

Legislation Text

File #: #21-315, Version: 1

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DATE OF MEETING: 09/07/21

SUBJECT:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO, CALIFORNIA, EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO NOVEL CORONAVIRUS (COVID-19) AND CONFIRMING THE ACTIONS TAKEN BY THE DIRECTOR OF EMERGENCY SERVICES

CITY MANAGER RECOMMENDATION

Adopt Resolution

COMPLIANCE STATEMENTS

Council Priority Workplan

This action is not in the City Council's Priority Workplan, but is necessary for the operation of government during an emergency.

CEQA Compliance Statement

The adoption of a resolution extending a declaration of an emergency in light of a pandemic is not a project under the California Environmental Quality Act (CEQA) pursuant to 14 CCR section 15378, and if deemed a project would be exempt pursuant to 14 CCR sections 15061 and 15269.

BACKGROUND

Initial Declaration of Emergency

Following declarations of emergency by the State of California (March 4, 2020), Contra Costa County (March 16, 2020) and the Federal government (March 13, 2020), the City Council of the City of San Pablo adopted Resolution 2020-034 (attached) on March 16, 2020 proclaiming the existence of a local emergency due to the Novel Coronavirus (COVID-19) pandemic. A copy of that resolution was provided to the State and County Emergency Operations Centers. The City's Emergency Operations Center was activated on or about 7:00 a.m. on March 16, 2020. The City Manager/Director of Emergency Services issued a Modified City Operations Plan dated March 16, 2020.

Initial Shelter-in-Place Orders

The Governor of California has issued many executive orders in light of COVID-19, including Executive Order N-33-20 on March 19, 2020 directing all residents in the State of California to stay at home (often referred to as "shelter-in-place") except as needed to maintain essential critical infrastructure sectors and as designated by the State Public Health Officer as critical to protect the health and well-being of all Californians. These actions were taken in part to "flatten the curve" of the infection rate to avoid overwhelming limited medical resources. A particular challenge with COVID-19 is the high infection rate for asymptomatic individuals; thus, creating "superspreader" events when

people are in close proximity.

In addition, the Contra Costa Health Services Officer, in conjunction with other Bay Area Health Officers, issued on March 31, 2020 further Shelter-in-Place orders through May 3, 2020. The Bay Area shelter-in-place order was then extended through May 31, 2020. The Contra Costa County Health Department issued Order HO-COVID19-16 dated June 2, 2020 and HO-COVID19-17 dated June 5, 2020 extending the shelter-in-place orders, but allowing some activities under certain conditions, recognizing the Governor's announcement on May 4, 2020 of a "Roadmap for Recovery". The State also issued guidance on June 18, 2020 regarding when the wearing of face coverings (masks) is required.

June 2020-June 2021

On June 28, 2020, the Governor recommended that Contra Costa County delay reopening efforts given increasing COVID-19 numbers. On July 1, 2020, the Governor sent a letter to all elected officials in California urging State and local unity and cooperation in the fight against COVID-19. The letter warned that lack of such cooperation could extend the pandemic and its economic effects, as well as jeopardizing eligibility for State funding.

On July 5, 2020, the Contra Costa Health Services Officer issued Order HO-COVID19-22 generally requiring members of the public and workers to wear face coverings when less than 6 feet away from any person who is not a member of the individual's household and when inside or on the grounds of any business. On July 5, 2020, the Contra Costa Health Services Officer also issued Order HO-COVID19-23 updating its mass quarantine order for persons in close contact to a person with COVID-19. On July 11, 2020, the Contra Costa Health Services Officer issued HO-COVID19-24 increasing restrictions on high-risk businesses and activities due to increasing community transmissions of COVID-19, hospitalizations, illness and positivity rate.

On July 28, 2020, the Contra Costa County Board of Supervisors passed Ordinance No. 2020-21, authorizing the issuance of warnings, citations or fines to businesses and people not complying with COVID-19 health orders. COVID-19 violations can be reported online:

<https://www.contracosta.ca.gov/civicalerts.aspx?aid=2352> The initial effort from both the County and the San Pablo Police Department was to focus on education, particularly for businesses and larger entities whose violations can impact a greater number of residents.

On August 5, 2020, the Contra Costa Health Services issued an updated Mass Isolation Order and on August 26, 2020 issued a revised social distancing order allowing certain outdoor operations given steady hospitalization and COVID-19 positivity rates.

On August 28, 2020, the State issued a new Public Health Order dated August 28, 2020 effective August 31, 2020, which creates a new tier system for counties with guidance for business re-openings known as "California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe." <https://covid19.ca.gov/roadmap-counties/>; <https://calcat.covid19.ca.gov/cacovidmodels/>

On September 4, 2020, the County Public Health Department recognized some stabilization in the rate of COVID-19 cases and hospitalizations and issued Health Order HO-COVID19-27 to reiterate social distancing, limitations on gatherings and mask requirements, but also to ease restrictions on some gatherings of children, to allow mining and logging operations and to clarify

vehicle gatherings. On September 14, 2020, the County Public Health Department issued Health Order HO-COVID19-28 to align with state guidelines for personal care services, cardrooms, racetracks and professional sports without live audiences.

On September 16, 2020, the County Public Health Department issued Health Order HO-COVID19-29 to align with CDC guidelines on quarantining if exposed to someone with COVID-19, including exceptions for health care workers, first responders, and critical infrastructure workers to continue working if certain conditions are met.

<https://www.coronavirus.cchealth.org/for-covid-19-patients>

On September 29, 2020, Contra Costa County moved into the less restrictive red tier ("substantial" spread of COVID-19) of the State's tiered reopening system.

