

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER [IF APPLICABLE]

**RESOLUTION RENEWING AND CONTINUING THE CITY COUNCIL'S
DECLARATION OF A LOCAL EMERGENCY DUE TO COVID-19**

WHEREAS, on March 4, 2020, Governor Newsom issued a proclamation of emergency relating to the respiratory illness known as COVID-19, which is caused by the novel coronavirus SARS-COV2; and

WHEREAS, on March 9, 2020, the City Administrator acting as the Director of Emergency Services Operations Center (EOC) declared a local emergency within the City of Oakland due to the outbreak of respiratory illness caused by the novel coronavirus (known as COVID-19); and

WHEREAS, on March 10, 2020, the City Council confirmed and ratified the existence of a local emergency within the territorial limits of the City of Oakland proclaimed by the City Administrator pursuant to Oakland Municipal Code Chapter 8.50 and Government Code section 8630; and

WHEREAS, the Governor's March 2020 proclamation of emergency waived the 60-day time period in Government Code section 8630, within which local government authorities must renew a local emergency, for the duration of the statewide emergency; and

WHEREAS, under the statewide proclamation of emergency, any local emergency proclaimed will remain in effect until each local government authority terminates its respective local emergency; and

WHEREAS, Oakland Municipal Code section 8.50.030.C.3 had required the City Council and City Administrator to review the need for a local emergency every thirty (30) days until the emergency is terminated; and

WHEREAS, on March 23, 2020, the City Administrator issued Emergency Order #1, which, among other things, suspended OMC section 8.50.030.C.3 as inconsistent with the Governor's proclamation of emergency, which waived the state requirement to review every sixty

(60) days, “until repealed or modified by the City Council or for the duration of the COVID-19 pandemic, whichever occurs earlier”; and

WHEREAS, on October 17, 2022, the Governor announced that the statewide COVID-19 State of Emergency will end on February 28, 2023; and

WHEREAS, despite progress in addressing the pandemic, not all eligible individuals are fully vaccinated, and new, more virulent variants of the SARS-CoV-2 virus are spreading in California and throughout the world; and

WHEREAS, despite significant progress, COVID-19 remains a threat to public health and safety to public health and safety in the Oakland community; and

WHEREAS, as of December 2022, a total of 2,094 Alameda County residents, including 596 Oakland residents, have died of COVID-19; and

WHEREAS, the City of Oakland will continue to require access to services, personnel, equipment, facilities and other resources from the federal government, state, local and other agencies, including resources that may not be currently available, to continue to respond to cases and control the spread of the virus within Oakland’s population and communities, as well as to respond to continuing impacts of the pandemic; and

WHEREAS, the health and welfare of the citizens of the City as well as that of City employees is of paramount importance to the Mayor, City Council and the City Administration; and now, therefore, be it

RESOLVED: That the City Council of the City of Oakland finds and proclaims that a local emergency continues to exist due to the illness known as COVID-19 and pursuant to Government Code section 8630 does so declare; and be it

FURTHER RESOLVED: That during the existence of said local emergency the powers, functions, and duties of the emergency organization of the City of Oakland shall be those prescribed by state law, by ordinances, and resolutions of the City of Oakland; and be it

FURTHER RESOLVED: That the City Council fully supports and endorses the City Administrator’s proclamation and order that all City departments and agencies take those actions, measures and steps deemed necessary to provide ongoing services to the City citizens, and to assure the safety and welfare of City employees, residents and property, including requesting mutual aid to the extent such aid is reasonably necessary.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMANCHADRAN, AND
PRESIDENT FORTUNATO BAS

NOES –
ABSENT –
ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California