

RESOLUTION NO. 22-2023

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA TERMINATING THE
PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY REGARDING NOVEL (NEW)
CORONAVIRUS ("COVID-19")**

WHEREAS, Government Code section 8630 and section 4-2.01 et seq. of the Pacifica Municipal Code empower the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City Council is not in session, subject to confirmation by the City Council at the earliest possible time; and

WHEREAS, the City Manager is the Director of Emergency Services of the City of Pacifica; and

WHEREAS, on March 3, 2020, the Director of Emergency Services of the County of San Mateo proclaimed a local emergency based on conditions of extreme peril to the safety of persons and property within San Mateo County resulting from the novel coronavirus (COVID-19); and

WHEREAS, on March 3, 2020, the San Mateo County Health Officer declared a Local Health Emergency pursuant to Health and Safety Code section 101080 based on the imminent and proximate threat to public health from the introduction of COVID-19 in San Mateo County; and

WHEREAS, on or about March 4, 2020, as part of the State of California's response to address the global COVID-19 outbreak, Governor Gavin Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization ("WHO") characterized COVID-19 as a global pandemic; and

WHEREAS, on March 12, 2020, Governor Newsom issued Executive Order N-25-20, which limited non-essential gatherings and imposed social distancing for smaller events. The Executive Order also ordered certain requirements of the Brown Act relating to teleconferencing could be suspended if specified conditions were met by the public agencies; and

WHEREAS, on March 13, 2020, President Donald J. Trump issued a Proclamation Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, the City of Pacifica determined the need to promulgate emergency orders and regulations to facilitate the maintenance of order and reduction in potential loss of life and property; and

WHEREAS, on March 16, 2020, at 12:11 p.m., the City Manager, in his capacity as

Director of Emergency Services, proclaimed the existence of local emergency in the City of Pacifica, after determining that the rapid spread of COVID-19 was likely to create conditions of disaster or extreme peril which will be beyond the services, personnel and equipment and facilities of the City; and

WHEREAS, in accordance with Government Code section 8630 and PMC section 4-2.05(a), on March 18, 2020, the City Council adopted Resolution No. 18-2020 ratifying the Proclamation of local emergency relating to COVID-19; and

WHEREAS, since the proclamations of emergencies related to COVID-19 at national, state, county and local levels, various updates to Health Orders, Executive Orders by the California Governor and Health Officer of the County of San Mateo have been issued to amend mandates and guidelines responsive to the community levels of incidence and transmission of COVID-19 ; and

WHEREAS, the community levels of incidence and transmission of COVID-19 have significantly subsided and the access to and use of vaccines protecting the population against COVID-19 and its variants have lessened the risk of severe illness, hospitalization and threat to public health; and

WHEREAS, on February 28, 2023 Governor Newsom executed a Proclamation terminating the State of Emergency due to COVID-19 as of 11:59 p.m.; and

WHEREAS, the San Mateo County Board of Supervisors terminated the County's State of Emergency due to COVID-19 effective February 28, 2023; and

WHEREAS, pursuant to Government Code Section 8630, the City Council, after reviewing the need for continuing the local emergency, has determined that conditions no longer exist to warrant continuing the local emergency beyond the timeframe identified by the State of California.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Pacifica hereby declares that the local emergency related to COVID-19, which was declared on March 16, 2020, shall be terminated as of the date of termination for the State of California's state of emergency related to COVID-19.

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PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on the 13th day of March, 2023, by the following vote:

AYES, Councilmembers: *Beckmeyer, Bier, Bigstycck, Boles, Uoterhaw.*

NOES, Councilmembers: *n/a*

ABSENT, Councilmembers: *n/a*

ABSTAIN, Councilmembers: *n/a*

Tygaris Twyrls Bigstycck
Tygaris Twyrls Bigstycck, Mayor

ATTEST:

Sarah Coffey

Sarah Coffey, City Clerk

APPROVED AS TO FORM:

Michelle Kenyon

Michelle Kenyon, City Attorney