As of October 6, 2020, the State's [Blueprint for a Safer Economy](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/COVID19CountyMonitoringOverview.aspx) [includes a "health equity metric" to ensure California](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/COVID19CountyMonitoringOverview.aspx) reopens safely by reducing COVID-19 in all communities, given higher COVID-19 rates among communities of color.

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/CaliforniaHealthEquityMetric.aspx>

For Contra Costa County to advance to the next less restrictive tier, the County must ensure that the test positivity rates in its most disadvantaged neighborhoods, defined as being in the lowest quartile of the Healthy Places Index census tracts (<https://healthyplacesindex.org/>), do not significantly lag behind its overall county test positivity rate. San Pablo as a city has a Healthy Places Index in the 36th percentile <https://map.healthyplacesindex.org/>; however, some census tracts within the City are in the lowest quartile.

On October 8, 2020, the County Public Health Department issued Health Order HO-COVID19-32 to update its Mass Quarantine Order (HO-COVID19-29) to comply with the State of California Public Health Officer's guidance.

On October 27, 2020, Contra Costa Health Services issued a press release indicating that the County had moved into the less-restrictive orange tier allowing more businesses and activities to occur. However, increasing COVID-19 cases and hospitalizations forced the County Public Health Officer to issue new orders to curtail some of the riskier activities.

On November 16, 2020, in light of increasing COVID infection and hospitalization rates throughout the United States, including California, twenty-eight counties were moved back into the purple/widespread infection Tier 1, including Contra Costa County.

On December 3, 2020, the California Department of Public Health issued a Regional Stay at Home Order based on the increasing rate of COVID-19 cases, hospitalizations and positivity rates across California. Of particular concern was a projected lack of ICU hospital beds by mid-December. The Order divided the State into five regions with San Pablo part of the Bay Area Region. Once a region has less than 15 percent ICU bed availability, all counties within that regional are required to follow the Regional Stay Home Order for at least three weeks. On December 4, 2020, the Bay Area Region implemented the State's Stay at Home Order from December 6 through January 4, 2021.

The State's Regional Stay at Home Order was triggered on December 15, 2020 due to ICU bed availability dropping under 15%, but was lifted on January 25, 2021. Contra Costa County remained in the purple tier but with the caution: "... per capita, the adjusted average number of new infections reported every day in Contra Costa was 46.2 in the last week - nearly seven times the threshold for a county to enter the purple tier of the state's Blueprint for a Safer Economy <<https://covid19.ca.gov/safer-economy/>>." Key changes under the new orders are:

- Restaurants may offer outdoor dining, following the state health guidelines.
- Hair salons, barber shops and personal services such as nail salons may reopen following state health guidelines.
- Outdoor social gatherings involving 25 or fewer people, from three or fewer different households, are now permitted.

As of the Supreme Court's ruling on February 5, 2021, indoor worship services are allowed, but with a 25% cap on attendance. Information about youth sports and school re-openings can be found here: <<https://www.coronavirus.cchealth.org/overview>>

On February 25, 2021, the County Health Department updated its Mass Quarantine Order to address quarantine restrictions for fully vaccinated individuals.
<https://813dcad3-2b07-4f3f-a25e-23c48c566922.filesusr.com/ugd/84606e_162ac8248db442b1b767579271d85fe7.pdf>

On March 15, 2021, the County moved into the red-tier allowing more openings of businesses and schools. The San Pablo Library opened up on April 26, 2021. As the landlord for the Library building, City staff worked with County staff on the re-opening plans, including some physical improvements, enhanced cleaning, and operational modifications including seating limited for only up to one hour of computer use. The County repealed local orders regarding vehicle-based gatherings, face covering and social distancing orders, but the State orders remain.
<<https://www.coronavirus.cchealth.org/health-orders>>

On April 7, 2021, the County moved into the orange tier (moderate risk of infection) given decreasing cases and hospitalizations and increasing vaccination rates, allowing additional business and community sectors to open. In addition, the State has indicated that on June 15, 2021, the State can fully reopen its economy if:

- There is enough vaccine supply for Californians 16 years and older to be vaccinated; and
- Hospitalizations rates remain stable and low, especially among fully vaccinated Californians

On May 5, 2021, Contra Costa County aligned with the State on relaxing mask requirements:

- Fully vaccinated people can go without masks outdoors, except in crowded settings such as concerts, sporting events, street fairs and similar settings.
- For unvaccinated people, masks are required outdoors anytime physical distancing can't be maintained, including at events with crowds.
- Regardless of vaccination status, masks are still required in indoor settings in the community such as in stores, restaurants (except when eating or drinking), and on public transportation.
- Fully vaccinated people can visit with other fully vaccinated people indoors or outdoors without masks or physical distancing.

- Fully vaccinated people can visit indoors or outdoors without masks with unvaccinated people from a single household who are at low risk for COVID-19.
- Full vaccination is defined as two weeks after the second dose of the two dose vaccines, Pfizer and Moderna, or two weeks after the one dose J & J vaccine.

On May 20, 2021, the County supported continuing the California Department of Public Health's strategy to continue these masking requirements until June 15, 2021 when the State will be moving into more normal operations; although, CalOSHA has not yet changed the requirements on employers.

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Beyond-Blueprint-Framework.aspx>

On May 27, 2021, the State announced the new [Vax for the Win](https://covid19.ca.gov/vax-for-the-win/) <https://covid19.ca.gov/vax-for-the-win/> incentive program:

- Ten vaccinated residents will be selected on June 15 to receive \$1.5 million each. All Californians who have had at least one COVID-19 dose will automatically be entered.
- Everyone with at least one COVID-19 dose in the state of California will be automatically entered to win big on \$50,000 Fridays. Fifteen people will win on Friday, June 4 and another 15 will win on Friday, June 11.
- Starting on May 27, the first 2 million Californians to start and complete their COVID-19 vaccination will receive \$50 gift cards.

