

RESOLUTION NO. 59-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA TERMINATING THE PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY DUE TO EXTREME WEATHER CONDITIONS AND FIRES DURING COVID-19 PANDEMIC

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 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 the novel coronavirus (“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 following one official COVID-19 death; and

WHEREAS, on March 16, 2020, the City Manager in his capacity as Director of Emergency Services, issued a Proclamation of Local Emergency due to the global pandemic resulting from COVID-19; and

WHEREAS, on March 18, 2020, the Proclamation of Local Emergency due to COVID-19 was ratified by the City Council through Resolution No. 18-2020; and

WHEREAS, the San Mateo County Health Officer has issued a number of Health Orders to protect the health and safety of people since declaring a Local Health Emergency, including Health Order No. c19-11 superseding previous Shelter-in-Place Orders and aligning the County with the State Shelter Order/Resilience Roadmap and limiting public and private gatherings; and

WHEREAS, the State Public Health Officer and Director has also issued a number of Health Orders since the State declared a State of Emergency, including a Statewide Public Health Officer Order dated July 13, 2020 regarding certain events and activities and continuing to limit gatherings and requiring social distancing and face coverings; and

WHEREAS, the City continues to feel the effects of COVID-19 and the period of Local Emergency has been extended due to the ongoing pandemic; and

WHEREAS, beginning on August 14, 2020, the State of California began experiencing an extreme heat event, causing record-breaking temperatures and Red Flag Warnings throughout California; and

WHEREAS, on August 16, 2020, Governor Gavin Newsom proclaimed a State of Emergency to exist in California due to the “Extreme Heat Event”; and

WHEREAS, in addition to the fire conditions being exacerbated by extreme temperatures, the weather event has resulted in widespread lightning strikes, sparking fires throughout the State; and

WHEREAS, on August 18, 2020, the Governor of the State of California issued a Proclamation of a State of Emergency due to the fires burning statewide; and

WHEREAS, in addition to the high temperatures, the San Francisco bay area has also experienced significant lightning storms; and

WHEREAS, fires in the southern portion of San Mateo County (collectively referred to as the CZU August Lightning Complex Fires), which appear to have been caused by lightning strikes related to atypical weather patterns, have given rise to conditions of disaster and extreme peril to the safety of persons and property within the territorial limits of San Mateo County; and

WHEREAS, within San Mateo County, the California Department of Forestry and Fire Protection (“Cal Fire”) has issued evacuation orders for the communities of Loma Mar and Dear Park, as well as areas in the vicinity of Pescadero Creek County Park and the Butano area; and

WHEREAS, on August 19, 2020, the San Mateo County Board of Supervisors issued Proclamation 4292 declaring a Local Emergency due to the CZU August Lightning Complex Fires and the mobilization of local resources and the ability to coordinate interagency response; and

WHEREAS, due to the extreme weather and ongoing fires and ongoing pandemic conditions, it was necessary that the City be able to accelerate procurement of vital supplies, to use mutual aid, immediately address health and safety needs, and to allow for future reimbursement by State and federal governments; and

WHEREAS, on August 21, 2020 at 5:00 p.m., at a time when the City Council was not in session, 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 conditions of extreme weather and fires during the COVID-19 pandemic were likely to create conditions of disaster or extreme peril which will be beyond the services, personnel and equipment and facilities of the City and executed the "Proclamation of the Existence of a Local Emergency Due to Extreme Weather Conditions and Fires During COVID-19 Pandemic" ("Proclamation"); and

WHEREAS, in accordance with Government Code section 8630 and PMC section 4-2.05(a) the City Council took action to confirm the Proclamation on August 24, 2020 through Resolution No. 53-2020; and

WHEREAS, since Council's ratification of the Proclamation, the weather conditions have normalized and the CZU August Lightning Complex Fires are now more than 90% contained, according to Cal Fire; and

WHEREAS, the situation resulting from the emergency conditions is now deemed to be within the control of the normal protective services, personnel, equipment, and facilities of, and within, the City of Pacifica; and

WHEREAS, the City Manager, acting in his capacity as Director of Emergency Services, has determined that there no longer exist conditions of disaster or of extreme peril to the safety of persons and property within the City of Pacifica which warranted the Proclamation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pacifica that the Proclamation of the Existence of a Local Emergency Due to Extreme Weather Conditions and Fires During COVID-19 Pandemic is hereby terminated.

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PASSED AND ADOPTED at a special meeting of the City Council of the City of Pacifica, California, held on the 29th day of September, 2020, by the following vote:

AYES, Councilmembers: Martin, Beckmeyer, Vaterlaus, Bier, O'Neill.

NOES, Councilmembers: n/a

ABSENT, Councilmembers: n/a

ABSTAIN, Councilmembers: n/a

Deirdre Martin

Deirdre Martin (Oct 2, 2020 12:42 PDT)

Deirdre Martin, Mayor

ATTEST:

Sarah Coffey

Sarah Coffey, City Clerk

APPROVED AS TO FORM:

Michelle Marchetta Kenyon

Michelle Marchetta Kenyon, City Attorney

For Signature: ResolutionNo59-2020_TerminatingLocalEmergency_ExtremeWeatherFiresCOVID-Approved

Final Audit Report

2020-10-02

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