



URGENT ITEM AGENDA MATERIAL

Government Code Section 54954.2(b)
Rules of Procedure Chapter III.C.5

THIS ITEM IS NOT YET AGENDIZED AND MAY OR MAY NOT BE ACCEPTED FOR THE AGENDA AS A LATE ITEM, SUBJECT TO THE CITY COUNCIL'S DISCRETION ACCORDING TO BROWN ACT RULES

Meeting Date: July 14, 2020

Item Description: Letter of Support to State Officials Requesting Reclassification of the Oakland Zoo as an Outdoor Museum

This item is submitted pursuant to the provision checked below:

- X Emergency Situation (54954.2(b)(1) - majority vote required)
Determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.
- Immediate Action Required (54954.2(b)(2) - two-thirds vote required)
There is a need to take immediate action and the need for action came to the attention of the local agency subsequent to the agenda for this meeting being posted.

Once the item is added to the agenda (Consent or Action) it must be passed by the standard required vote threshold (majority, two-thirds, or 7/9).

Facts supporting the addition of the item to the agenda under Section 54954.2(b) and Chapter III.C.5 of the Rules of Procedure:

The ongoing Covid-19 pandemic has required educational institutions, such as museums and zoos, to close. On June 19, Alameda County allowed outdoor museums to reopen, but the Oakland Zoo was not subject to this reopening because it is not currently classified by the state as an outdoor museum.

Recent news reports from July 1 have called attention to the dire financial situation of the Oakland Zoo, which only has emergency reserves to continue minimum operations for three more months. At the same time, scientific evidence continues to mount that outdoor activities are safer and lower risk with the use of facial coverings and physical distancing. On July 7, the Alameda County Health Care Services Director sent a letter to state officials requesting a reclassification of the Oakland Zoo as an outdoor museum so it can reopen using strict safety protocols.

This item aligns with the letter from the Alameda County Health Care Services Director and provides further advocacy for reclassifying the Oakland Zoo as an outdoor museum. The President and CEO of the Oakland Zoo has indicated that if the zoo is not able to reopen this month, it will need to permanently close. The Berkeley City Council needs to take action urgently to communicate our support to state officials for the reopening of the Oakland Zoo under strict safety protocols.



Rashi Kesarwani
Councilmember, District 1

CONSENT CALENDAR
July 14, 2020

To: Honorable Mayor and Members of the City Council

From: Councilmember Rashi Kesarwani

Subject: Letter of Support to State Officials Requesting Reclassification of the Oakland Zoo as an Outdoor Museum

RECOMMENDATION

Send the attached letter as an e-mail to California state officials to request reclassification of the Oakland Zoo as an outdoor museum in order to enable it to reopen for outdoor recreation and education under strict healthy and safety guidelines and to support the zoo in remaining financially solvent. The letter is addressed to: Governor Gavin Newsom, State Public Health Officer and Director of the California Department of Public Health Dr. Sonia Angell, and the California Health and Human Services Agency Director Dr. Mark Ghaly.

FISCAL IMPACTS

None.

CURRENT SITUATION AND ITS EFFECTS

The Oakland Zoo, like all Bay Area museums and zoos, shut its doors on March 17, 2020 in accordance with the Shelter In Place Order issued by the Alameda County Health Officer in coordination with health officers in five other counties. The Oakland Zoo is facing permanent closure if it is not able to reopen this month, according to a news report.¹ As of July 1, the zoo only has \$3.2 million remaining in its emergency reserve fund, and it requires a minimum of \$1.2 million per month to care for the animals and ensure public safety. The zoo's President and CEO Dr. Joel Parrott has said that the zoo is facing permanent closure: "If we don't open in July, we won't make it through the winter. And if that's the case, we have about three months to go."

¹ Oakland Zoo faces permanent closure if it doesn't reopen this month, July 1, 2020, www.sfgate.com, <https://www.sfgate.com/living-in-sf/article/Oakland-Zoo-faces-closure-if-it-doesnt-reopen-15380836.php>

Director of the Alameda County Health Care Services Agency Colleen Chawla wrote a letter dated July 7 asking the State of California for clarification of the risks associated with reopening the zoo and requesting reclassification of the institution as an outdoor museum.² Director Chawla wrote that the Oakland Zoo is already primarily an outdoor facility similar to public parks and botanical gardens, with plans to initiate strict safety guidelines, including closing playground and indoor spaces; eliminating access to interactive exhibits; reducing and controlling attendance; requiring facial coverings; installing accessible sanitizing stations; and increasing the frequency of sanitation and disinfection of high-touch surfaces in accordance with CDC, state, and local guidelines. The letter of support from the Berkeley City Council to state officials aligns with the science-first and fact-based letter sent by Director Chawla on July 7.