The County has produced a handy list of "Openings at a Glance" in both English and Spanish that has been updated as conditions have changed.

<https://cchealth.org/covid19/pdf/Contra-Costa-County-Openings-at-a-Glance.pdf>;

<https://cchealth.org/covid19/pdf/Contra-Costa-County-Openings-at-a-Glance-es.pdf> . The County's website also includes updated Frequently Asked Questions in both English and Spanish (<https://www.coronavirus.cchealth.org/frequently-asked-questions>), as well as a flyer in English and Spanish about the risks of various activities entitled "COVID-19: Know the Risk." (<https://www.coronavirus.cchealth.org/safer-social-interactions>)

The Federal Government has also issued orders and directives in response to COVID-19. Resources can be found at these links:

<https://www.cdc.gov/coronavirus/2019-ncov/index.html>

In addition to COVID-19 public health emergency, the State has also faced issues of civil unrest and further emergencies due to wildfires and smoke in 2020.

June 15, 2021: Moving Beyond the Blueprint for a Safer Economy

On June 11, 2021, the State Public Health Officer issued a new Order indicating that on June 15, 2021, the State will move "Beyond the Blueprint for a Safer Economy" and eliminate the color-coded tier system for counties.

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Beyond-Blueprint.aspx>;

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Beyond-Blueprint->

[Framework.aspx>](#) The County has indicated that it will not be imposing additional restrictions.
<<https://www.coronavirus.cchealth.org/beyond-the-blueprint>>

As to masks, the California Department of Public Health issued further guidance effective June 15, 2021

<<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>>

:

- Fully Vaccinated People
 - Masks are not required in most settings, except where required for “All People” as noted below
- Unvaccinated or Partially Vaccinated People
 - Masks are required for unvaccinated individuals in indoor public settings and businesses (examples: retail, restaurants, theaters, family entertainment centers, meetings, state and local government offices serving the public)
- All People: Both fully vaccinated and unvaccinated people must wear masks in these settings:
 - Public transit (examples: airplanes, ships, ferries, trains, subways, buses, taxis, and ride-shares)
 - Transportation hubs (examples: airport, bus terminal, marina, train station, seaport or other port, subway station, or any other area that provides transportation)
 - K-12 schools, childcare facilities and other youth settings (indoors)
 - Businesses that choose to require masks for all customers
 - Healthcare settings (including long-term care facilities)
 - Homeless shelters, emergency shelters and cooling centers
 - Correctional facilities and detention centers

Cal/OSHA eventually aligned their guidance for workplaces - like City facilities - with the CDC's nationwide guidance and the State Public Health Officer. The City prepared a Worksite-Specific COVID-19 Plan dated July 1, 2021.

July 2021 and Increasing Case and Hospitalization Rates due to Delta Variant

On July 16, 2021, due to increasing case and hospitalization rates, the Contra Costa Health Officer along with other Bay Area Health Officers recommended that everyone consider wearing face coverings whenever they enter indoor public spaces, regardless of their vaccination status and on August 2, 2021 mandated face coverings indoors.

On July 22, 2021, the Contra Costa Public Health Official urged all employers to consider implementing policies that require their workforce to get vaccinated as soon as possible. Subsequently, Contra Costa issued an order that took effect July 27, 2021 requiring vaccination or weekly testing for workers in healthcare facilities, nursing and residential care facilities, homeless shelters and detention facilities. The California Department of Public Health (CDPH) has since issued similar vaccine verification requirements for state employees, healthcare workers and educators at K-12 campuses. Effective September 17, 2021, Contra Costa Public Health Official issued an order requiring vaccination or weekly testing for first responders including law enforcement officers,

firefighters and emergency medical personnel.

The Federal Drug Administration (FDA) gave full approval (as compared to the previous emergency use approval) to the Pfizer/BioNTech COVID-19 vaccine on August 23, 2021.

City Actions since the Declaration of a Local Emergency

On April 6, 2020, pursuant to Resolution 2020-042, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services including but not limited to:

1. Emergency Services Order No. 1 issued March 23, 2020, which addressed operational issues during the emergency including a Modified City Operations Plan dated March 19, 2020; and
2. Revised Modified City Operations Plan dated April 1, 2020, declaring certain City projects as “Essential Governmental Functions/Public Works Projects” and further limiting activities.

On April 20, 2020, pursuant to Resolution 2020-051, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director:

1. Revised Modified City Operations Plan dated April 8, 2020 further limiting access to City Administrative Offices and essential services occurring at City facilities; and continuing to cancel all City-sponsored community events and gatherings per the Governor’s State-wide Executive Orders No. N-25-20 (03/12/20) and No. N-33-20 (03/19/20) and Contra Costa County Health Department Order No. #HO-COVID-19-03 (03/31/2020) to “flatten the curve” of the infection rate of COVID-19.

In addition, the Annual 4th of July Multi-Cultural Family Celebration Event is regrettably cancelled because operational planning and staffing resources for major community events is a “Non-Essential Service” at this time; and the financial costs are deemed “Non-Essential Spending” given the impacts to the City’s General Fund budget from the closure of the Casino and decreased sales tax revenues during the COVID-19 emergency.

1. City of San Pablo Administrative Policy - Coronavirus (COVID-19): Families First Coronavirus Response Act (FFCRA) and Emergency Family and Medical Leave Expansion Act (EFMLE) dated April 1, 2020.
2. City of San Pablo Administrative Policy - Limited Duration Telework Policy dated April 1, 2020.

