## **RESOLUTION NO. 2020-29**

## A RESOLUTION OF THE ALBANY CITY COUNCIL PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY AS A RESULT OF THE SPREAD OF COVID-19 OTHERWISE KNOWN AS THE NOVEL CORONAVIRUS

**BE IT PROCLAIMED** by the City Council of the City of Albany, California ("City Council"), as follows:

WHEREAS, the California Emergency Services Act, Government Code sections 8558(c) and 8630 authorize the proclamation of a local emergency when conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a city exist; and

WHEREAS, pursuant to Government Code section 8630 such an emergency may be proclaimed by the governing body or by an official designated by ordinance adopted by the governing body; and

WHEREAS, the Albany Municipal Code Chapter 2-16 entitled Emergency Organizations and Functions empowers the Albany City Council, when in session, to proclaim the existence of a local emergency; and

WHEREAS, the Albany City Council determines that the proclamation of a local emergency is warranted by virtue of the extreme peril to the safety of persons and property in the City of Albany caused by epidemic in the form of the global spread of a severe acute respiratory illness caused by a novel (new) coronavirus ("COVID-19"); and

WHEREAS, President Trump declared a national emergency and the Governor of the State of California has Proclaimed a State of Emergency for COVID-19 as a public health emergency; and

WHEREAS, the World Health Organization has described COVID-19 as a pandemic; and

**WHEREAS**, the State of California, the County of Alameda, and the City of Albany are reporting exposure of residents to COVID-19, an infectious virus that has resulted in the illness and death of several residents throughout California; and

**WHEREAS**, the City of Albany public safety-first responders have encountered situations where they have come into direct exposure to residents who have displayed symptoms consistent with COVID-19; and

WHEREAS, advanced personal protective measures are required to protect the health and safety of our first responders, however, these personal protective measures require complex actions involving extensive personnel, time, resources, and equipment to properly perform them and prepare the personnel and resources for future use, thus removing these personnel and resources from service during this process; and

WHEREAS, State Public Health officials have warned that it is expected that the number of residents becoming ill from COVID-19 will increase, causing the amount of these City of Albany first responder exposure events to also increase; and

WHEREAS, it is expected that increased exposure of City of Albany first responders will cause additional demands on limited staffing, resources, and equipment, thus taxing the available resources of the City of Albany beyond our ability to maintain the required lifesaving services without additional assistance; and

WHEREAS, demand for public safety personnel and resources are expected to increase beyond the capabilities of the City of Albany personnel, resources, equipment, and facilities; and

WHEREAS, this Proclamation of Local Emergency provides the Albany City Council with legal authority to:

- Promulgate or suspend orders and regulations necessary to provide for the protection
  of life and property, including issuing orders or regulations imposing a curfew within
  designated boundaries;
- Exercise full power to provide mutual aid to any affected area in accordance with local ordinances, resolutions, emergency plans, or agreements;

- Request state agencies and other jurisdictions to provide mutual aid;
- Require the emergency services of any local official or employee;
- Requisition necessary personnel and materials from any local department or agency;
   and/or
- Obtain vital supplies and equipment and, if required, immediately commandeer the same for public use.

**NOW, THEREFORE, IT IS HEREBY PROCLAIMED** that the Albany City Council does hereby find that conditions of extreme peril to the safety of persons and property have arisen within said City; caused by a public health emergency; and

BE IT FURTHER PROCLAIMED that the Albany City Council shall review the need for continuing the local emergency at least once every 60 days until the Albany City Council terminates the local emergency and shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant; and

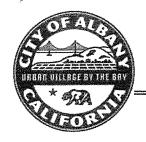
**BE IT FURTHER PROCLAIMED** that a local emergency now exists throughout the City of Albany, AND ORDERED that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, the Charter, ordinances, and resolutions of this City; and

**BE IT FURTHER ORDERED** that all officers and employees of the City of Albany take all steps requested by the Director of Emergency Services to prevent the spread of COVID-19 and to prevent or alleviate illness or death due to the virus; and

**BE IT FURTHER ORDERED** that all officers and employees of the City of Albany take all steps requested by the Director of Emergency Services to qualify the City for reimbursement from the Federal Emergency Management Agency and for other state and federal relief as may be available to reimburse the City of Albany for the expenses it incurs in addressing this emergency.

Date: 3/16/2020

NICK PILCH, MAYOR
City of Albany, California



## City of Albany

1000 San Pablo Avenue • Albany, California 94706 (510) 528-5710 • www.albanyca.org

## RESOLUTION NO. 2020-29

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 16th day of March, 2020 by the following votes:

AYES: Council Members Barnes, McQuaid, Nason, and Mayor Pilch

NOES: None

ABSENT: Council Member Maass

Eileen Harrington

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this

17th day of March, 2020.

Eileen Harrington

DEPUTY CITY CLERK