BACKGROUND

On March 11, 2020 the World Health Organization declared the Covid-19 outbreak to be a global pandemic. Shortly thereafter, on March 16, Berkeley's Public Health Officer, in tandem with public health officers from six Bay Area counties, issued the country's first Shelter in Place Order. This directive—currently still in effect (though loosened)—limits activity, travel, and business to only those that are deemed safe based on health indicators. On May 7, Governor Newsom announced the state's Resilience Roadmap, which includes health indicators for modifying the statewide Stay-at-Home Order and gradually reopening the economy as it is safe to do so following industry-specific health and safety guidelines.³

The Oakland Zoo is not currently classified as an outdoor museum, although it primarily operates as such. Alameda County allowed outdoor museums to reopen on June 19, although the county has paused further reopening due to increasing cases and hospitalizations.⁴ We note that other cities, including Sacramento,⁵ Santa Barbara,⁶ and San Diego,⁷ have reopened their zoos while implementing strict health and safety guidelines. The San Francisco Zoo is scheduled to reopen, with limited access to outdoor exhibits only, on July 15.⁸

ENVIRONMENTAL SUSTAINABILITY

² Alameda County Health Care Services Agency letter to the state re: Oakland Zoo, July 7, 2020, www.acphd.org, <http://www.acphd.org/media/591298/achcsa-letter-to-the-state-on-oakland-zoo.pdf>

³ Governor Newsom Releases Updated Industry Guidance, May 7, 2020, www.gov.ca.gov, <https://www.gov.ca.gov/2020/05/07/governor-newsom-releases-updated-industry-guidance/>

⁴ Statement from the Alameda County Health Care Services Agency: Alameda County Hits Pause on Reopening, June 29, 2020, <http://www.acphd.org/media/589530/statement-from--achcsa-alco-hits-pause-on-reopening.pdf>

⁵ See Sacramento Zoo's website: https://www.saczoo.org/visit/plan-your-visit/?gclid=CjwKCAjwr7X4BRA4EiwAUXjbtYQVWCixA8eZIS1V9gan1hY4GGuXYLp5IYEuwaC04WgB5e_zbU6JCpxoC7-EQAvD_BwE

⁶ Santa Barbara Zoo, <https://www.sbzoo.org/>

⁷ San Diego Zoo, https://zoo.sandiegozoo.org/?gclid=CjwKCAjwr7X4BRA4EiwAUXjbt_wjH1FYGqzth1Be_2RJ_eXIWNMZntQ65oBXIY4jIly_rDoWA-xJxoCO68QAvD_BwE

⁸ San Francisco Zoo, <http://www.sfzoo.org/>

Letter of Support to State Officials Requesting Reclassification of the Oakland Zoo as an Outdoor Museum

Reopening the Oakland Zoo will provide an outdoor recreation and educational opportunity for families that is considered lower risk when using facial coverings and physical distancing, as is proposed.

RATIONAL FOR THE RECOMMENDATION

The Oakland Zoo is a beloved local amenity that engages children and adults alike. As it has been closed since March 17, when the Bay Area Shelter In Place Order went into effect, it is dangerously low on funds to continue operations. The *San Francisco Chronicle* reported earlier this month that the zoo is losing \$2 million per month and will have to shut permanently unless it can reopen as an outdoor museum in July.

CONTACT

Rashi Kesarwani, Councilmember District 1, (510) 981-7110

Attachments:

- 1 - Letter from Berkeley City Council to state leaders
- 2 - Letter from Alameda County Health Care Services Director Colleen Chawla to state leaders

Letter of Support to State Officials Requesting Reclassification of the Oakland Zoo as an Outdoor Museum



Rashi Kesarwani
Councilmember, District 1

July 14, 2020

The Honorable Gavin Newsom
Governor of the State of California
1303-10th St, Ste 1173
Sacramento, CA 95814

Dr. Sonia Y. Angell
State Public Health Officer
And Director California Department of Public Health
P.O. Box 997377, MS 0500
Sacramento, CA 95899-7377

Dr. Mark Ghaly
Director, California Health and Human Services Agency
1600 Ninth Street, Room 460
Sacramento, CA 95814

RE: Request to reclassify the Oakland Zoo as an outdoor museum

Dear Governor Newsom, Dr. Angell, and Dr. Ghaly,

Thank you for your leadership during the COVID-19 pandemic and your commitment to protecting the health and safety of Californians.

