

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
UNION CITY TERMINATING THE LOCAL EMERGENCY
DUE TO COVID-19 EFFECTIVE FEBRUARY 28, 2023

WHEREAS, Government Code Section 8630 and Union City Municipal Code Section 2.28.060 authorize the Director of Emergency Services to proclaim a local emergency when conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a city exist if the City Council is not in session and provides that the City Council shall ratify the proclamation within seven days thereafter; and

WHEREAS, in accordance with Government Code Section 8630 and Union City Municipal Code Section 2.28.060, the Director of Emergency Services proclaimed the existence of a local emergency caused by the Novel Coronavirus (“COVID-19”), a respiratory disease that may result in serious illness or death that is easily transmissible from person to person, on March 16, 2020; and

WHEREAS, on March 16, 2020, the City Council ratified and confirmed the proclamation of the existence of a local emergency issued by the Director of Emergency Services; and

WHEREAS, the City Council adopted subsequent resolutions confirming the continued existence of the local emergency and, consistent with Government Code Section 8630, the City Council has periodically reviewed the need for continuing the local emergency at least every sixty (60) days and last reviewed the need for the local emergency on December 13, 2022; and

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency as a result of COVID-19; and

WHEREAS, while California continues to operate under a state of emergency, Governor Newsom has indicated that the California State of Emergency will expire on February 28, 2023; and

WHEREAS, on March 24, 2020, the City Council adopted Urgency Ordinance 877-20, enacting a temporary moratorium on evictions due to nonpayment of rent for residential and commercial tenants where failure to pay rent results from income loss resulting from COVID-19; and

WHEREAS, the City Council subsequently amended Urgency Ordinance 877-20 when it adopted Urgency Ordinance 879-20

WHEREAS, among other provisions, Urgency Ordinance 877-20, as amended,

temporarily relieves the tenant of liability for unpaid rent, which the landlord may seek after the expiration of the eviction moratorium, and after expiration the tenant must repay past due rent in the amount of 25% after 120 days and 100% after 180 days; and

WHEREAS, Urgency Ordinance 877-20 remains in effect until the expiration of the local emergency proclamation or the Governor's proclamation of a state of emergency, whichever is later; and

WHEREAS, on June 9, 2020, the City Council adopted Ordinance 878-20 authorizing the Zoning Administrator to issue temporary use permits and waive requirements of Title 18 of the Union City Municipal Code to facilitate business operations impacted by COVID-19, to remain in effect for the duration of the local emergency proclamation adopted by City Council; and

WHEREAS, one of the stated purposes of Ordinance No. 878-20 is to facilitate continued operation of existing businesses in compliance with applicable health orders; and

WHEREAS, COVID-19 vaccinations are now accessible to all; and

WHEREAS, within Alameda County 86.3% of residents are fully vaccinated and within Union City 84.5% of residents are fully vaccinated; and

WHEREAS, on June 25, 2022, the Alameda County Health Officer lifted mask mandates, and mask mandates remain lifted for the eleven Bay Area counties; and

WHEREAS, Government Code 8630 provides that a local state of emergency shall expire at the earliest possible date that the conditions warrant; and

WHEREAS, based on current conditions and trend of COVID-19 data, the City Council desires to end the local emergency concurrent with the end of the California state of emergency; and

WHEREAS, to end the local emergency, advanced notice is necessary in order to provide ample time to continue to monitor conditions and to address temporary regulations tied to the local emergency.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Union City hereby declares that the local emergency declared by Resolution No. 5572-20 due to the COVID-19 pandemic shall terminate effective at 11:59 p.m. on February 28, 2023.