SPECIAL MEETING

In accordance with Executive Order N-25-20 issued by Governor Newsom

The following Council Members will be participating via teleconference:

Vice Mayor Woerner, Council Member Munro, and Council Member Coomber.

The City Hall Barrel Room will be open to the public to observe and offer public comment and seating will be provided in compliance with social distancing standards.

1. CALL TO ORDER 7:00 PM

1.01 Roll Call Council Member Robert W. Carling
Council Member Bob Coomber
Council Member Trish Munro
Vice Mayor Bob Woerner
Mayor John Marchand

1.02 Pledge of Allegiance

2. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE CITY COUNCIL REGARDING THE SPECIAL MEETING ITEM
3. SPECIAL MEETING ITEM

3.01 Resolution ratifying the City Manager’s Proclamation declaring the existence of a Local Emergency.

4. ADJOURNMENT – To a regular City Council meeting on April 27, 2020 at 7:00 pm, Civic Center Meeting Hall, 1016 South Livermore Avenue, Livermore.

PURSUANT TO TITLE II OF THE AMERICANS WITH DISABILITIES ACT (CODIFIED AT 42 UNITED STATES CODE SECTION 12101 AND 28 CODE OF FEDERAL REGULATIONS PART 35), AND SECTION 504 OF THE REHABILITATION ACT OF 1973, THE CITY OF LIVERMORE DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, ANCESTRY, SEX, DISABILITY, AGE OR SEXUAL ORIENTATION IN THE PROVISION OF ANY SERVICES, PROGRAMS, OR ACTIVITIES. TO ARRANGE AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PUBLIC MEETING, PLEASE CONTACT THE ADA COORDINATOR AT ADACOORDINATOR@CITYOFLIVERMORE.NET OR CALL (925) 960-4170 (VOICE) OR (925) 960-4104 (TDD) AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE MEETING.
DATE: March 16, 2020

TO: Honorable Mayor and City Council

FROM: Marc Roberts, City Manager

SUBJECT: Declaration of Local Emergency

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution ratifying the City Manager’s Proclamation finding the existence of a Local Emergency.

SUMMARY

On March 13, 2020, the City Manager declared a Local Emergency. The declaration must be confirmed by the City Council within seven days.

DISCUSSION

An outbreak of coronavirus disease 2019 (COVID-19) caused by the 2019 novel coronavirus (SARS-CoV-2) began in Wuhan, Hubei Province, China in December 2019, and has spread throughout China and to numerous other countries and territories, including the United States.

COVID-19 is an infectious disease that causes respiratory illness. Experts anticipate that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require hospitalization, particularly individuals who are elderly or already have underlying chronic health conditions.

It is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization.

On March 1, 2020, the Health Officer of Alameda County declared a public health emergency throughout the County of Alameda.
On March 4, 2020, the Governor of California proclaimed a state of emergency exists in California after making determinations that:

1. The conditions caused by COVID-19 are likely to require the combined forces of a mutual aid region or regions to appropriately respond; and,
2. Local authority is inadequate to cope with the threat posed by COVID-19.

On March 12, 2020, the Alameda County Department of Public Health confirmed evidence of community-acquired transmission.

On March 13, 2020, the President of the United States of America declared a National state of emergency in response to the spread of COVID-19 within the United States of America.

On March 13, 2020, the City Manager declared a Local Emergency. The declaration was based upon the Alameda County Department of Health confirming evidence of community-acquired transmission within Alameda County and the President of the United States declaring a National state of emergency.

FISCAL AND ADMINISTRATIVE IMPACTS

The ratification of the City Manager’s declaration of Local Emergency allows the City to access federal, state and County resources, including potential financial reimbursements.

ATTACHMENTS

None.

Prepared by:

Christine Martin
Deputy City Manager

Approved by:

Marc Roberts
City Manager

Fiscal Review by:

Douglas Alessio
Administrative Services Director
IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION RATIFYING THE PROCLAMATION OF THE DIRECTOR OF EMERGENCY SERVICES CONCERNING THE EXISTENCE OF A LOCAL EMERGENCY

Section 8630 of the Government Code and Section 2.56.060 of the City of Livermore Municipal Code authorizes the Director of Emergency Services to proclaim a local emergency under certain circumstances if the City Council is not in session and provides that the City Council shall ratify the proclamation within seven days thereafter.

An outbreak of coronavirus disease 2019 (COVID-19) caused by the 2019 novel coronavirus (SARS-CoV-2) began in Wuhan, Hubei Province, China in December 2019, and has spread throughout China and to numerous other countries and territories, including the United States.

COVID-19 is an infectious disease that causes respiratory illness. Experts anticipate that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require hospitalization, particularly individuals who are elderly or already have underlying chronic health conditions.

It is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization.

The United States Centers for Disease Control and Prevention (CDC), the United States Health and Humans Services Agency, the California Department of Public Health, and the Alameda County Department of Public Health are each working to monitor and plan for the potential spread of COVID-19 to support and guide local actions to preserve public health.

On January 23, 2020, the CDC activated its emergency response system to provide ongoing support for the response to COVID-19 in the United States.

