



DATE: June 22, 2021

CATEGORY: Consent

DEPT.: City Attorney's Office and
City Manager's Office

TITLE: **Update on Termination of Local State
of Emergency Caused by COVID-19
and Impacts on City Operations**

RECOMMENDATION

Receive an update regarding the process of terminating the local state of emergency caused by COVID-19 and the associated impacts on City operations.

BACKGROUND

The purpose of this item is to provide a general update on the process for terminating the City's local state of emergency caused by the COVID-19 pandemic and discuss the impacts this will or may have on City operations.

On March 12, 2020, the City proclaimed a local emergency caused by the COVID-19 pandemic, and Council later ratified the emergency on March 17, 2020. The State and County similarly declared a state of emergency related to COVID-19 in March 2020.

Ordinarily, State law requires Council to renew the existence of an emergency every 60 days. However, the Governor's March 4, 2020 emergency declaration waived this requirement, stating:

"The 60-day time period in Government Code Section 8630, within which local government authorities must renew a local emergency, is hereby waived for the duration of this statewide emergency. Any local emergency proclaimed will remain in effect until each local governing authority terminates its respective local emergency."

The City's resolution ratifying the local emergency authorizes the Director of Emergency Services (Director), which is the City Manager, to terminate the local emergency.

On June 15, 2021, the Governor terminated the Blueprint for a Safer Economy; however, there has been no indication when the State's state of emergency will be terminated.

Although much of California is on pace to reopen as of June 15, 2021, the Governor has announced that the state of emergency will remain in place to allow ongoing aid programs and recovery efforts to continue without interruption. Similarly, there has been no announcement by the County relating to terminating the County's local emergency. Staff continues to monitor the State and County responses to the COVID-19 pandemic and the status of their respective emergencies. Should the State and County terminate their states of emergency, the Director will terminate the City's local emergency. This may occur during the City Council's legislative recess this summer, so staff prepared this item to provide an update on how terminating the local emergency will impact City operations.

ANALYSIS

Castro Street Closure and Outdoor Mountain View

On June 1, 2020, the County Public Health order was amended with a new directive, following a period of Shelter-in-Place orders, that allowed for outdoor dining but continued the prohibition on indoor dining. Following this County order, the City adopted a resolution on June 9, 2020 to temporarily close the 100, 200, 300, and 400 blocks of Castro Street, between West Evelyn Avenue and Mercy Street, to vehicular traffic. This program, known as Castro StrEATs, was implemented to facilitate outdoor dining within the public right-of-way to support downtown businesses. This program is currently set to expire up to eight weeks after the end of the local state of emergency.

In addition, Council adopted a resolution on September 8, 2020 to support Citywide businesses, which allowed businesses to temporarily operate outside on public and private property with minimal City permitting or approval while still protecting the public health and safety. This program, known as Outdoor Mountain View!, is set to expire two weeks following the end of the City's local state of emergency declaration.

On April 13, 2021, the City also temporarily suspended Sidewalk Café Program license renewal requirements for those businesses in compliance with the Castro StrEATs program to provide a consistent outdoor dining program along Castro Street. The suspension of the Sidewalk Café renewal requirements is set to expire eight weeks after the end of the local state of emergency.

In a separate item on Council's agenda this evening, staff recommends continuing the Castro StrEATs program along the 100, 200, and 300 blocks of Castro Street, the Sidewalk Café license renewal suspension, and Outdoor Mountain View! programs through Monday, January 3, 2022, with Castro Street reopening to vehicular traffic as early as

January 4, 2022, but no later than Tuesday, January 18, 2022, regardless of when the local state of emergency is terminated.

Phased Reopening of City Facilities

Due to the COVID-19 pandemic, the City of Mountain View closed most City facilities to the public in mid-March 2020 in accordance with State of California and County of Santa Clara public health orders. Essential services, such as public safety, critical maintenance and child care, continued in person. The City also adapted many services to provide them virtually, online, and outdoors. As public health orders evolved over time, in-person Recreation and Library programs and services were offered as possible.

In accordance with the State's actions to reopen California's economy on June 15, 2021, the City is planning to expand upon the current in-person services in a phased reopening, welcoming the public back to the following facilities over the coming months:

- June 2021 – Mountain View Center for the Performing Arts public performances and shows return.
- July 12, 2021 – Mountain View City Hall reopens to the public with some services available only by appointment.
- September 2021 – All City facilities reopen in accordance with current State and County public health guidelines.

Other City facilities previously reopened to the public, including:

- As of April 15, 2021, the Mountain View Public Library reopened the Library building for the public to use computers, pick up holds, and browse the collection.
- As of June 14, 2021, the Recreation Division's front desk reopened at the Mountain View Senior Center's front desk.
- The Mountain View Police Department lobby is open for police services but remains closed on weekends, except for services by appointment only.
- The Recreation Division is offering in-person classes and summer camps at the Community Center, along with virtual offerings, in the summer months. For more information, view the Activity Guide.

As of June 15, 2021, members of the public who are fully vaccinated are not required to wear a face covering in City facilities. Signage at City facilities indicates that anyone not wearing a face covering is attesting that they are fully vaccinated.

Parking Enforcement

During the COVID-19 pandemic, the Police Department suspended time-restricted parking enforcement, including downtown timed parking spots and general 72-hour street parking limits, with the rare exception of nuisance abatement enforcement. When the local state of emergency is terminated, the Police Department will resume regular enforcement of time-restricted parking.

Community Development Planning and Housing Divisions

On September 22, 2020, Council adopted an automatic one-year extension for planning permits valid as of March 16, 2020. This is a one-time action and is not tied to the lifting of the emergency.

Community Relief Resources

The City immediately undertook a number of actions to assist vulnerable populations during the COVID-19 pandemic and as a result of the local state of emergency. These actions have included funding rent relief for Mountain View tenants, providing small business loans and grants, providing utility billing relief, and funding 24/7 safe parking and essential need services, including hygiene stations, food cards, and distribution of personal protective equipment. These services are not tied to the local state of emergency and have various contract terms and funding amounts that determine the duration during which the services will be provided.

Finance and Administrative Services Department

The City has incurred and has been tracking various expenditures related to COVID-19 mitigation efforts, including costs related to personal protective equipment, sanitation and hygiene stations placed throughout the City for public use, disinfection of facilities, technology equipment to facilitate mandatory telecommuting, and staffing related to various other COVID-19-related programs and services. Many of these expenditures are reimbursable by the Federal Emergency Management Agency (FEMA) under the emergency declarations of the City, County, and State. With the lifting of the emergency declaration by these agencies, some or all of these expenditures may no longer qualify for Federal reimbursement by FEMA. Other sources of funding, such as the one-time

funding from the American Rescue Plan Act, are available to continue funding many of these costs should the City decide to continue to provide such services for a short period of time.

The City has also been prohibited by the State, for the duration of the emergency, from shutting off water service due to delinquent payments. Should this mandate be lifted, the City would need to decide whether to continue a policy of foregoing shutoffs for a period of time or return to the City's normal shutoff policy due to nonpayment of utility bills.

FISCAL IMPACT

There is no fiscal impact associated with the acceptance of this informational report.

PUBLIC NOTICING – Agenda posting.

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