



Legislation Details (With Text)

File #: 20-155 **Version:** 1 **Name:** Resolution to Extend Local and State of Emergency in the City

Type: Staff Report **Status:** Filed

In control: City Council

On agenda: 4/20/2020 **Final action:** 4/20/2020

Enactment date: **Enactment #:**

Title: Staff Report for a Resolution of the City of San Leandro City Council Extending the Ratification of a Proclamation of Local Emergency and State of Emergency by the City’s Director of Emergency Services Pursuant to California Government Code Section 8630 and Public Contract Code Section 22050(C) Because of the COVID-19 Pandemic

Sponsors: City Attorney, Rich Pio Roda

Indexes:

Code sections:

Attachments: 1. Local and State of Emergency Proclamation

Date	Ver.	Action By	Action	Result
4/20/2020	1	City Council	Received and Filed	Pass

Staff Report for a Resolution of the City of San Leandro City Council Extending the Ratification of a Proclamation of Local Emergency and State of Emergency by the City’s Director of Emergency Services Pursuant to California Government Code Section 8630 and Public Contract Code Section 22050(C) Because of the COVID-19 Pandemic

RECOMMENDATIONS

Staff recommends that the City Council approve the extension of the ratification of a proclamation of local and state of emergency by the City’s Director of Emergency Services.

BACKGROUND AND SUMMARY

On March 16, 2020, the City Manager, acting as the City’s Director of Emergency Services, proclaimed a local emergency and state of emergency in the City. At the City Council’s regular meeting of March 16, 2020, the City Council ratified the Director’s proclamation. San Leandro Municipal Code section 3-4-124(c) provides that the City Council shall review the need for continuing a local emergency at each regularly scheduled meeting until the local emergency is terminated. The City’s Disaster Council has reviewed the conditions related to the emergency every week, and at the City Council’s last regular meeting of April 6, 2020. This resolution continues the City Council’s review of the emergency under California Government section 8630 and Municipal Code section 3-4-124.

In addition, California Public Contract Code section 22050 requires the City Council to find based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency. There have been situations after the emergency proclamation where an emergency purchase for less than \$50,000 could not be delayed by competitive bidding. If situations arise where competitive bids, and/or City Council regular meeting timing hinder the need to make an emergency

purchase greater than \$50,000, staff requests City Council approve this resolution to allow the Director or his designee purchasing flexibility during the emergency.

PREPARED BY: Richard D. Pio Roda, City Attorney