CITY OF ALAMEDA RESOLUTION NO. _____

CONTINUING THE DECLARATION OF THE EXISTENCE OF A LOCAL EMERGENCY IN RESPONSE TO THE COVID-19 PANDEMIC

WHEREAS, the Alameda Municipal Code, Chapter 2-24, defines a local emergency as "the actual or threatened existence of conditions of disaster or of extreme peril to safety of persons and property within a jurisdiction"; and

WHEREAS, Government Code Section 8630 empowers the City Council to proclaim a local emergency by ordinance when the City of Alameda is affected by a public calamity and/or serious threat to the public health, safety and welfare; and

WHEREAS, Section 3-12 of the City Charter authorizes the City Council, with a 4/5 vote, to adopt as an urgency measure an ordinance for the immediate preservation of the public peace, health or safety upon a finding of facts constituting the urgency thereof; and

WHEREAS, on March 17, 2020 the Council made findings that due to the COVID-19 pandemic, conditions of extreme peril to the health, safety and welfare of persons have arisen in the City of Alameda and, based thereon, adopted an urgency ordinance (Ordinance No. 3267) declaring a local emergency existing in the City of Alameda as a result of the COVID-19 pandemic; and

WHEREAS, Ordinance No. 3267 adopted various measures in response to the local emergency; and

WHEREAS, on April 7, 2020 the Council made findings that due to the COVID-19 pandemic, the March 17 declaration should be extended for the duration of the State of California's COVID-19 Emergency Declaration; and

WHEREAS, in June, September, and November of 2020 and in January of 2021, March of 2021, April of 2021 and June of 2021, the Council made findings that due to the COVID-19 pandemic and the continued duration of the State's declaration of emergency, the City's declaration of local emergency should be continued; and

WHEREAS, Government Code, subsection (c) of section 8630 requires that the governing body review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency and subsection (b) of Section 8630 authorizes a designated officer of a local agency to proclaim the existence of a local emergency if the governing body is not in session, so long as the governing body thereafter ratifies such proclamation; and

WHEREAS, the City Council is scheduled to meet on July 20, 2021, 35 days into the 60 day review period and there are no scheduled City Council meetings in the month of August; and

WHEREAS, beginning in March 2020 and continuing to this time, the City Council while in session has engaged in frequent and regular review of the COVID-19 local emergency and Council has taken action on numerous items relating to the local emergency; and

WHEREAS, City Council finds that the conditions that existed in March 2020 that led to the initial declaration of a local emergency continue to exist at this time; and

WHEREAS, the declaration of a local emergency can be an important tool for Federal Emergency Management Association (FEMA) reimbursement requests; and

WHEREAS, the State of California's COVID-19 Pandemic Emergency Declaration also remains in effect at this time; and

WHEREAS, adoption of this resolution is exempt from review under the California Environmental Quality Act Guidelines, Section 15378 (not a project) and Section 15061(b)(3) [no significant environmental impact].

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF ALAMEDA DOES RESOLVE, DECLARE, DETERMINE, AND ORDER THE FOLLOWING:

Section 1. The City Council finds and determines that the foregoing recitals to be true and correct and hereby incorporates them in this resolution.

Section 2. The City Council declares that the continuation of the previously declared local emergency is appropriate as a result of the COVID-19 pandemic and that this declaration of local emergency shall continue until the State's declaration of emergency relating to COVID-19 is rescinded, or sooner should it be appropriate to lift the local emergency declaration prior to State action, and staff shall continue to update the Council on the status of the local emergency declaration every 60 days, consistent with Government Code Section 8630(c).

Section 3. This resolution is effective immediately upon its passage and adoption.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 20th day of July 2021 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 21st day of July 2021.

_____
Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:

_____
Yibin Shen, City Attorney
City of Alameda