" and "local emergency" (respectively) as "existence of conditions of disaster or of extreme peril to the safety of persons and property" within specified territorial limits, including those cause by epidemic, which "are or are likely to be beyond the control of the services, personnel, equipment, and facilities" of a particular political subdivision such as the City of Emeryville, and which require "the combined forces of other political subdivisions to combat..." Such conditions are referred to as a "Local Emergency".

Section 4-2.08(a)(1) of the Emeryville Municipal Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of an Local Emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session

On March 4, 2020, the Governor of California proclaimed a state of emergency to exist in California as a result of the threat of COVID-19. On March 7, 2020, the California Department of Public Health issued its "Mass Gatherings Guidance on Novel Coronavirus or COVID-19" followed by a March 12, 2020 recommendation that certain gatherings in California be postponed or canceled for the remainder of March. On March 12, 2020, the Governor of the State of California issued Executive Order N-25-20 which, among other things, orders that all California residents are to ". . . heed any orders and guidance of state and local public health officials, including but not limited to the imposition of social distancing measures, to control the spread of COVID-19.

On March 16, 2020 based on evidence of increasing occurrence of COVID-19 within Alameda County and throughout the Bay Area, the Alameda County Health Officer, along with Health Officers in five other Bay Area counties, issued an order "directing all individuals living in the County to shelter at their place of residence...directing all businesses and governmental agencies to cease non-essential operations at physical locations in the County; prohibiting all non-essential gatherings of any number of individuals; and ordering cessation of all non-essential travel".

On March 16, 2020 the Alameda County Director of Emergency Services declared a local emergency based on conditions of extreme peril to the safety of persons and property within the County from the introduction of a novel coronavirus (named COVID-19) in the County.

On March 17, 2020 following the directive of the Alameda County Health Officer, the City of Emeryville closed all City facilities and assigned many employees to work remotely if possible, while maintaining public safety and some public works operations as “Essential Governmental Functions”.

## **DISCUSSION**

Actual or threatened conditions of disaster or extreme peril to the safety of persons and property have arisen within the City of Emeryville caused by the introduction COVID-19, as to which there is no known natural immunity and for which there is currently no vaccine, which has become a pandemic, and which is contributing to a shortage of essential health care supplies; and

The locally available resources are inadequate to cope with the actual or threatened conditions of disaster or extreme peril because, by reason of its magnitude, it is or is likely to be beyond the control of the services, personnel, equipment, and facilities of the City of Emeryville, and will require the combined forces of a mutual aid region or regions to combat; these conditions satisfy the circumstances described in Government Code section 8558 and Emeryville Municipal Code section 4-2.01.

These actual or threatened conditions of disaster or extreme peril necessitate the proclamation of an emergency to enable the City of Emeryville and other government entities to adequately plan, prepare and preposition resources to be able to effectively respond to the threat posed by COVID-19, and to warn City of Emeryville residents and visitors of the threat posed by COVID-19 and to enable them sufficient time to plan and prepare.

## **FISCAL IMPACT**

The declaration and confirmation of a local emergency will support future requests by the City for various forms of federal and state financial assistance to offset impacts of the public health crisis.

## **STAFF COMMUNICATION WITH THE PUBLIC**

The City’s website includes updates on the public health crisis and the City of Emeryville’s response as discussed in this report.

**PREPARED BY:** Sheri Hartz, City Clerk

**APPROVED AND FORWARDED TO THE  
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



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Christine Daniel, City Manager

**ATTACHMENTS**

- Draft Resolution Confirming Local Emergency
- Proclamation of Local Emergency issued March 17, 2020