On May 4, 2020, pursuant to Resolution 2020-055, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services including but not limited to:

1. Revised Modified City Operations Plan dated April 20, 2020 regarding face coverings in response to Contra Costa County Health Department Order No. #HO-COVID-19-08 (04/17/2020) to “flatten the curve” of the infection rate of COVID-19;
2. Revised Modified City Operations Plan dated April 30, 2020 in response to Contra Costa

County Health Department Order No. #HO-COVID-19-09 (04/29/2020) extending the shelter-in-place order to May 31, 2020 but allowing some businesses and activities to resume; and

3. City Essential Business/Project Updates dated May 4, 2020.

On May 18, 2020, pursuant to Resolution 2020-060, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services including but not limited to:

1. Memorandum dated May 7, 2020 to implement COVID-19 Informational Hotline for San Pablo residents

On June 1, 2020, pursuant to Resolution 2020-068, the City Council extended the declaration of local emergency and confirmed the actions taken by the Director of Emergency Services including but not limited to:

1. Letter dated May 22, 2020 to the Contra Costa County Health Services Department re: Casino San Pablo Notification to Re-open and discussion with Contra Costa County Health Officials.

On June 15, 2020, pursuant to Resolution 2020-077, the City Council extended the declaration of a local emergency and confirmed the additional actions taken by the Director of Emergency Services including but not limited to:

1. Memos from the City Manager and Assistant City Manager: "Expectations of Employees Returning to Work" dated June 3, 2020; "Protocols for Social Distancing -- COVID-19 Response Plan" dated June 3, 2020; "COVID-19 Health Screenings" dated June 3, 2020; and
2. Revised Modified City Operations Plan dated June 4, 2020

On July 6, 2020, pursuant to Resolution 2020-086, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services.

On July 20, 2020, pursuant to Resolution 2020-094, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services including but not limited to:

1. COVID-19 Health Screening and Protocols for candidates and those involved with ballot measures who need to come to City Hall.

The City has also established a City hotline for assistance with COVID-19 resources and questions. City staff is available to respond to calls in English and Spanish. As of July 20, 2020, the City had received 21 calls from San Pablo residents and one call from a Richmond resident.

On August 3, 2020, pursuant to Resolution 2020-105, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services including but not limited to:

1. City Council Meeting Protocols at City Hall during COVID-19 Emergency

On September 8, 2020, pursuant to Resolution 2020-115, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services including but not limited to:

1. "COVID-19 Hot Zone and Employee Reporting in the Workplace" dated August 6, 2020

Also, on September 8, 2020 per Resolution 2020-112, the City Council confirmed an agreement with Contra Costa County to provide financial support for the COVID-19 Youth/Young Adult Ambassadors to be trained about COVID-19 and then to prepare and post messages about COVID-19 on social media. Further, on September 8, 2020 per Resolution 2020-116, the City Council amended the City Council Priority Workplan to explore the feasibility of a financial assistance grant or loan program for local San Pablo businesses affected by the COVID-19 pandemic in collaboration with the San Pablo EDC (San Pablo Economic Development Corporation).

On September 21, 2020, pursuant to Resolution 2020-123, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Service since the last meeting. Also, on September 21, 2020, the City Council adopted Ordinance 2020-010 repealing Ordinance 2020-006, which suspended automatic approval deadlines during the COVID-19 emergency. The City Council also approved Resolution 2020-124 extending the Housing Assistance Grant Program and Resolution 2020-125 creating an Ad Hoc City Council Committee to address COVID-19 issues.

On October 5, 2020, pursuant to Resolution 2020-127, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Service since the last meeting.

The City has also been working with County services for the homeless and has set up three temporary restroom and wash stations on San Pablo Dam Road (near Princeton Plaza), Wanlass Park and Luna Lane near the Library and City Hall.

On October 19, 2020, pursuant to Resolution 2020-131, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Service since the last meeting.

On November 2, 2020, pursuant to Resolution 2020-136, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Service since the last meeting, including but not limited to:

1. Coronavirus COVID-19 Update and Revised City Modified Operations Plan (Version #9 dated October 28, 2020)

On November 2, 2020, pursuant to Resolution 2020-135, the City Council also authorized a one-time event sponsorship of \$3,000 for the Free COVID-19 Testing Event available to the public scheduled for November 7, 2020 at the West County Health Center.

On November 16, 2020, pursuant to Resolution 2020-139, the City Council extended the

declaration of a local emergency and confirmed the actions taken by the Director of Emergency Service since the last meeting. The City Council also approved a memorandum of agreement with Contra Costa Health Services to create of COVID-19 testing site at the Davis Park Multi-purpose room, pursuant to Resolution 2020-143.

On December 7, 2020, pursuant to Resolution 2020-154, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services since the last meeting.

On December 21, 2020, pursuant to Resolution 2020-159, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services since the last meeting.

On January 19, 2021, pursuant to Resolution 2021-02, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services since the last meeting.

On February 1, 2021, pursuant to Resolution 2021-10, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services since the last meeting. The City Council also received a presentation regarding the success of the COVID-19 Youth and Young Adult Ambassadors in providing information to their peer group about COVID-19.

On February 16, 2021, pursuant to Resolution 2021-14, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services since the last meeting, including but not limited to a revised requirement for indoor mask wearing at all times except in very limited circumstances as set forth in the City's Revised Modified Operations Plan dated February 4, 2021.

On March 1, 2021, pursuant to Resolution 2021-19, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services since the last meeting. On March 1, 2021, the City Council also authorized a letter agreement with Contra Costa County to continue providing financial support of up to \$4,200 for San Pablo youths to continue participating in the COVID-19 Youth and Young Adult Ambassadors program, pursuant to Resolution 2021-20.

