



Special Meeting

San Rafael City Council

Tuesday, March 17, 2020 at 12:00 p.m.

**Council Chambers
City Hall, 1400 Fifth Avenue
San Rafael, California**

Agenda

Members of the public may speak on Agenda Item.

1. Coronavirus

Resolution Ratifying and Modifying the City Manager/Director of Emergency Services' Proclamation of the Existence of a Local Emergency (CM)

Recommended Action – Adopt Resolution

ADJOURNMENT:

Pursuant to the Governor's Executive Order N-25-20 City Councilmembers may participate via teleconference.

Any records relating to an agenda item, received by a majority or more of the Council less than 72 hours before the meeting, shall be available for inspection in the City Clerk's Office, Room 209, 1400 Fifth Avenue, and placed with other agenda-related materials on the table in front of the Council Chamber prior to the meeting. Sign Language interpreters and assistive listening devices may be requested by calling (415) 485-3066 (voice), emailing Lindsay.lara@cityofsanrafael.org or using the California Telecommunications Relay Service by dialing "711", at least 72 hours in advance of the meeting. Copies of documents are available in accessible formats upon request. Public Transportation to City Hall is available through Marin Transit Routes [22](#), [23](#), [23x](#), and [68](#) and Golden Gate Route [27](#). To plan your trip using transit, go to marintransit.org/trip-planner. Marin Access provides services for older adults and those with disabilities who are unable to use the fixed route bus services. Go online or call the [Travel Navigators](#) at (415) 454-0902 to learn more about these options. To allow individuals with environmental illness or multiple chemical sensitivity to attend the meeting/hearing, individuals are requested to refrain from wearing scented products.



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: CITY MANAGER

Prepared by: Andrew Hening
Director of Homeless Planning

City Manager Approval: 

TOPIC: CORONAVIRUS

SUBJECT: RESOLUTION OF THE SAN RAFAEL CITY COUNCIL RATIFYING AND MODIFYING THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY

RECOMMENDATION:

Adopt a Resolution ratifying the proclamation of the existence of a local emergency.

BACKGROUND:

The United States Centers for Disease Control and Prevention (CDC) is responding to an outbreak of respiratory disease caused by a novel (new) coronavirus that was first detected in China and which has now been detected in almost 90 locations internationally, including in the United States. The virus has been named "SARS-CoV-2" and the disease it causes has been named "coronavirus disease 2019" (abbreviated "COVID-19").

On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak a "[public health emergency of international concern](#)." On January 31, 2020, United States Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19.

Coronaviruses are a large family of viruses that are common in people and many different species of animals, including camels, cattle, cats, and bats. Rarely, animal coronaviruses can infect people and then spread between people such as with [MERS-CoV](#), [SARS-CoV](#), and now with this new virus (named SARS-CoV-2). The SARS-CoV-2 virus is a betacoronavirus, like MERS-CoV and SARS-CoV. All three of these viruses have their origins in bats. The sequences from U.S. patients are similar to the one that China initially posted, suggesting a likely single, recent emergence of this virus from an animal reservoir.

Early on, many of the patients at the epicenter of the outbreak in Wuhan, Hubei Province, China had some link to a large seafood and live animal market, suggesting animal-to-person spread. Later, a growing number of patients reportedly did not have exposure to animal markets, indicating person-to-person spread. Person-to-person spread was subsequently reported outside Hubei and in countries outside China, including in the [United States](#). Some international [destinations now have apparent](#)

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Disposition: _____

[community spread](#) with the virus that causes COVID-19, as do some parts of the United States. Community spread means some people have been infected, and it is not known how or where they became exposed. The virus is thought to spread mainly from person to person – here is additional information regarding the [spread of this newly emerged coronaviruses](#).

In addition to CDC, many public health laboratories are now testing for the virus that causes COVID-19. With this increase in testing, 19 states have now reported cases of COVID-19 to CDC (view [latest case counts, deaths](#), and a [map of states with reported cases](#)). U.S. COVID-19 cases include: imported cases in travelers, cases among close contacts of a known case, and community-acquired cases where the source of the infection is unknown.

