

County of Santa Clara Office of the County Executive



CE06 092909

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Public Health Officer

DATE: September 29, 2009

TO: Board of Supervisors

FROM: 
Jeffrey V. Smith
County Executive

SUBJECT: Report Relating to the H1N1 Virus and Declaration of a Local Emergency

RECOMMENDED ACTION

Consider various actions related to the H1N1 (swine flu) virus and Santa Clara County response.

Possible action:

- a. Accept report from the County Executive and Public Health Officer relating to H1N1 virus and Santa Clara County's response.
- b. Adopt Resolution proclaiming a local emergency now exists within the County of Santa Clara regarding the H1N1 virus. (Roll Call Vote)
- c. Approve Request for Appropriation Modification No. 069 - \$500,000 transferring funds from the General Fund Contingency Reserve to the Office of the County Executive's budget relating to funding authorized expenditures related to a declared emergency. (4/5 Roll Call Vote)

FISCAL IMPLICATIONS

The proposed Request for Budget Modification would transfer \$500,000 from the General Fund Contingency Reserve to the Office of Emergency Services to cover authorized expenditures related to a declared emergency.

The operating budget for the Office of Emergency Services (OES) is not sufficient to cover expenses related to declared emergencies. Establishing a specific appropriation, the use of which will be governed by the protocols established by OES for emergency response, will assure that the County can respond quickly to a declared emergency without delays associated with confirming budget availability to support purchase orders.

REASONS FOR RECOMMENDATION

Government Code section 8630 and Santa Clara County Ordinance Code Section A8 -14 authorize the Board of Supervisors to proclaim a "local emergency" when conditions of a disaster or of extreme peril to the safety of persons and property exist within the territorial limits of the county that are or are likely to be beyond the control of the County's services, personnel, equipment, and facilities and require the combined forces of other political subdivisions.

The Board has previously identified H1N1 (swine influenza A) virus as a threat to the safety of persons within the county. Following the identification of H1N1 cases throughout the country earlier this year, the Director of Emergency Services proclaimed a local emergency on April 29, 2009, which the Board ratified on May 5, 2009, and later terminated on May 19, 2009.

The Centers for Disease Control and Prevention (CDC) reports that transmission of the H1N1 virus continues to increase and may affect many more people in the Northern Hemisphere in the fall and winter. The virus continues to threaten the safety of persons within the territorial limits of the county, and it is likely to be beyond the control of the County's services, personnel, equipment, and facilities, requiring the combined forces of other political subdivisions to fight it.

Local surveillance indicates that the H1N1 virus is currently spreading through the community. Emergency Departments are seeing increased numbers of people with influenza-like illness. Some schools are experiencing increased absenteeism. The Public Health Department is preparing for the distribution of H1N1 vaccine and antivirals to try to contain the spread of the virus.

Further, combating the effects of the H1N1 virus may require the services of the County's Emergency Organization, established by Santa Clara County Ordinance Code Section A8 - 14 and consisting of the officers and employees of the County and volunteer forces registered to aid them during an emergency, including the American Red Cross, the Community Agencies Disaster Relief Effort (CADRE), and such other organizations. When the Board proclaims a local emergency, Civil Code section 1714.5(b) permits these disaster service workers to perform disaster services under the authority of the Emergency Organization without liability for civil damages, unless personal injury or property damage is willful.

The Board of Supervisors shall review, at its regularly scheduled meetings until the local emergency is terminated, the need for continuing the local emergency. This review will take place at least every 14 days. In no event shall a review take place more than 21 days after the previous review.

Termination of the local emergency shall be proclaimed by the Board at the earliest possible date that conditions warrant.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve the recommended actions may impact the County's ability to respond to the spread of H1N1 throughout the County.

ATTACHMENTS

- Proclamation of Local Emergency
- Appropriation Modification No. 069