On March 15, 2021, pursuant to Resolution 2021-024, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services since the last meeting, including but not limited to including but not limited to the promulgation of the Temporary Administrative Policy regarding COVID-19 Families First Coronavirus Response Act (FFCRA) - Temporary City Extended Leave. On March 15, 2021, the City Council, pursuant to Resolution 2021-028, also decided to cancel certain City-sponsored large-scale events for calendar year 2021 due to the COVID-19 pandemic.

On April 5, 2021, pursuant to Resolution 2021-033 the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services since the last meeting. On April 5, 2021, pursuant to Resolution 2021-038, the City Council entered into an amended Memorandum of Agreement with the County to provide a framework for the County Public

Health Department and City Manager to mutually agree to the use of additional City facilities for COVID-19 testing or vaccination sites.

On April 19, 2021, pursuant to Resolution 2021-047 the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services since the last meeting.

On May 3, 2021, pursuant to Resolution 2021-053 the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services since the last meeting, including but not limited to:

1. COVID-19 Prevention Program required by CalOSHA; and
2. Logistic Health Incorporated as agent of the County running the Davis Park COVID-19 testing facility.

On May 17, 2021, pursuant to Resolution 2021-057 the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services since the last meeting.

Staff worked with the San Pablo Historical Society on a safe reopening of the City's historical buildings for scheduled tours. In addition, virtual tours are available. On May 13, 2021, the City Manager as Director of Emergency Services issued a Modified City Operations Plan v.11 with the following preliminary re-opening plan to be ratified by the City Council:

Preliminary Re-Opening Phases:

Phase I: City Re-Opening of City Fields and Playgrounds

Phase II: City Re-Opening of Certain Public Meetings

Phase III: City Re-Opening of All City Facilities to General Public

Target Date:

July 1, 2021

August 1, 2021

October 1, 2021

On June 7, 2021, pursuant to Resolution 2021-066, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services since the last meeting, including but not limited to:

1. Modified City Operations Plan v. 11 issued on May 13, 2021 by the City Manager as Director of Emergency Services; and
2. Revised COVID-19 Supplemental Sick Leave Policy dated May 17, 2021 as authorized by the federal American Rescue Plan Act and the State Senate Bill 95.

At the June 7, 2021 City Council meeting, a draft Re-Opening Plan was presented and City Council input solicited.

On June 21, 2021, pursuant to Resolution 2021-075, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services since the last meeting. On June 21, 2021, pursuant to Resolution 2021-082, the City Council increased the grant amounts for 2020/21 to \$2,000 per eligible household. In addition, the City Council, pursuant to Resolution 2021-083, extended the Housing Assistance grant program at \$2,000 per eligible

household to September 30, 2021 or until grant funds run out, whichever is sooner.

On July 6, 2021, pursuant to Resolution 2021-093, the City Council approved the implementation of the “Welcome Back Reopening Plan” dated July 1, 2021, which amended the Preliminary Re-opening phases to have Phase II of City employees working full-time in City facilities starting August 16, 2021. City parks and fields were opened effective July 1, 2021.

On July 19, 2021, pursuant to Resolution 2021-095, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services since the last meeting including but not limited to:

1. Worksite-Specific COVID-19 Plan dated July 1, 2021; and
2. Second Amendment to the MOU with the County to extend COVID-19 testing at Davis Park to September 30, 2021.

On August 2, 2021, pursuant to Resolution 2021-101, the City Council extended the declaration of a local emergency and confirmed the actions taken by the Director of Emergency Services since the last meeting.

Medical Data on COVID-19 Cases

As of the County’s website on August 30, 2021, Contra Costa County has 4,133 confirmed COVID-19 cases in the past 14 days with a daily average rate of 56.3 COVID cases for the past 7 days per 100,000 among the unvaccinated and a daily average rate of 4.0 COVID cases for the past 7 days per 100,000 among the vaccinated. The percentage of COVID-19 related deaths in Contra Costa who were unvaccinated since December 15, 2020 is 96.9%. If the State was still using the color-coded tier system, Contra Costa County would be in the purple tier with widespread infection rates.

As of August 30, 2021, there were 88,050 confirmed cases of COVID-19 in Contra Costa County with 869 deaths. As of August 30, 2021, there were 4,213,057 confirmed cases of COVID-19 in California with 65,271 deaths.

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/nCOV2019.aspx>

As of August 30, 2021, there were 38,852,582 cases of COVID-19 in the United States with 636,015 deaths.

https://covid.cdc.gov/covid-data-tracker/?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fcases-updates%2Fcases-in-us.html#cases_totalcases

https://covid.cdc.gov/covid-data-tracker/?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fcases-updates%2Fcases-in-us.html

San Pablo’s case rate is now identified as including both incorporate and unincorporated parts of the City with 6,056 confirmed COVID-19 cases at rate of 13,664 cases per 100,000 population (but a rate of 442.2 cases per 100,000 over the last 14 days). Currently, San Pablo has the highest per capita rate of COVID-19 cases in the County; although, over the last 14 days, San Pablo has the tenth highest per capita rate of COVID-19 cases out of 30 County locations. Overall, San Pablo has the fifth highest total number of COVID-19 cases in the County (Richmond, Antioch, Concord, and Pittsburg are higher). According to the County’s website, there have been 51 COVID-related deaths

in San Pablo (with 38 deaths not in long-term care facilities).

During an earlier Council meeting, there were questions about why San Pablo is a hot spot. Information from the California Department of Health on racial and ethnicity demographics with COVID-19 can be found here, as well as an article from the LA Times discussing a study done at UCLA regarding COVID-19 risk factors:

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/nCOV2019.aspx>;

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Race-Ethnicity.aspx>

In addition, the Mercury News/East Bay Times ran an extensive article regarding COVID and the impacts on Latinos:

<https://www.mercurynews.com/2021/03/14/how-the-bay-area-failed-latino-residents-during-the-covid-crisis/>

The City has been working with the County to provide additional vaccine sites available in San Pablo.

