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OAKLAND

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## AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Edward D. Reiskin  
Assistant City Administrator

**SUBJECT:** Proclamation of a Local Emergency

**DATE:** March 10, 2020

City Administrator Approval

Date:

3/10/2020

### RECOMMENDATION

**Staff Recommends That The City Council Adopt A Resolution Ratifying The Proclamation Of A Local Emergency In The City Of Oakland And Requesting That The Governor Make Available All Available Resources To The City And Seek A Presidential Declaration Of A Federal Emergency.**

### EXECUTIVE SUMMARY

Approval of the proposed resolution will ratify the Proclamation of a Local Emergency, proclaimed by the City Administrator on March 9, 2020. Ratification will support continued authorization for use of emergency powers, as defined in state and local law, to enable the City to best address the emergent needs of the emergency that has been caused by the spread of the coronavirus, COVID-19.

### BACKGROUND / LEGISLATIVE HISTORY

Oakland Municipal Code (OMC) Chapter 8.50 empowers the City Administrator to proclaim a local emergency "when in the opinion of the City Administrator the circumstances indicate the existence or threatened existence of a Local Emergency". Local Emergency is defined as "the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of the City caused by such conditions as ... epidemic/pandemic... which are or are likely to be beyond the capability or control of the services, personnel, equipment, facilities, or finances of the City, requiring the combined forces of other political subdivisions to combat."

### ANALYSIS AND POLICY ALTERNATIVES

It is now well known that in December 2019, an outbreak of respiratory illness due to a novel coronavirus (known as COVID-19), was identified in Wuhan, China, and has since spread to more than 100 other countries, including the United States. There are more than 100 cases identified in the state, and two California resident fatalities resulting from COVID-19. Both of these numbers are expected to increase.

Special City Council Meeting  
March 12, 2020

On March 1, 2020, the County of Alameda declared a Public Health Emergency, and on March 4, 2020, the State of California declared a State of Emergency. The City's proclamation and ratification of a local emergency will position the City to proactively confront this rapidly evolving situation most effectively.

The city is currently faced with many emerging issues – from employee concerns to facility issues to potential impacts to our unsheltered population. The powers provided for in the local emergency will enable the administration to procure necessary goods and services, establish necessary rules and regulations, and redeploy existing resources to best protect the health and safety of our employees, the well being of our residents – especially those experiencing homelessness, the health of our economy, and the continued provision of city services.

An alternative to ratification would be to allow this proclamation to end (which it will do on Monday, March 16, if not ratified by the Council). Doing so will limit the administration's ability to strategically manage the situation and will limit the city's ability to recoup costs.

#### **FISCAL IMPACT**

There is no fiscal impact to the City associated with adopting this resolution; however one of the purposes of a proclaimed local emergency is to establish the basis for potential cost reimbursement from the state and/or local government.

#### **PUBLIC OUTREACH / INTEREST**

There was no public outreach with regard to this resolution per se, but City staff has been providing communications to the public about the COVID-19 issue, its impacts to the city, and general preparedness information from the federal, state, and county governments.

#### **COORDINATION**

The Resolution was coordinated with the Office of the City Attorney.

#### **SUSTAINABLE OPPORTUNITIES**

**Economic** – A local emergency proclamation empowers the City Administrator to take necessary steps in support of continued government service, as well as preparedness for, response to, and recovery from this incident. This empowerment can help mitigate adverse economic impacts.

**Environmental** – There are no environmental opportunities associated with this report.

**Race and Equity** – Given that those most at risk for being impacted by this virus are those with the most compromised health, and given that our unsheltered population is among that group,

and disproportionately comprised of African Americans and other peoples of color, a proactive approach to confronting this emergency is extremely important from an equity standpoint.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt A Resolution Ratifying The Proclamation Of A Local Emergency In The City Of Oakland And Requesting That The Governor Make Available All Available Resources To The City And Seek A Presidential Declaration Of A Federal Emergency.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'EDWARD D. REISKIN', written over a horizontal line.

EDWARD D. REISKIN  
Assistant City Administrator