On January 31, 2020, the Secretary of the United States Department of Health and Human Services declared a public health emergency for the entire United States to aid the nation’s healthcare community in responding to COVID-19.

On February 25, 2020, the Centers for Disease Control and Prevention announced that community spread of COVID-19 is likely to occur in the United States.

On March 1, 2020, Health Officer of Alameda County declared a public health emergency throughout the County of Alameda.

On March 4, 2020, the Governor of California proclaimed a state of emergency exists in California after making determinations that:

1. The conditions caused by COVID-19 are likely to require the combined forces
of a mutual aid region or regions to appropriately respond; and,
2. Local authority is inadequate to cope with the threat posed by COVID-19.

On March 12, 2020, the Alameda County Department of Public Health confirmed evidence of community-acquired transmission.

On March 13, 2020, the President of the United States of America declared a National state of emergency in response to the spread of COVID-19 within the United States of America.

Livermore Municipal Code section 2.56.050 designates the City Manager as the Director of Emergency Services for the City of Livermore.

Livermore Municipal Code section 2.56.060 authorizes the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency in the event the City Council is not in session.

Livermore Municipal Code section 2.56.020 defines emergency to mean the actual or threatened existence of conditions of extreme peril to the safety of persons and property within the City, which conditions are or are likely to be beyond the control of services, personnel, equipment and facilities of the City, requiring the combined forces of other political subdivisions to combat.

The City Council does hereby find that the aforesaid conditions of extreme peril did warrant and necessitate the proclamation of the existence of a local emergency.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that the proclamation of the existence of a local emergency issued by the Director of Emergency Services on March 13, 2020 at 1:30 p.m., attached hereto as Exhibit A, is hereby ratified.

BE IT FURTHER RESOLVED by the City Council that, until the local emergency is terminated, the powers, functions, and duties of the City Manager/Director of Emergency Services and the emergency organization of the City of Livermore shall be those prescribed by State law and the ordinances, resolutions, and approved emergency services plans of the City of Livermore.

BE IT FURTHER RESOLVED by the City Council that, until the local emergency is terminated, the City Manager/Director of Emergency Services shall have extended contract authority for services and goods up to a maximum amount of $500,000.

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RESOLUTION NO. ________
On motion of Council Member ____________________, seconded by Council Member ____________________, the foregoing resolution was passed and adopted on March 16, 2020, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

ATTEST:

______________________________
Marie Weber
City Clerk

APPROVED AS TO FORM:

______________________________
Gabrielle Janssens
Assistant City Attorney

RESOLUTION NO. ________
PROCLAMATION OF THE DIRECTOR OF EMERGENCY SERVICES
FOR THE CITY OF LIVERMORE
FINDING THE EXISTENCE OF A LOCAL EMERGENCY
(COVID-19)

An outbreak of coronavirus disease 2019 (COVID-19) caused by the 2019 novel coronavirus (SARS-CoV-2) began in Wuhan, Hubei Province, China in December 2019, and has spread throughout China and to numerous other countries and territories, including the United States.

COVID-19 is an infectious disease that causes respiratory illness. Experts anticipate that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require hospitalization, particularly individuals who are elderly or already have underlying chronic health conditions.

It is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization.

The United States Centers for Disease Control and Prevention (CDC), the United States Health and Humans Services Agency, the California Department of Public Health, and the Alameda County Department of Public Health are each working to monitor and plan for the potential spread of COVID-19 to support and guide local actions to preserve public health.

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On March 1, 2020, Health Officer of Alameda County declared a public health emergency throughout the County of Alameda.

On March 4, 2020, the Governor of California proclaimed a state of emergency exists in California after making determinations that:

1. The conditions caused by COVID-19 are likely to require the combined forces of a mutual aid region or regions to appropriately respond; and,
2. Local authority is inadequate to cope with the threat posed by COVID-19.

On March 12, 2020, the Alameda County Department of Public Health confirmed evidence of community-acquired transmission.

On March 13, 2020, the President of the United States of America declared a National state of emergency in response to the spread of COVID-19 within the United States of America.
Livermore Municipal Code section 2.56.050 designates the City Manager as the Director of Emergency Services for the City of Livermore.

Livermore Municipal Code section 2.56.060 authorizes the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency in the event the City Council is not in session.

Livermore Municipal Code section 2.56.020 defines emergency to mean the actual or threatened existence of conditions of extreme peril to the safety of persons and property within the City, which conditions are or are likely to be beyond the control of services, personnel, equipment and facilities of the City, requiring the combined forces of other political subdivisions to combat.