COVID-19 Testing and Vaccination Information

The County has now administered more than 1,585,748 vaccine dosages. Countywide, 84.7% of the population age 12 and older are at least partially vaccinated and 77.7% are fully vaccinated; although, 82.7% in San Pablo are at least partially vaccinated and 90.0% or more are fully vaccinated. All people ages 12 or older (regardless of where they reside or work) are eligible for vaccination and can make an appointment by calling 1-833-829-2626 or using the County's online request form at <https://www.coronavirus.cchealth.org/get-vaccinated>. Information on walk-in clinics can be found here: <https://www.coronavirus.cchealth.org/walk-in-vaccine> For all clinics, people under age 18 must be accompanied by a parent or guardian, have signed permission from the parent or guardian, or have a parent/guardian available by phone during the appointment.

In addition to vaccine sites at West Contra Costa Medical Center and Contra Costa College, LifeLong Medical and Walgreens pharmacies have provided vaccines locally. Pursuant to an agreement with the County, additional vaccination sites were available at City facilities with appointments, including the San Pablo Senior Center. The City has been providing more detailed information on its website and through social media.

Pursuant to an Agreement with the Contra Costa County Health Services, approved on November 16, 2020, the County has been using the Davis Park Multi-purpose room for COVID-19 testing. The County notified the City on May 5, 2021 that the testing facility at Davis Park would now be run by a State contractor, Logistics Health Incorporated/Optum. After discussion with the County, the County agreed to cover Logistics Health under its insurance (see attached letter). The new testing hours will be Sunday- Thursday 11am to 7pm, appointments can be made on the County "get tested" website: <https://www.coronavirus.cchealth.org/get-tested> The Agreement for the use of the Davis Park testing site was extended to September 30, 2021 pursuant Second Amendment.

On May 27, 2021, the State announced the new [Vax for the Win https://covid19.ca.gov/vax-for-the-win/](https://covid19.ca.gov/vax-for-the-win/) incentive program:

- Ten vaccinated residents will be selected on June 15 to receive \$1.5 million each.
- Everyone with at least one COVID-19 dose in the state of California will be automatically entered to win big on \$50,000 Fridays. Fifteen people will win on Friday, June 4 and

another 15 will win on Friday, June 11.

- Starting on May 27, the first 2 million Californians to start and complete their COVID-19 vaccination will receive \$50 gift cards.

Economic Impacts of COVID

According to the East Bay Economic Development Alliance's (East Bay EDA) Business Recovery Survey Results published on May 19, 2020, 80% of East Bay businesses are "microbusinesses" employing fewer than 10 employees, which often have limited cash reserves and less able to take on more debt to survive COVID19 and shelter-in-place orders. Microbusinesses are more likely to be minority- or women-owned compared to larger businesses. Nearly 40% of the survey respondents were temporarily closed because not considered "essential" and 42.3% of West Contra Costa County businesses temporarily closed. Eleven out of fifteen surveyed West Contra Costa County businesses indicated staff reductions in the 75-100% range. Layoffs and revenue losses hit low-wage workers the hardest in the following industries: food and beverage; retail and personal services; hospitality/leisure/entertainment.

<https://eastbayeda.org/wp-content/uploads/2020/05/East-Bay-Business-Recovery-Survey-Findings-5-19-20.pdf>

More recent data from 300 small business owners who received funding via the Paycheck Protection Program showed that year-over-year revenues of small business owners plummeted 52% while their payroll expenses dropped 54%.

<https://www.forbes.com/sites/rohitara/2020/08/07/study-finds-small-business-revenues-dropped-52-and-payrolls-declined-54-due-to-covid-pandemic/#32eebb4356db>

<https://www.forbes.com/sites/rohitara/2020/08/07/study-finds-small-business-revenues-dropped-52-and-payrolls-declined-54-due-to-covid-pandemic/> The Mercury News is reporting that one out of every 100 businesses in the San Francisco metropolitan area including Contra Costa County has permanently closed since March 1, 2020.

https://www.mercurynews.com/2020/09/22/the-bay-areas-small-business-closure-crisis-is-already-here/?utm_source=CalMatters+Newsletters&utm_campaign=e468b56429-

[WHATMATTERS NEWSLETTER&utm_medium=email&utm_term=0_faa7be558d-e468b56429-150509020&mc_cid=e468b56429&mc_eid=76e28003c7](https://www.mercurynews.com/2020/09/22/the-bay-areas-small-business-closure-crisis-is-already-here/?utm_source=CalMatters+Newsletters&utm_campaign=e468b56429-WHATMATTERS%20NEWSLETTER&utm_medium=email&utm_term=0_faa7be558d-e468b56429-150509020&mc_cid=e468b56429&mc_eid=76e28003c7) According to Beacon Economics, there is a 30.7% decrease in open small businesses in California from January 2020 through November 29, 2020. www.ucreconomicforecast.org <http://www.ucreconomicforecast.org> There is no reason to believe that small businesses in San Pablo fared better during the COVID19 shutdown.

Many San Pablo residents have experienced job loss or reduced hours due to COVID-19 and shelter-in-place orders. Contra Costa County overall saw an increase in unemployment from a March unemployment rate of 4.1 percent to an April unemployment rate of 14.5 percent. According to the East Bay EDA, there were 25,560 jobs lost in the East Bay during March and April, representing nearly 30% of job cuts in the nine-county Bay Area. However, the Urban Institute estimated 45,666 low-income jobs (annual earnings below \$40,000) lost just in Contra Costa County through May 8, 2020.

