



City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. 88118 C.M.S.

**INTRODUCED BY VICE MAYOR LARRY REID, COUNCILMEMBERS NOEL GALLO, LYNETTE GIBSON MCELHANEY, LOREN TAYLOR, FORTUNATO-BAS AND THAO, PRO TEMPORE KALB AND COUNCIL PRESIDENT KAPLAN**

**RESOLUTION DECLARING A LOCAL HEALTH EMERGENCY FOR OAKLAND'S BLACK RESIDENTS DUE TO THE SPREAD OF COVID-19 LOCALLY AND ITS DEVASTATING AND DISPARATE IMPACT ON OAKLAND'S BLACK RESIDENTS PURSUANT TO GOVERNMENT CODE SECTION 8630, THE OAKLAND CITY ADMINISTRATOR'S PROCLAMATION OF LOCAL EMERGENCY ON MARCH 9, 2020, RATIFIED BY THE CITY COUNCIL ON MARCH 12, 2020, AND THE EMERGENCY HEALTH ORDERS OF THE ALAMEDA COUNTY HEALTH DEPARTMENT AND GOVERNOR OF THE STATE OF CALIFORNIA RELATED TO COVID-19**

**WHEREAS**, on March 1, 2020, Alameda County Interim Health Officer Erica Pan, MD, MPH, FAAP declared a Local Health Emergency in response to the COVID-19 pandemic threat to public health and safety, and

**WHEREAS**, on March 4, 2020, California Governor Gavin Newsom proclaimed that a State of Emergency exists in California as a result of the threat of COVID-19; and

**WHEREAS**, on March 13, 2020, President Trump declared a nationwide emergency pursuant to Sec. 501 (b) of Stafford Act, increasing federal support to the Department of Health and Human Services (HHS) in its role as the lead federal agency for the COVID-19 pandemic response to assist state, local, tribal and territorial governments; and

**WHEREAS**, on March 16, 2020, Alameda County Interim Health Officer Erica Pan, MD, MPH, FAAP issued a Shelter-in-Place Order, and further Amended the order on April 29, 2020, that requires all Alameda County Residents to stay in their homes and leave only for specified essential purposes; and

**WHEREAS**, according to the Alameda County Public Health Department as of May 3, 2020, Latinos residents represented 34% of COVID-19 hospitalizations and 18% of deaths while representing 22% of the population, Black residents represented 23% of COVID-19

hospitalizations and 27% of deaths while representing 10% of the population, Asians residents represented 20% of COVID-19 hospitalizations and 22% of deaths while representing 31% of the population, and White residents represented 19% of COVID-19 hospitalizations and 30% of deaths while representing 31% of the population; and

**WHEREAS**, according to data from the Alameda County Department of Public Health Department as of May 13, 2020, the zip codes that have the highest case rates of COVID-19 (94601, 94603, 94619, and 94621) are in Districts 5, 6, and 7 and are home for a significant number of Oakland's African American and Latino residents; and

**WHEREAS**, Black and Latinx residents have a disproportionate number of hospitalizations and deaths compared to the overall population. Most of these residents live in Oakland Council Districts 3, 5, 6 and 7; and

**WHEREAS**, the COVID-19 crisis shows that one of the deadliest underlying conditions in America is systemic racism; and, for generations, racial and economic segregation has limited Oaklanders' mobility, resulting in the concentration of low-income Black, Latinx, Indigenous, Asian, and other people of color in socio-economically disadvantaged communities – communities exposed to toxic chemicals and other unhealthy land uses, failing infrastructure, and lack of access to services; and

**WHEREAS**, the Oakland City Council is committed to redressing social and economic inequity and has adopted the Oakland Equity Indicators Report (2018) as a guide to redress persistent inequity; and

**WHEREAS**, The 2018 Equity indicators report stated that one's life outcomes are specifically linked to their race and where they live; and