NOW, THEREFORE, I HEREBY FIND AND DETERMINE that:

1. The Alameda County Department of Public has confirmed community-acquired transmission of COVID-19 in the County of Alameda;

2. Based on the United States Department of Health and Human Services declaration and the Centers for Disease Control and Prevention statements, and multiple cases of COVID-19 and evidence of community-acquired transmission in the region, there is an ongoing risk and likelihood of additional COVID-19 positive patients and community spread in the County of Alameda and the City of Livermore;

3. The conditions of Livermore Municipal Code sections 2.56.020 and 2.56.060 for me to proclaim the existence of a local emergency have been met for me to proclaim the existence or threatened existence of a local emergency in the City of Livermore; and,

4. The Livermore City Council is not in session.

NOW, BASED UPON THE FINDINGS AND DETERMINATIONS ABOVE, I HEREBY PROCLAIM that a local emergency now exists throughout the City of Livermore caused by an outbreak and community spread of COVID-19 in Alameda County.

BE IT FURTHER PROCLAIMED AND ORDERED that during the existence of such local emergency, the powers, functions and duties of the emergency organization of the City of Livermore shall be those prescribed by state law and the ordinances, resolutions, and approved plans of the City of Livermore.

Dated: 3/13/2020

[Signature]

Director of Emergency Services

This declaration is subject to ratification by the City Council within seven days and is subject to reaffirmation every 30 days thereafter until such local emergency is terminated.
DECLARATION OF THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF LIVERMORE SUSPENDING AND EXTENDING THE TIME TO HEAR APPEALS

On March 13, 2020, under the authority contained in California Government Code Section 8634 and City of Livermore Municipal Code sections 2.56.050 and 2.56.060, I declared the existence of a local emergency in the City of Livermore.

I am empowered upon the proclamation of a local emergency to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such local emergency.

Under conditions of the local emergency, it is deemed necessary to impose certain rules and regulations in the interest of public safety.

THEREFORE, I, Marc Roberts, as Director of Emergency Services, declare all appeals provided for in the City of Livermore Municipal Code are suspended and postponed until such date as the local emergency is terminated or expired and a hearing date can be scheduled.

BE IT FURTHER RESOLVED that this regulation shall remain in effect until such time as it is terminated either by the Director of Emergency Services, the City Council of the City of Livermore, or the termination or expiration of the state of emergency.

Dated: 3/13/2020

Director of Emergency Services
For Immediate Release

March 12, 2020

CONTACT: Neetu Balram, Public Information Manager
PHONE: 510-267-8001
EMAIL: Neetu.Balram2@acgov.org

Alameda County Public Health Department Confirms Four New Positive Cases of COVID-19; Announces Updated Recommendations and Guidance for Large Events to Protect Alameda County Residents from COVID-19

Two of the four cases are the first incidence of community-acquired transmission in Alameda County.

ALAMEDA COUNTY, CA – Alameda County Public Health Department reported four new cases of the Coronavirus Disease 2019 (COVID-19), for a total of seven cases.

Two cases are the first reported cases indicative of community-acquired transmission in Alameda County, and the other two cases are linked to confirmed COVID-19 cases.

Patients with confirmed COVID-19 infection have experienced mild to severe respiratory illness with symptoms such as fever, cough, and shortness of breath. Over eighty percent of individuals have mild disease.

Alameda County will not be sharing any additional information about these cases.

Alameda County will begin posting case counts on the Public Health Department website, and updating information there as new cases are confirmed.

March 12, 2020 ACPHD Announces Alignment with Large Events Guidance Issued by the State Earlier Today; Will Issue Order Prohibiting Gatherings of 250+ at County Fairgrounds

Effective immediately and through the end of March, the new guidance and county order applies to all non-essential professional, social, and community gatherings regardless of their sponsor.

Alameda County Public Health Department is updating its recommendations for mass gathering guidance to align with the new California Department of Public Health (CDPH) mass gatherings guidance issued today. The County also plans to issue an order today to prohibit gatherings of more than 250 people at the Alameda County Fairgrounds.

“Alameda County Health Care Services Agency supports the state’s efforts to slow and reduce the reach of COVID-19 in our community,” said Colleen Chawla, Agency Director. “The County is
Honorable Mayor and Council Members,

There are several COVID-19 related items to update you on:

1. Declaration of Local Emergency
   As of this afternoon, President Trump has declared a federal emergency. Based on this declaration and that the County of Alameda Health Department has now identified the first incidence of community-acquired transmission in Alameda County, I am declaring a state of local emergency (see attached).

2. Creek Clean-Up
   In the interest of not only the health of the creek, but the health of our unhoused neighbors, the creek clean-up scheduled for this Monday, 3/16, will proceed. However, the clean-up will be less intensive, and people will be allowed to return the same day. As a reminder, Mondays are when Vineyard and the HOPE van are available for services. Asbury is also open for meal service.

3. Council Meetings
   We are canceling the next three Council meetings (3/16, 3/23, and 4/13) and adding an emergency meeting to ratify the emergency declaration on Monday, 3/16. When we have our meeting on 4/27, we will be in the new Council Chamber which allows for greater social distancing and the technology to be able to provide alternative means of public participation (i.e., electronically from off-site locations).

4. Advisory Body Meetings
   In line with canceling the Council meetings, we are canceling all advisory body meetings through April 17.

Lastly, we have invited our community partners (LVJUSD, LARPD, LLNL, Sandia, Las Positas Community College, Zone 7, and CalWater) to a meeting on Monday morning to share information and the status of operational changes.