<https://www.urban.org/features/where-low-income-jobs-are-being-lost-covid-19> Nearly 3.7 million Californians filed for unemployment during the first six weeks of COVID-19 pandemic and the nation seeing the highest level of unemployment in 70 years.

On December 14, 2020, the website for the State's Employment Development Department (EDD) showed that California's unemployment rate in September 2020 was 11.0% with 2,058,800 unemployed individuals, but that data was from September 12 before current shut down. <https://www.edd.ca.gov/newsroom/unemployment-october-2020.htm#:~:text=September's%20unemployment%20rate%20of%2011.0,sectors%20gained%20jobs%20last%20month> <https://www.edd.ca.gov/newsroom/unemployment-october-2020.htm> . In February 2021, the unemployment rate in California was 8.5% and then 8.3% in March 2020; although, some concerns have been raised that the decrease is driven by people dropping out of the job market completely.

To address these economic impacts and the critical need that residents remain sheltered during the pandemic to decrease the transmission of COVID-19, on April 27, 2020, the City Council adopted Urgency Ordinance 2020-008 temporarily prohibiting evictions of residential and commercial real property tenants impacted by the COVID-19 pandemic and establishing a moratorium on rent increases through May 31, 2020. The State and County also adopted protections for tenants impacted by COVID-19. The County's ordinance continues a moratorium on certain evictions for residential tenants through and on certain residential rent increases through September 30, 2021, as well as a moratorium on evictions of some commercial tenants through March 31, 2021. Information on the County's ordinance, along with Frequently Asked Questions and Template Notice documents in English and Spanish, can be found here:

<https://www.contracosta.ca.gov/7836/Eviction-and-Rent-Freeze-Ordinance-FAQs> The State's "Tenant, Homeowner, and Small Landlord Relief and Stabilization Act of 2020" was extended through June 30, 2021 by Senate Bill 91 if conditions are met.

<https://www.gov.ca.gov/2021/01/29/governor-newsom-signs-legislation-to-extend-eviction-moratorium-and-assist-tenants-and-small-property-owners-impacted-by-covid-19/>; <file:///Y:/2004%20209/Emergency%20Operations/COVID-19%20Pandemic%202020/Eviction%20Moratorium/Factsheet-Tenant-Homeowner-and-Small-Landlord-Relief-and-Stabilization-Act-of-2020.pdf> <file:///Y:/2004%20209/Emergency%20Operations/COVID-19%20Pandemic%202020/Eviction%20Moratorium/Factsheet-Tenant-Homeowner-and-Small-Landlord-Relief-and-Stabilization-Act-of-2020.pdf>

Contra Costa County established a temporary cap on the fees charged by third-party delivery services to local restaurants of 15% of the order, with a 10% cap on the processing online orders. The ordinance will expire when the County will allow 100% indoor dining capacity.

<https://www.contracosta.ca.gov/DocumentCenter/View/69614/Supervisors-Pass-Ordinance-to-Cap-Food-Delivery-Service-Fees>

In addition, following previous City Council direction, on May 4, 2020, pursuant to Resolution 2020-054, the City Council approved the guidelines for a grant program for residents financially impacted by COVID-19. On June 29, 2020, the City Council increased the grant for COVID Housing Assistance Program for FY 2019/20 (Resolution 2020-081) and established a COVID Housing Assistance Program for FY 2020/21 (Resolution 2020-082). A social media blast provided information on the program. On January 19, 2021, pursuant to Resolution 2021-006, the City Council extended the Housing Assistance Grant Program to March 31, 2021 or until the grant funds run out, whichever is sooner. On March 15, 2021, pursuant to Resolution 2021-031, the City Council extended the Housing Assistance grant program to June 30, 2021 or until grant funds run out, whichever is sooner. On June 21, 2021, pursuant to Resolution 2021-082, the City Council increased the grant amounts for 2020/21 to \$2,000 per eligible household. In addition, the City Council, pursuant to Resolution 2021-083, extended the Housing Assistance grant program at \$2,000 per

eligible household to September 30, 2021 or until grant funds run out, whichever is sooner.

Landlords and tenants can also apply for the funds from the Federal Emergency Rental Assistance Program from the Consolidated Appropriations Act of 2021. The program assists income-qualified renters impacted by COVID-19 who need help to pay for rent or utilities. Eligible household income may not exceed 80% of the local median income. Eligible renters whose landlords do not participate in the program can still receive 25% of unpaid rent accrued between April 1, 2020, and March 31, 2021. Eligible renters can also receive future rent assistance equal to 25% of their monthly rent. The program also provides up to 80% rent reimbursement to landlords for unpaid rent accrued between April 1, 2020, and March 31, 2021.

<https://www.contracosta.ca.gov/DocumentCenter/View/70048/Contra-Costa-COVID-19-Rent-Relief-Program-News-Release-3152021>;
https://housing.ca.gov/covid_rr/

On October 21, 2020, pursuant to Resolution 2020-133, the City Council established and approved program guidelines for the San Pablo “Back to Business” COVID-19 Relief Fund to offer forgivable loans to small businesses with the San Pablo Economic Development Corporation administering the program with funds that were reallocated from the City’s Community Grant Foundation program. <http://www.sanpabloedc.org/san-pablo-b2b-small-business-grant-program>
All ten COVID business loans have been processed.

