



CITY OF PALO ALTO OFFICE OF THE CITY ATTORNEY

May 11, 2020

The Honorable City Council
Palo Alto, California

Adoption of a Motion Continuing the Proclamation of Local Emergency Due to COVID-19

Recommendation

Adopt the following motion: Based on daily reports from City, County and State officials and regular updates received during Council meetings, the Palo Alto City Council finds that there is a continuing need for and hereby continues the Proclamation of Local Emergency due to the COVID-19 pandemic first issued by the City Manager, acting as the Director of Emergency Services, on March 12, 2020, and ratified by the Council on March 16, 2020.

Background

On March 12, 2020 the City Manager, acting as the Director of Emergency Services, issued a Proclamation of Local Emergency (Attachment A) regarding the public health emergency and the presence and community spread of novel coronavirus, or COVID-19, in Santa Clara County and our region. The Council ratified the Proclamation on March 16, 2020.

The Proclamation allows the City to exercise extraordinary police powers, should these be needed; provides immunity for emergency actions; authorizes issuance of certain necessary orders and regulations; activates pre-established emergency processes; and is a prerequisite for requesting state or federal assistance related to the emergency, should such assistance become available. Under state and local law, Council must review the need for continuing the emergency at least once every 60 days and formally terminate the emergency when conditions warrant.

The State of California and Santa Clara County continue to remain under public health orders requiring sheltering in place, with limited exceptions for essential businesses and activities, and outdoor businesses able to implement social distancing protocols. State and County officials have advised the public that revisions to the health orders will likely be made in the coming weeks.

Discussion

State and County health orders restricting activities of businesses and the public remain in place at this time. While revisions are expected in the coming weeks, health officials have advised that some restrictions and precautions are likely to remain in place through the summer at a minimum, and there will be an ongoing need for significant public health activities including testing, tracing, isolation, and treatment. For these reasons, the City Manager, acting as the Director of Emergency Services, recommends that the Council adopt a motion continuing the Proclamation of Local Emergency at this time.

The City Manager will continue to regularly update Council on the COVID-19 public health emergency and the City's response and will make a recommendation to terminate the Proclamation of Local Emergency when the need has abated. If not terminated earlier, the City Manager will bring an item to Council in late June, before the Council's summer break, to revisit the need for continuing the Proclamation.

Environmental Review

This action is exempt from environmental review by statute. See CEQA Guidelines Section 15269, Emergency Projects Undertaken for Specific Actions Necessary to Prevent or Mitigate an Emergency.

Link to Staff Report Item 6a Proclamation of Local Emergency, issued March 12, 2020:

<https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?t=73484.26&BlobID=75777>

Department Head: Molly Stump, City Attorney

