



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** COUNTY EXECUTIVE

**File #:** 23-102

Board Meeting Date: 2/28/2023

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**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors  
**From:** Michael P. Callagy, County Executive  
**Subject:** Termination of Local Emergency & Local Health Emergency

**RECOMMENDATION:**

Recommendation to:

- A) Adopt a resolution proclaiming the termination of the local health emergency relating to COVID-19 pursuant to Health and Safety Code § 101080; and
- B) Adopt a resolution proclaiming the termination of the local emergency relating to COVID-19 pursuant to Government Code § 8630 and Chapter 2.46 of the San Mateo County Ordinance Code.

**BACKGROUND:**

On March 3, 2020, pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (the "Health Officer") declared a local health emergency ("Local Health Emergency") throughout San Mateo County related to the novel coronavirus ("COVID-19") which the Board ratified and extended on March 10, 2020, and which remains in effect.

On March 3, 2020, pursuant to Section 8630 of the California Government Code and Chapter 2.46 of the San Mateo County Ordinance Code, the San Mateo County Director of Emergency Services proclaimed a local emergency throughout the County related to COVID-19 and on March 10, 2020, the Board ratified and extended the proclamation of a local emergency ("Local Emergency"), which remains in effect.

On March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency related to COVID-19 ("State of Emergency"), effective throughout the State of California. The State of Emergency included a provision that waived the 60-day renewal requirement for local emergencies that would otherwise apply. As a result, for the duration of the State of Emergency, local health emergencies and local emergencies could remain in effect until terminated by the local governing authority.

On October 17, 2022, the Governor announced that the State of Emergency will end on February 28, 2023.

**DISCUSSION:**

The Local Health Emergency and Local Emergency proclamations have enabled the County to establish a robust response to the pandemic and its threat to public health.

Since March 2020, the County has taken extensive steps to respond to the pandemic and its negative economic impacts, including: funding, supporting and coordinating testing, contact tracing, quarantine, and treatment for infected individuals; issuance and enforcement of health orders; supporting health system response and vaccinations; and enacting local measures for the protection and support of San Mateo County residents. In the earlier phases of the pandemic and through subsequent surges, these proclamations empowered County officials to take actions to mitigate the spread of the disease, ensure sufficient health system capacity to treat the sick, and protect the most vulnerable.

Now, nearly three years since the initial enactment of the proclamations, the County's public health efforts in coordination with the State and other partners, including vaccination and boosters and other mitigation measures, have provided effective tools to address the continuing threat from COVID-19.

Under Health & Safety Code § 101080, the Board "shall proclaim the termination of the local health emergency at the earliest possible date that conditions warrant the termination."

Similarly, under Government Code § 8630(d), the Board "shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant the termination." San Mateo County Ordinance Code 2.46.060(a) is to the same effect.

In view of the foregoing and recognizing that the State of Emergency will end effective February 28, 2023, conditions that existed in March 2020 that led to the proclamation and ratification of the Local Health Emergency and the Local Emergency no longer support their continuation and warrant the termination of the Local Health Emergency and the Local Emergency.

Resolutions proclaiming the termination of the Local Health Emergency and the Local Emergency have been reviewed by the County Attorney.

**FISCAL IMPACT:**

The adoption of these resolutions will have no fiscal impact. The availability of reimbursement for County qualifying COVID-19 expenses, if any exist, from the Federal Emergency Management Agency is contingent upon the existence of the Presidential emergency declaration, which is set to expire on May 11, 2023. County expenditures of State and Local Fiscal Recovery Funds under the American Rescue Plan Act are not contingent upon the existence of a local or federally declared state of emergency.