



## AGENDA REPORT

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**TO:** Honorable Mayor & City Council

**FROM:** Councilmember Kaplan  
(At-Large)

**SUBJECT:** Masks in City Facilities Extension

**DATE:** March 9, 2023

### **RECOMMENDATION**

#### **Councilmember Kaplan Recommends That The City Council:**

**Adopt A Resolution Extending Resolution No. 89542 C.M.S. To July 1, 2023, Which Established A Policy Requiring All Employees, Patrons, And Visitors Entering City Facilities To Wear Face Masks To Mitigate The Spread Of Contagious Respiratory Illnesses Including COVID-19, Respiratory Syncytial Virus (RSV), And Influenza And Requiring The City To Provide Quality Masks (KN-95, N-95, Or KF-94) To Persons Entering City Facilities Who Do Not Have A Mask**

### **EXECUTIVE SUMMARY**

This resolution would extend Resolution No. 89542 C.M.S. to July 1, 2023. Resolution No. 89542 C.M.S. established a policy requiring all employees, patrons, and visitors entering city facilities to wear face masks to mitigate the spread of contagious respiratory illnesses including COVID-19, respiratory syncytial virus (RSV), and influenza. It would also require the city to provide quality masks (KN-95, N-95, or KF-94) to persons entering city facilities who do not have a mask.

### **BACKGROUND / LEGISLATIVE HISTORY**

Governor Newsom lifted California's State of Emergency on February 28, 2023, marking the end of statewide requirements and mandates to stem the spread of COVID-19 and other respiratory illnesses. While Alameda County confirmed the end of the local public health emergency in alignment with the State, in their February 28, 2023 press release, it states, "[t]he end of the local health emergency declaration does not mean the end of COVID-19, which will remain present in our community. Residents should use the same tools that have proven over time to be effective in keeping themselves and others as healthy as possible."

One of the tools the Alameda County Health Care Services Agency encourages everyone to utilize is wearing high-quality, well-fitted masks for added protection against infection.

COVID-19, Respiratory Syncytial Virus (RSV), and Influenza continue to spread among adults and children. An early wave of respiratory viruses in winter 2022 led to increased hospitalizations and has contributed to stresses in our healthcare delivery systems in California and across the US. RSV is a common respiratory virus that usually causes mild, cold-like symptoms, but may cause severe disease in infants and older adults. RSV is the most common cause of bronchiolitis and pneumonia in children

Oakland City Council  
March 21, 2023

younger than 1 year of age in the United States. In children, Emergency Department visits for 0-4-year-olds were the highest throughout the pandemic in winter 2022, impacting both pediatric hospital and pediatric intensive care unit bed availability. There is no antiviral treatment or vaccine for RSV infection, so wearing a mask can slow the spread and protect the most vulnerable, including babies, young children, and older adults.

As of March 2, 2023, the daily average of COVID-19 cases in California is 2,760 with 6.9 new cases per 100,000. The daily reported case rate in Alameda County is 8.8 per 100,000 residents per day according to dashboard data from February 27, 2023.

COVID-19 has shown evidence of seasonality, a feature of other respiratory viral infections including some other coronavirus infections. Such seasonality, in combination with other factors, could lead to possible surges and subsequent annual waves of infection. The Centers for Disease Control (CDC) has identified the existence of highly contagious variants of the COVID virus and has indicated that additional variants of high consequence are to be expected.

#### **REQUIRED LEGISLATIVE FOLLOW-UP**

Should the City Council wish to extend the masking requirement beyond July 1, 2023, the Council would need to pass a new resolution with an additional extension to a desired date.

#### **ANALYSIS AND POLICY ALTERNATIVES**

Masks are a vital tool to prevent the spread of contagious respiratory illnesses, and wearing masks in public facilities is both a matter of protecting public health and ensuring safe and equitable access to public services. There are millions of people for whom unmasking is dangerous -- including those who cannot be vaccinated, such as young children, individuals who are immunocompromised, and people with various disabilities and "pre-existing conditions."

Allowing individuals to enter City facilities unmasked puts people for whom unmasking is dangerous at severe risk, and hinders them from accessing needed services the City provides. Action must be taken to address the spread of COVID-19, RSV, and influenza to avoid a substantial adverse impact of these illnesses on our public health, and in particular to increase safety for individuals who would be at the highest risk in an unmasked environment and who need to access City services in City facilities.

#### **FISCAL IMPACT**

While there is no fiscal impact connected to this item, the City Administrator is directed to return to the City Council as soon as practicable with an analysis of the costs of providing face masks through July 1, 2023, and if necessary, a proposal for a budget amendment to address such costs.

#### **COORDINATION**

The City Administrator is directed to work with City staff to find locations and develop policies to allow for safe unmasking for the purposes of eating and taking breaks.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** No direct Economic opportunities have been identified related to this resolution.

***Environmental:*** No direct Environmental opportunities have been identified related to this resolution.

***Race & Equity:*** Wearing masks in public facilities is both a matter of protecting public health and ensuring safe and equitable access to public services. There are millions of people for whom unmasking is dangerous -- including those who cannot be vaccinated, such as young children, individuals who are immunocompromised, and people with various disabilities and “pre-existing conditions.” Allowing individuals to enter City facilities unmasked puts people for whom unmasking is dangerous at severe risk, and hinders them from accessing needed services the City provides.

### **ACTION REQUESTED OF THE CITY COUNCIL**

Councilmember Kaplan Recommends That The City Council

Adopt A Resolution Extending Resolution No. 89542 C.M.S. To July 1, 2023, Which Established A Policy Requiring All Employees, Patrons, And Visitors Entering City Facilities To Wear Face Masks To Mitigate The Spread Of Contagious Respiratory Illnesses Including COVID-19, Respiratory Syncytial Virus (RSV), And Influenza And Requiring The City To Provide Quality Masks (KN-95, N-95, Or KF-94) To Persons Entering City Facilities Who Do Not Have A Mask

For questions regarding this report, please contact Christine Miyashiro, Policy Director, at [Cmiyashiro@oaklandca.gov](mailto:Cmiyashiro@oaklandca.gov).

Respectfully submitted,

Councilmember Rebecca Kaplan  
At-Large

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