



COUNCIL AGENDA: 5/16/23  
FILE: 23-686  
ITEM: 2.7

# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Raymond Riordan

**SUBJECT:** SEE BELOW

**DATE:** April 28, 2023

Approved

Date

5/3/23

**SUBJECT: TERMINATION OF THE DIRECTOR OF EMERGENCY SERVICES' MARCH 6, 2020, PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY FOR COVID RESPONSE**

## **RECOMMENDATION**

Adopt a resolution terminating the Director of Emergency Services' March 6, 2020, Proclamation of the Existence of a Local Emergency for COVID Response.

## **SUMMARY AND OUTCOME**

Pursuant to the San José Municipal Code and the California Government Code, the City Manager, as the Director of Emergency Services, proclaimed the existence of a local emergency due to the threat of a public health emergency due to the novel Corona Virus, or COVID-19. This proclamation was ratified by the City Council on March 10, 2020. The Government Code also requires the Proclamation of the Existence of a Local Emergency be terminated when the threat no longer exists.

## **BACKGROUND**

A novel coronavirus (named COVID-19) was first detected in Wuhan City, Hubei Province, China, in December 2019. The Centers for Disease Control and Prevention considered the virus to be a very serious public health threat. On January 24, 2020, the City established and activated its Pandemic Management Team and the City's Pandemic Response Plan. On January 30, 2020, the World Health Organization declared the COVID-19 outbreak a Public Health Emergency of International Concern. On January 31, 2020, the United States Secretary of Health and Human Services declared a Public Health Emergency.

On January 31, 2020, the first case of COVID-19 was confirmed in the County of Santa Clara (County). On February 10, the County declared a local health emergency and proclaimed a local

emergency. By March 4, 2020, the number of confirmed cases of COVID-19 increased to 11 in the County with confirmed community spread. The California Department of Health Services reported its first death related to COVID-19, and the Governor of California declared a state of emergency.

On March 4, 2020, the City partially activated its Emergency Operations Center and began scaling up resources and response in preparation for event and facility closures, increased telecommuting/ work-from-home capacity for employees, augmentation of communication to employees and coordination with partner agencies, as well as other work-place and program modifications to ensure the continuity of City operations while protecting the safety of our employees, providing effective communication, and supporting the County. By March 5, 2020, the number of confirmed cases of COVID-19 had increased to 20 in the County, with strong evidence of increasing community spread. The County expanded its guidance and City escalated its Pandemic Response.

On March 6, 2020, the City Manager, as Director of Emergency Services, Proclaimed the Existence of a Local Emergency. On March 10, 2020, the City Council ratified the proclamation. The City Council extended the emergency every 60 days until August 18, 2021. At that time, the California Office of Emergency Services advised the City that the State and Federal declarations included the City of San Jose, and continued actions to extend were not required. The Emergency Operations Center remained active until June 30, 2022.

## **ANALYSIS**

Since June 30, 2022, when the Emergency Operations Center deactivated, the Office of Emergency Management maintained vigilant monitoring and coordination with Santa Clara County Public Health. While the public continues to experience COVID-19 cases, hospitalizations have decreased, and the public health system stabilized. This prompted Governor Newsom to issue a proclamation ending the state's COVID State of Emergency on February 28, 2023. President Biden signed a bill on April 10, 2023, that immediately terminated the national emergency, with the underlying public health emergency expiring on May 11, 2023. Pursuant to the San José Municipal Code and the California Government Code, the City Council must terminate the Proclamation of Local Emergency when conditions warrant termination. By City Council action to terminate the emergency, any policies related to the original declaration will terminate.

On March 21, 2023, the City Council accepted the After-Action Report on the COVID response. The After Action Report provided a concise report on the actions taken and provided recommendations for areas of improvement to be ready for the next emergency, including pandemic threats.

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### **EVALUATION AND FOLLOW-UP**

The City Council accepted the After-Action Report on the City's COVID response on March 21, 2023. The recommendations for improvements were noted and will be systematically implemented.

### **COORDINATION**

The report was prepared in coordination with the City Attorney's Office.

### **PUBLIC OUTREACH**

This memorandum will be posted on the City's Council Agenda website for the May 16, 2023 City Council meeting.

### **COMMISSION RECOMMENDATION AND INPUT**

No commission recommendation or input is associated with this section.

### **CEQA**

Statutory Exempt, Section 15269, Emergency Projects Undertake specific actions necessary to prevent or mitigate an emergency.

### **PUBLIC SUBSIDY REPORTING**

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

RAYMOND RIORDAN

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Emergency Management

For questions, please contact Raymond Riordan, Director of the City Manager's Office of Emergency Management, at [ray.riordan@sanjoseca.gov](mailto:ray.riordan@sanjoseca.gov) or (408) 794-70