

PROCLAMATION

A PROCLAMATION BY THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF FOSTER CITY DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, Section 2.40.070(A) of the Foster City Municipal Code empowers the City Manager, as the Director of Emergency Services, to proclaim (subject to ratification by the City Council within seven days) the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, the United States of America has confirmed cases of individuals who have a severe acute respiratory illness caused by a novel (new) coronavirus ("COVID-19" or "the virus") first detected in Wuhan, Hubei Province, People's Republic of China ("China"). The virus was first reported in China on December 31, 2019. As of March 2, 2020, the World Health Organization ("WHO") reported more than 3,000 deaths stemming from approximately 89,009 confirmed cases of COVID-19 and the virus is present in 67 countries;

WHEREAS, the number of confirmed COVID-19 cases has continued to escalate dramatically over a short period of time; and

WHEREAS, WHO officials now report that sustained human-to-human transmission of the virus is occurring. Transmission from asymptomatic individuals has been documented. Suspected community transmission of the virus is occurring in the United States; and

WHEREAS, although the majority of individuals infected with COVID-19 recover from the disease without special treatment, there is significant potential for serious infection and death; and

WHEREAS, on January 30, 2020, WHO declared the COVID-19 outbreak a public health emergency of international concern, and on January 31, 2020, the U.S. Department of Health and Human Services declared a Public Health Emergency for the United States of America; and

WHEREAS, as of March 4, 2020, across the globe, there were more than 94,000 confirmed cases of COVID-19, tragically resulting in more than 3,000 deaths worldwide; and

WHEREAS, as of March 4, 2020, there were 129 confirmed cases of COVID-19 in the United States, including 53 in California, and more than 9,400 Californians across 49 counties are in home monitoring based on possible travel-based exposure to the virus, and officials expect the number of cases in California, the United States, and worldwide to increase; 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 following one official COVID-19 death; and

WHEREAS, on March 5, 2020, San Mateo County declared a Local Health Emergency pursuant to Health and Safety Code Section 101080 due to the potential introduction of COVID-19 in San Mateo County; and

WHEREAS, on March 11, 2020, the World Health Organization made the assessment that COVID-19 can be characterized as a pandemic; and

WHEREAS, the United States Centers for Disease Control and Prevention (CDC) has determined that the virus presents a serious public health threat, requiring coordination among state and local health departments to ensure readiness for potential health threats associated with the virus. On March 11, 2020, the CDC issued recommendations for 30-day mitigation strategies based on the current situation with COVID-19 transmission and affected health care facilities including the recommendation to cancel large gatherings e.g., greater than 250 people or move to smaller groupings; and

WHEREAS, on March 11, 2020, the Governor of the State of California announced that California public health officials have determined that gatherings of more than 250 people should be postponed or canceled across the state until at least the end of March; and

WHEREAS, on March 12, 2020, the San Mateo County Public Health Officer issued an order pursuant to California Health and Safety Code Sections 101040, 101085, and 120175, prohibiting mass gatherings in the County until 11:59 P.M. on April 3, 2020; and

WHEREAS, on March 12, 2020, the President of the United States declared a National Emergency in response to the spread of COVID-19; and

WHEREAS, on March 16, 2020, the San Mateo County Public Health Officer, in conjunction with the health officers of San Francisco, Alameda, Contra Costa, Marin, and Santa Clara issued an order directing all individuals living in the county to shelter at their place of residence except that they may leave to provide or receive certain essential services or engage in certain essential activities and work for essential businesses and governmental services; exempting individuals experiencing homelessness from the shelter in place order but urging them to find shelter and government agencies to provide it; directing all businesses and governmental agencies to cease non-essential operations at physical locations in the county; prohibiting all non-essential gatherings of any number of individuals; and ordering cessation of all non-essential travel; and

WHEREAS, on March 16, 2020, the City Council of the City of San Mateo proclaimed the existence of a local emergency and authorized its City Manager, acting in his capacity as the Executive Officer of the San Mateo Consolidated Fire Department, to execute any agreement or application for, and to file an agreement with, the California Governor's Office of Emergency Services for the purposes of obtaining Federal financial assistance; and

WHEREAS, the efforts required to prepare for, respond to, mitigate, and recover from the increasing spread of COVID-19 have imposed, and will continue to impose, extraordinary requirements and expenses on the City, requiring diversion of resources from day-to-day operations; and

WHEREAS, as contemplated in the Emergency Service Act contained in Government Code Section 8550 et seq., including Section 8558(c), a local emergency exists because of the existence of conditions of disaster or of extreme peril to the safety of persons and property within the City of Foster City caused by the aforesaid conditions which are likely to be beyond the control of the services, personnel and facilities of the City of Foster City and require the combined forces of other political subdivisions to combat; and the proclamation of a Local Emergency is necessary to enable the City of Foster City and other local government entities to adequately plan, prepare and preposition resources to be able to effectively respond to the threat posed by COVID-19, and to warn City of Foster City residents and visitors of the threat posed by COVID-19 and to enable them sufficient time to plan and prepare; and

WHEREAS, San Mateo Consolidated Fire Department, a joint powers authority, provides fire and emergency services within the City of Foster City, the City of San Mateo, and the Belmont Fire Protection District; and

WHEREAS, the City Manager of the City of San Mateo serves as the Executive Officer of the San Mateo Consolidated Fire Department; and

WHEREAS, at the time of this proclamation, the City Council is not in session (and cannot immediately be called into session).

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that a local emergency exists in accordance with the findings set forth above, commencing on or about the time and date of the signature of the Director of Emergency Services below.

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of this local emergency, the powers, functions and duties of the emergency organization of this City shall be those prescribed by state law, by ordinances and resolutions of this City, and by the City's Emergency Operations Plan.

IT IS FURTHER PROCLAIMED AND ORDERED that the Director of Emergency Services of the City of Foster City is hereby authorized to execute for and on behalf of the City of Foster City any agreement or application for, and to file the agreement with, the

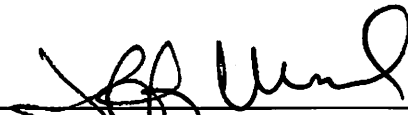
California Governor's Office of Emergency Services for the purposes of obtaining federal financial assistance.

IT IS FURTHER PROCLAIMED AND ORDERED that the City Manager, acting as the Chief Executive Officer of San Mateo Consolidated Fire Department, a Joint Powers Authority providing fire and emergency services within the City of Foster City, is hereby authorized to execute for and on behalf of the San Mateo Consolidated Fire Department, any agreement or application for, and to file the agreement with, the California Governor's Office of Emergency Services for the purposes of obtaining federal financial assistance.

IT IS FURTHER PROCLAIMED AND ORDERED that this local emergency shall continue to exist not longer than seven days, unless this action is further ratified by the City Council. The City Council shall terminate the local emergency at the earliest possible date that conditions warrant.

IT IS FURTHER PROCLAIMED AND ORDERED that the Director shall request the City Council determine whether the facts and circumstances require the continuation of the declaration of emergency at least once every thirty days until the City Council terminates the local emergency, pursuant to Municipal Code Section 2.40.070(A) and Government Code Section 8630.

IT IS REQUESTED that the Governor of the State of California include the City of Foster City in any emergency declaration by the State; ensure the City of Foster City and the San Mateo Consolidated Fire Department is included in any emergency declaration that may be issued by the President of the United States of America; waive regulations that may hinder response and recovery efforts; and make available California Disaster Act and State Private Nonprofit Organizations Assistance Program Funding.

Date and Time: 3/16/20 0315 PM By: 
Jeff C. Moneda
Director of Emergency Services