**WHEREAS**, Oakland's Black and Latinx Community leaders have mobilized in partnership with councilmembers to advance specific measurable activities, policies, and budget priorities articulated in documents such as The Black New Deal, Black Oakland Demands in Light of COVID-19 and Rates of Black Death, Principles for a Common Sense Street-Smart Recovery (PolicyLink), and the Open letter to Alameda County: Race and Equity Demands for Black Oakland, the African American COVID Response Circle (AACRC); and

**WHEREAS**, Mayor Libby Schaaf, Alameda County, and state leaders created the emergency COVID-19 Racial Disparities Task Force to immediately address the racialized impacts of the COVID-19 virus and to create state, county, and local legislation to reduce health disparities for African American, LatinX, and other residents of color; and

**WHEREAS**, the Inaugural members of the COVID-19 Racial Disparities Task Force include Congresswoman Barbara Lee, Supervisor Keith Carson, Councilmember Lynette Gibson McElhaney, Councilmember Loren Taylor, Director James Harris, Director Board of Education, Oakland Unified School District, Natalie Aguilera, Chief Administrative Officer, Native American Health Center, Gabriela Galicia, Executive Director Street Level Health Project, Jane Garcia, CEO of La Clinica de la Raza, Dr. Michael McAfee, President and CEO PolicyLink, Dr. Thu Quach Chief Deputy of Administration and Programs Asian Health Services, Yvette Radford Regional Vice-President of External and Community Affairs Kaiser Permanente, Dr. Kim F. Rhoads, Associate Professor of Epidemiology and Biostatistics, Affiliate Philip R. Lee Institute

for Health Policy Studies and co-chairs Oakland Mayor Libby Schaaf, Alameda County, Supervisor Wilma Chan, Assemblymember Rob Bonta, and Dr. Tony Iton, Senior Vice President, California Endowment; and

**WHEREAS**, the goals of the COVID-19 Racial Disparities Task Force are to: 1) immediately address the disparate impacts of the COVID-19 virus by race, 2) address the social determinants that perpetuate racial health disparities; and

**WHEREAS**, the COVID-19 Racial Disparities Task Force will prioritize an immediate response to the response to the disparate impacts of the virus among people of color, particularly Black, Latino, Asian and Native American residents including those experiencing poverty, immigrants, elders, people with disabilities, formerly incarcerated, unsheltered residents; and

**WHEREAS**, members of the COVID-19 Racial Disparities Task Force will write and pass state, County, and City of Oakland legislation with the goal to eliminate the injustice of racial health disparities; and

**WHEREAS**, the strategies that the COVID-19 Racial Disparities Task Force will advance include:

1. Development of a COVID-19 Vulnerability Index measure to inform decisions to strategically target communities most at-risk for prevention and treatment investments
2. Proactive collection and review of demographic data and use to inform targeted equity strategies
3. Proactive outreach and promote health check-ins to high-risk populations to identify health issues early and facilitate access to further care if indicated; as well as to advise management of health chronic conditions and exposure to virus, etc.
4. Interventions to reduce health risk factors for COVID-19 hospitalizations and death, such as medically supportive food, that lower the incidence and severity of common underlying chronic health conditions
5. Proactive engagement of entrusted neighborhood leaders, organizations, and health care providers in neighborhoods with high risk to further clarify and remove barriers to services needed to address health disparities, vet strategies, and enlist their assistance in implementation
6. Proactive distribution of PPE to community clinics, organizations, and essential businesses serving populations at high risk
7. Provision of basic health and safety supplies and provisions to high-risk populations to aid them in sheltering in place and home-based recovery if they become ill

8. Provision of isolation space for high risk individuals who cannot safely quarantine at home
9. Messaging targeted to high-risk populations, via trusted networks and in languages spoken
10. Strategic community test siting in neighborhoods with high-risk populations, partnering with trusted community organizations
11. Raising funds and distributing rapid response assistance in neighborhoods with high at-risk populations, through entrusted organizations and existing networks; and