The City Council of the City of Berkeley respectfully requests that you consider reclassifying the Oakland Zoo as an outdoor museum in order to enable its reopening to the public. Alameda County has been cautious in its reopening progression and an early adopter of facial covering requirements during the pandemic as a way to contain the spread of the virus. It has also prioritized outdoor activities as a lower risk means to maintain the physical and mental health and well-being of its residents. With this in mind, we support the letter from Alameda County Health Care Services Director Colleen Chowla dated July 7, 2020 requesting clarification of the risks associated with zoos. Like Director Chowla, we urge you to reclassify the Oakland Zoo as an outdoor museum to provide an additional way for our residents to be outdoors in a manner that is lower risk, using facial coverings, practicing physical distancing, and limiting the number of attendees.

Letter of Support to State Officials Requesting Reclassification of the Oakland Zoo as an Outdoor Museum

The Oakland Zoo is already primarily an outdoor facility and is more akin to a botanical garden than an indoor museum or aquarium. The Oakland Zoo proposes a site-specific safety plan for reopening that includes: closing playgrounds and indoor spaces; eliminating access to interactive exhibits; reducing and controlling attendance; requiring facial coverings; installing accessible sanitizing stations; and increasing the frequency of sanitation and disinfection of high-touch surfaces in accordance with CDC, state, and local guidelines.

Regional and state parks are at risk of becoming overcrowded and the Oakland Zoo provides an additional outdoor option—known to be lower risk than indoor activities. The reopening of the Oakland Zoo would provide families with children a lower-risk activity as they face the closure of other recreational and educational institutions that are higher risk. We, along with the Alameda County Health Care Services Agency, believe it is possible for the Oakland Zoo to operate in a manner that is safe for our community.

We urge you to consider reclassification of the Oakland Zoo as an outdoor museum.

Sincerely,

Berkeley City Council

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
COLLEEN CHAWLA, Director



OFFICE OF THE AGENCY DIRECTOR

1000 San Leandro Boulevard, Suite 300
San Leandro, CA 94577
TEL (510) 618-3452
FAX (510) 351-1367

July 7, 2020

Sent via email

The Honorable Gavin Newsom
Governor of the State of California
1303-10th Street, Suite 1173
Sacramento, CA 95814

Dr. Mark Ghaly
Director, California Health and Human Services Agency
1600 Ninth Street, Room 460
Sacramento, CA 95814

Dr. Sonia Y. Angell
State Public Health Officer and Director California Department of Public Health
P.O. Box 997377, MS 0500
Sacramento, CA 95899-7377

Re: Requesting clarification of risk associated with zoos

Dear Governor Newsom, Dr. Ghaly, and Dr. Angell,

Thank you for your leadership during the COVID-19 pandemic and your commitment to protecting Californians. We recognize that you must make difficult decisions about how and when to safely reopen industries, and we appreciate the need to balance the public's health and safety with the social, economic and emotional needs of our communities.

Alameda County has taken a cautious and measured approach to reopening during the pandemic. We favor allowing lower-risk outdoor activities over higher-risk indoor activities wherever possible, and are puzzled by the State's classification of zoos in the same category as indoor museums. We respectfully request clarification about the State's rationale and urge you to consider grouping zoos with outdoor museums.

Our county is home to the Oakland Zoo, which is primarily an outdoor facility, similar in many ways to public parks, botanical gardens, arboreta, outdoor museums, or historic sites. After reviewing the State's COVID-19 Industry Guidance for Museums, Galleries, Zoos, and Aquariums, and the State's COVID-19 Industry Guidance for Outdoor Museum, we believe the Oakland Zoo is more closely related to outdoor museums than indoor museums, galleries, and aquariums.

Governor Newsom, Dr. Ghaly, Dr. Angell
Re: Requesting clarification of risk associated with zoos
July 7, 2020

Per the Oakland Zoo's proposed Workplace Specific Plan for reopening, they would close playgrounds and indoor spaces; eliminate access to interactive and interpretive displays; reduce and control attendance; require face coverings; suspend shows, presentations, or demonstrations; provide accessible hand sanitizing stations; increase the frequency of sanitation and disinfection of high-touch surfaces in accordance with CDC, local, and State guidelines; and implement physical distancing measures throughout the zoo.

The Alameda County Health Care Services Agency seeks to promote the mental health and well-being of our residents during this pandemic. With regional and state parks at risk of becoming overcrowded, the Oakland Zoo provides an additional outdoor option for residents to visit, especially those with children. With appropriate physical distancing and face covering, access to outdoor space areas such as parks and zoos is beneficial for community health. We ask that you please reconsider the classification of zoos and include them in the outdoor museum category.

We are happy to answer questions or provide further information. Thank you once again for your steady and health-forward leadership, and we look forward to our continued partnership.

Sincerely,



Colleen Chawla
Director

cc: Board of Supervisors, Alameda County
County Administrator, Alameda County