The complete clinical picture with regard to COVID-19 is not fully known. Reported illnesses have ranged from very mild (including some with no reported symptoms) to severe, including illness resulting in death. While information so far suggests that most COVID-19 illness is mild, [a report](#) out of China suggests serious illness occurs in 16% of cases. Older people and people of all ages with severe underlying health conditions — like heart disease, lung disease and diabetes, for example — seem to be at [higher risk of developing serious COVID-19 illness](#) (more information about the [symptoms associated with COVID-19](#)).

Outbreaks of novel virus infections among people are always of public health concern. The risk to the general public from these outbreaks depends on characteristics of the virus, including how well it spreads between people; the severity of resulting illness; and the medical or other measures available to control the impact of the virus (for example, vaccines or medications that can treat the illness). That this disease has caused severe illness, including illness resulting in death is concerning, especially since it has also shown sustained person-to-person spread in several places. These factors meet two of the criteria of a pandemic. As community spread is detected in more and more countries, the world moves closer toward meeting the third criteria, worldwide spread of the new virus. [According to the CDC](#), it is likely that this virus will cause a pandemic. This is a rapidly evolving situation and CDC's risk assessment will be updated as needed.

ANALYSIS:

On March 10, 2020 the City of San Rafael City Manager in his role as the Director of Emergency Services, per [San Rafael Municipal Code 7.12.020](#), proclaimed a state of emergency to help better prepare for and respond to the growing concern of the Novel Coronavirus (COVID-19). The attached resolution formally ratifies the proclamation made by the City Manager on March 10th.

Coronavirus poses an imminent and proximate threat of a medical surge likely to be beyond the control of the services, personnel, equipment, and facilities of the City. Declaring a state of emergency allows the City to streamline communication, increase coordination/collaboration among City and County staff, potentially draw down new sources of funding, and activate a menu of powers that can be used to address the crisis, all without violating existing law and procedure. In addition, this proclamation establishes the need for potential state and/or federal disaster funding/reimbursements at a later time.

FISCAL IMPACT:

There is no fiscal impact associated with this specific item. However, declaring a state of emergency may allow state/federal reimbursements as described above.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Adopt the resolution
2. Adopt resolution with modifications.
3. Do not adopt the resolution. (The City Council may choose to not adopt the recommended Resolutions. Under this alternative the City may be limited in its ability to recover costs should reimbursement funds become available.)

RECOMMENDED ACTION:

Adopt a Resolution ratifying the proclamation of the existence of a local emergency.

ATTACHMENTS:

1. Ratifying Resolution
2. Declaration of Local Emergency

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL, COUNTY OF MARIN, RATIFYING AND MODIFYING THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, Section 7.12.020 of the San Rafael Municipal Code empowers the City Manager/Director of Emergency Services of the City to proclaim the existence of a local emergency if the City Council is not in session, and requires that the City Council shall take action to ratify the proclamation within seven days thereafter; and

WHEREAS, the City Council hereby finds that conditions of disaster or extreme peril to the safety of persons and property have arisen within the City of San Rafael as a result of the novel coronavirus (COVID-19), an infectious disease that causes respiratory illness, first detected in Wuhan City, Hubei Province, China in December 2019; and

WHEREAS, there is a widespread, ongoing global outbreak of respiratory illness (COVID-19) that can be spread from person-to-person, and on February 26, 2020, community transmission was confirmed by the Centers for Disease Control and Prevention (CDC) in the Bay Area; and

WHEREAS, on March 4, 2020, California Governor Newsom declared a state of emergency in the State of California on March 4, 2020; and

WHEREAS, on March 13, 2020 President Trump declared a national state of emergency on beginning on March 1, 2020; and

WHEREAS, on March 16, 2020, a Shelter in Place Order for all of Marin County was issued by the Marin County Health Officer; and

WHEREAS, these conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City of San Rafael; and that the aforesaid conditions of peril to the safety of persons and property warrant and necessitate the proclamation of the existence of a local emergency; and