The County has compiled resources for businesses and employees affected by the economic impacts of COVID-19. <https://www.contracosta.ca.gov/7778/COVID-19-Economic-Resources> In addition, the Governor and Legislature have agreed upon a Pandemic Relief Package including direct relief to individuals and families, small businesses, college students and others. There are also resources through the federal American Rescue Plan of 2021.
<https://www.whitehouse.gov/american-rescue-plan/>

On April 5, 2021, pursuant to Resolution 2021-044, the City Council added the following Policy Item #116 to its Priority Workplan: “Research and explore Temporary Hero/Hazard Pay for San Pablo Grocery Workers as COVID-19 Essential Workers” and subsequently directed that staff send letters to the local grocery stores owners and management to encourage discussions with grocery workers regarding safety and compensation.

On April 16, 2021, the Governor signed Senate Bill 93 requiring certain employers in the hospitality and business services sectors to offer jobs back to employees laid-off during the COVID pandemic.

California’s July 2021 unemployment rate of 7.6% was 5.6 percentage points lower than it was in July 2020; although, new unemployment claims continue.

City Council Meetings

Currently, San Pablo is conducting its Council meetings virtually. On August 3, 2020, the City Council confirmed the timeline/thresholds for having the elected officials (Phase 2) and eventually the public (Phase 3) in the Council Chambers based on health criteria.

On May 13, 2021, the City Manager as Director of Emergency Services issued a Modified City

Operations Plan v.11 with the preliminary re-opening of certain meetings on August 1, 2021 and re-opening of all City facilities to the general public on October 1, 2021. With the ratification of this action by the City Council, inconsistencies in "Order No. 2 of the Director of Emergency Services for the City of San Pablo, State of California: City Council Meeting Protocols at City Hall during COVID-19 Emergency" are superseded.

The City now intends to phase meetings with the goal to have the public able to attend City Council and other public meetings October 1, 2021 given that the Governor's order allowing virtual meetings is expected to expire on September 30, 2021. A "hybrid" meeting to test the new Council Chambers and technology was held on August 2, 2021 with just two Council Members and key executive staff present and everyone else attending remotely.

RECOMMENDATION

The City Manager/Director of Emergency Services recommends that the City Council extend the declaration of a local emergency and confirm the additional actions taken by the Director of Emergency Services, including those actions taken since the last Council meeting:

1. Modified City Operations Plan version 13 dated August 4, 2021 -- Due to a surge in COVID-19 infection rates in part caused by the Delta variant and stagnating vaccination rates, the City implemented a revised Modified Operations Plan that addressed:
 - a. Compliance with more stringent Cal-OSHA Emergency Temporary Standards (ETS) due to employee outbreaks of COVID-19
 - b. Mandatory submission of COVID-19 Employee Vaccination Forms
 - c. Postponement of Phase II to September 15, 2021 in City's adopted Welcome Back Re-opening Plan
2. Modified City Operations Plan version 14 dated August 24, 2021 that is effective September 1, 2021, City employees who are unvaccinated or refuse to provide vaccination status information will be required to be tested at least weekly. This step was taken in part due to increasing number of COVID-19 cases and exposures among City employees, which require the City to follow stricter Cal-OSHA requirements related to masking and social distancing to reduce COVID-19 exposures.
3. Extended the County's use of the Davis Park Community Center for testing until December 31, 2021 (Sun - Tue, 11 a.m. - 7 p.m.; this site allows walk-ins and takes appointments)

FISCAL IMPACT

At this time, the full fiscal impact of COVID-19 is unknown. As indicated in prior staff reports, the San Pablo Lytton Casino closed on March 17, 2020. For every month that the Casino was closed, the City projected to lose approximately \$2.34 million in revenue in addition to \$1.3 million every month for other City revenue sources such as sales tax. The Casino reopened on June 16, 2020 with capacity limits in its effort to comply with social distancing and other protocols to minimize the risk of COVID-19 transmission.

On March 25, 2020, the City Manager directed staff to reduce costs in FY 2019/20 by an immediate suspension of all non-essential spending; a City-wide full-time hiring freeze effective April 1, 2020; and a City-wide part-time hiring freeze effective immediately. The City Council adopted revised

budgets for FY 2019/20 and 2020/21 on June 15, 2020, with each year relying on use of budgeted reserves per the Fiscal Resiliency Reserve Policy to close the budget shortfalls. For FY 2020/21, balancing the budget relied on concessions from the City's labor groups and unrepresented employees. Those concessions were restored with the FY 2021/22 budget.

The City of San Pablo is not unique in facing a significant revenue shortfall due to COVID-19 and the shelter-in-place orders, requiring the City to look to use of reserves and reduction in expenses to balance its budget. According to data from the League of California Cities, California cities are anticipating a nearly \$7 billion general revenue shortfall over the next two fiscal years.

<https://www.cacities.org/Images/COVID19-Fiscal-Impact-on-CA-Cities-Infographic-FIN.aspx> The State's announcement of a one-year reprieve on the payment of sales and use taxes for certain businesses will also impact the City's budget. The economic recovery from COVID-19 and its impacts are being estimated in terms of years not months.

The City received \$387,860 in the current fiscal year in CARES Act funding, which is the full allotment due to the City. The City expects to see some funding from the federal American Rescue Plan of 2021, the first half expected to come in July 2021 and the second half in July 2022. The 2021 payment of \$3.7 million was received in July. Pursuant to Resolution No. 2021-104, the City Council directed staff to proceed with a Community Needs Assessment process to determine ARPA Funding Priorities and Allocations based on further staff analysis of ARPA eligible fund expenses.

ATTACHMENTS

- 1) Proposed Resolution
- 2) Modified City Operations Plan version 13 dated August 4, 2021
- 3) Modified City Operations Plan version 14 dated August 24, 2021
- 4) Extension of MOU with County for use of Davis Park Community Center for testing
- 5) Resolution 2020-034 Proclaiming the Existence of a Local Emergency dated March 16, 2020
- 6) PowerPoint presentation on Extension of Local Emergency