**WHEREAS**, Alameda County Health Care Services Agency's Health Equity Task Force focuses on communities with high COVID-19 disease which has been recognized African American, Latinx, and Pacific Islander, and they have identified West Oakland and East Oakland and advised the following actionable initiatives:

1. Increased testing access for communities of color
2. Cultural sensitivity in case and contact investigations
3. Tailored and language responsive messaging
4. Improved race/ethnicity data quality and integrity
5. Health, social and economic supports to help people isolate and quarantine
6. Temporary housing for people who do not have a safe space to isolate or quarantine (COVID-19+, COVID-19 exposed, or at high risk for complications)
7. People experiencing homelessness
8. People living in unsafe or overcrowded homes; and

**WHEREAS**, the city of Oakland is set to receive COVID19 Relief funds under the CARES Act and other actions from the state and federal governments; now, therefore, be it

**RESOLVED:** That the City Council of the City of Oakland finds and proclaims that a local public health emergency exists for Oakland's Black residents due to the spread of COVID-19 locally and its devastating and disparate impact on Oakland's Black residents and pursuant to Government Code section 8630, the Oakland City Administrator's proclamation of local emergency on March 9, 2020, ratified by the City Council on March 12, 2020, and the emergency health orders of the Alameda County Health Department and Governor of the State of California related to COVID-19, and does so declare; and be it

**FURTHER RESOLVED:** That, consistent with section 12 of the Interim City Administrator's Emergency Order dated March 23, 2020, the requirement in Oakland Municipal Code Section 8.50.050.C.3 for the City Council to renew this declaration of local emergency every 30 days is suspended and this emergency will continue until its termination is proclaimed and ordered by the City Council that the City Council will place this declaration of a local public health

emergency on each of its regular Council meeting agendas to assure that efforts to address this emergency remain in the forefront of the minds of local officials, organizations and the public; and be it

**FURTHER RESOLVED:** That the City of Oakland will inform Alameda County of this declaration by letter signed by the Mayor and the Vice Mayor, addressed to the Board of Supervisors and Alameda County Public Health Officer and requesting that the County maintain a commitment that (1) COVID-19 data be disaggregated by race, ethnicity, location address, income, poverty, deaths, hospitalizations, and respirator use; (2) prioritize walk up or drive in COVID-19 testing sites with an emphasis on the most impacted zip codes and (3) partner with the City to establish a robust Community COVID-19 Contact Tracing Training and Employment program, which adheres to the City of Oakland's privacy policies and ensures no data sharing; and be it

**FURTHER RESOLVED:** That the City Council directs that the City Administrator develop a race and equity-based plan to address COVID-19 impacts on Black and Brown residents that (1) Ensures equitable access to testing for our most vulnerable communities as the City and County expand testing capacity with additional funding resource, (2) Continues sustainable capacity-building into community-based organizations who are on the ground as trusted messengers educating and reinforcing information about how our communities can stay safe - including the use and distribution of PPE, (3) Ensures equitable distribution of food through the Food Scarcity programs to those who need it most, (4) Strategically uses one-time COVID-19 response dollars in ways that bolster the healthy food supply chain so that it is healthy and affordable for residents after the current grant funding runs out; and prioritize any COVID19 funding received towards redressing the disparate health and economic impacts of the pandemic on Black and Latinx communities and residents.

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IN COUNCIL, OAKLAND, CALIFORNIA,

**MAY 19 2020**

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR,

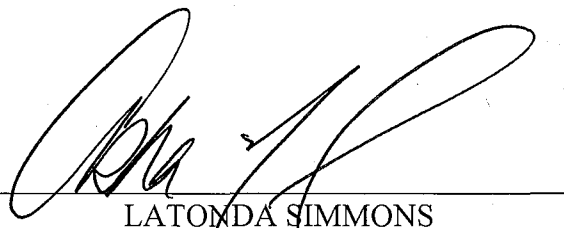
THAO AND PRESIDENT KAPLAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California