WHEREAS, the City Council hereby finds that the above-described conditions of extreme peril did warrant and necessitate the proclamation of the existence of a local emergency in the City of San Rafael; and

WHEREAS, the City Manager acting as the Director of Emergency Services did proclaim the existence of a local emergency within the City on the 10th day of March at 5 p.m.;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Rafael that the Proclamation of Local Emergency, as issued by the City Manager/Director of Emergency Services, is hereby ratified and confirmed; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of this local emergency, the powers, functions, and duties of the Director of Emergency Services and the Emergency Organization of this City shall be those prescribed by state law, by ordinances and

resolutions of this City, and by the City of San Rafael Emergency Operations Plan in order to mitigate the effects of this emergency; and

IT IS FURTHER PROCLAIMED AND ORDERED that all City officials and employees cooperate and coordinate efforts with officials and employees of other political subdivisions and officials and employees of the state and federal government in bringing the present condition of local emergency under control; and

IT IS FURTHER PROCLAIMED AND ORDERED that effective upon adoption of this Resolution, all timing requirements of Title 14 (Zoning) and Title 15 (Subdivisions) of the San Rafael Municipal Code that create automatic entitlements as a result of the failure of the City or one of its officers, boards, and/or commissions, to act, shall be tolled for thirty days beyond the duration of the State of Emergency in the State of California declared on March 4, 2020; and

IT IS FURTHER PROCLAIMED AND ORDERED that a copy of this Resolution be forwarded to the Governor of California with the request that he proclaim the existence of a State of Emergency throughout the City of San Rafael and/or to the Director of the State Office of Emergency Services with a request for State aid to the City of San Rafael; and

IT IS FURTHER RESOLVED that the City Manager/Director of Emergency Services is hereby designated as the authorized representative of the City of San Rafael for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance; and

IT IS FURTHER PROCLAIMED AND ORDERED that this local emergency shall be deemed to continue to exist until its termination is declared by the City Council of the City of San Rafael.

I, **LINDSAY LARA**, Clerk of the City of San Rafael, California, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a special meeting of the City Council of the City of San Rafael held on the 17th day of March 2020, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk

PROCLAMATION OF LOCAL EMERGENCY

WHEREAS, Government Code section 8630 and the City of San Rafael Municipal Code section 7/12/020 authorize and empower the City Manager of the City of San Rafael to proclaim the existence or threatened existence of a local emergency when the City of San Rafael is affected or likely to be affected by a public calamity and the City Council of the City of San Rafael is not in session, subject to confirmation by the City Council within seven days thereafter; and

WHEREAS, City Manager of the City of San Rafael has found the conditions created by the widespread, ongoing global outbreak of respiratory illness (COVID-19) that can be spread from person-to-person constitute a disaster and extreme peril to life and property within the City of San Rafael; and

WHEREAS, such condition of disaster and extreme peril began on February 28th, 2020; and

WHEREAS, the City Council of the City of San Rafael is not presently in session;

NOW, THEREFORE, THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF SAN RAFAEL DECLARES AND PROCLAIMS as follows:

1. Conditions of disaster and extreme peril to the safety of person and property have arisen with the City of San Rafael as of February 28th 2020, caused by the widespread, ongoing global outbreak of respiratory illness (COVID-19).
2. In consequence of said conditions and pursuant to Government Code section 8630 and the City of San Rafael Municipal section 17.12.020 a local emergency now exists throughout the City of San Rafael.
3. During this local emergency the powers, functions, and duties of the City Manager and the emergency organization of the City of San Rafael shall be those prescribed by State law, and the ordinances, resolutions, and approved emergency service plans of the City of San Rafael
4. This proclamation of local emergency shall be reviewed by the City Council of the City of San Rafael within seven days and if not confirmed and ratified by the City Council shall expire on the seventh day or such earlier date as specified by the City Council.
5. This proclamation and the contents thereof shall be published and promulgated in as widespread a manner as reasonably feasible in light of the conditions prevailing during the local emergency.

Date: March 10, 2020

By: 

Jim Schutz, City Manager