



Item No. 12 Town of Atherton

CITY COUNCIL STAFF REPORT – CONSENT AGENDA

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GEORGE RODERICKS, CITY MANAGER

DATE: FEBRUARY 16, 2022

SUBJECT: CERTIFICATION OF CONTINUING EMERGENCY; MAKE SUCH FINDINGS AS REQUIRED UNDER GOVERNMENT CODE SECTION 54953(E)(3); AND RATIFY SUCH RULES AND REGULATIONS ENACTED BY THE DIRECTOR OF EMERGENCY SERVICES IN RESPONSE TO COVID-19

RECOMMENDATION

It is recommended that the Council –

- 1) Certify the continuing emergency and ratify such rules and regulations enacted by the Director of Emergency Services in response to COVID-19; and
- 2) Make such findings as required under Government Code Section 54953(e)(3) to meet remotely to ensure the continued health and safety of the public.

BACKGROUND | ANALYSIS

On October 6, 2020, the City Council adopted a Resolution pursuant to AB 361 (Government Code Section 54953(e)(3)) and made such findings as required to hold meetings remotely in order to ensure the health and safety of the public. The City Council last met on January 19, 2022, ratified findings pursuant to AB 361 and certified the continuing emergency ratifying such rules and regulations enacted by the Director of Emergency Services in response to COVID-19.

Staff recommends continuation of the Certification of Continuing Emergency until such time as the State lifts its Emergency Declaration. Maintaining the local certification will ensure that any actions that the Town takes in response to a local COVID-19 Outbreak (organization or community) qualify for financial reimbursement under State OES and FEMA guidance.

AB 361 (Government Code Section 54953(e)(3))

In order to continue to meet remotely, the City Council must make/confirm the following findings:

- The Town remains under a local state of emergency. (CONFIRMED)

- County Health Orders require that all individuals in public spaces maintain social distancing and wear face coverings. (CONFIRMED)
- The Town would have a significant challenge in attempting to maintain social distancing requirements for the public, staff, Council Members, Committee and Commissioners in our current available meeting spaces. (CONFIRMED)

Vaccination Requirements for Staff and Contract Personnel

All vaccinated employees and contract personnel must provide proof of vaccination status. If the individual cannot provide proof of vaccination (in any acceptable form) the individual will be treated as non-vaccinated.

All individuals entering public facilities and in shared public vehicles are required to wear face coverings indoors regardless of vaccination status. This applies to public, employees and contract personnel alike. Individual office spaces, singular vehicles, and individual spaces are exempt.

All non-vaccinated employees and contract personnel, including those "treated" as non-vaccinated, are required to provide proof of a negative COVID-19 test every 10 days.

With the proliferation of the Omicron variant of COVID-19, the Town has also adopted the guidance of the California Department of Public Health (CDPH) with respect to quarantine requirements for exposures. The quarantine requirements fall into three general categories:

1. Personnel that test positive for COVID-19 must quarantine, regardless of vaccination status, previous infection, or lack of symptoms. Quarantine means staying home for at least 5 days. Quarantine can end after day 5 if symptoms are not present or are resolving, and the individual has a negative COVID-19 test result collected on day 5 or later.
2. Personnel that are *exposed* to COVID-19 must quarantine if they are unvaccinated; or vaccinated and booster-eligible but have not yet received their booster dose. Quarantine includes staying home for at least 5 days after last contact with the individual that tested positive. Quarantine can end after a day 5 or later negative COVID-19 test result, if symptoms are not present.
3. Personnel that are *exposed* to COVID-19 do not need to quarantine if they are both vaccinated and have received the booster shot; or vaccinated but are not yet eligible for the booster shot. However, they must obtain a COVID-19 on day 5, negative result, or they must follow the guidance above for exposure and quarantine.

FISCAL IMPACT

The Certification of Continuing Emergency will continue until such time as the State has lifted its emergency status. The Town is required to make the AB 361 findings every 30 days in order to continue to meet remotely. It is anticipated that there will be sufficient social distancing spacing and the ability to provide remote meeting capabilities once the Town is able to utilize its new facilities in the Town Center. Until that time, staff will return this Certification and Findings Report to the City Council each month at the Regular Meeting for adoption.

POLICY FOCUS

Policy issues are limited to the continuing emergency.

GOAL ALIGNMENT

This report and its contents are in alignment with the following Council Policy Goals:

- Goal F – Be Forward-Thinking, Well-Managed, and Well-Planned
- Goal G – Emergency Preparedness – Be Prepared

PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town’s electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town’s electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service provides (water, power, and sewer), and regional elected officials.

COMMISSION/COMMITTEE FEEDBACK/REFERRAL

This item ___ has or X has not been before a Town Committee or Commission.

- ___ Audit/Finance Committee (meets every other month)
- ___ Bicycle/Pedestrian Committee (meets as needed)
- ___ Environmental Programs Committee (meets every other month)
- ___ Park and Recreation Committee (meets each month)
- ___ Planning Commission (meets each month)
- ___ Rail Committee (meets every other month)
- ___ Transportation Committee (meets every other month)

ATTACHMENTS

None.