



STAFF REPORT

To the Honorable Mayor and City Council
From the City Manager

DATE: April 25, 2022

SUBJECT

City Council Referral: Future consideration of a letter to San Mateo County asking that the County adopt an ordinance creating a buffer zone around reproductive health facilities in unincorporated Redwood City

RECOMMENDATION

Discuss whether to direct staff to return at a future meeting with a proposed letter to the San Mateo County Board of Supervisors requesting that the County of San Mateo adopt an ordinance creating a buffer zone around reproductive health facilities in unincorporated Redwood City.

STRATEGIC PLAN GUIDING PRINCIPLE

Public Safety

BACKGROUND

Mayor Hale has requested that the City Council direct staff to develop a letter, for City Council consideration, from the City Council to the County Board of Supervisors requesting that the County adopt an ordinance creating a buffer zone around reproductive health facilities in unincorporated Redwood City. Mayor Hale provided the following context for her request:

“Due to the unpredicted attacks on reproductive rights, other states passing laws that severely restrict people’s ability to access care, and the possible overturning of *Roe v. Wade* later this year, protest activity at abortion clinics has increased. This is occurring at the abortion clinic that serves Redwood City residents, the Planned Parenthood at 2907 El Camino Real, in unincorporated Redwood City. Because it is not located within the Redwood City city limits, the clinic falls outside of the jurisdiction of the City of Redwood City and is covered by San Mateo County. If the County of San Mateo were to preemptively put a security ordinance in place, this clinic will be better

equipped to protect their patients and staff. This letter is to propose that the County create a buffer zone to provide for the safety of these patients and staff in unincorporated Redwood City. Similar ordinances have been adopted in San Francisco and Walnut Creek (Attachments A and B). Such an ordinance would protect the safety of Redwood City and other nearby residents seeking services from that location.”

ANALYSIS

If directed by the City Council, staff will place a proposed advocacy letter on a future City Council agenda and identify any other resources required to implement the referral. Mayor Hale provided the following information for City Council consideration.

“Every person has a fundamental right to privacy protected not only by the United States Constitution, but also explicitly guaranteed in Article I, Section 1 of the California Constitution. This right to privacy includes the right to access all legal health care services, including reproductive health care services.

Maintaining access to reproductive health care services is a matter of critical importance not only to individuals, but also to the health, safety, and welfare of all residents of the City and County. Efforts to harass, obstruct, or otherwise interfere with individuals seeking reproductive health care services often deter and even prevent individuals from obtaining necessary reproductive health care services. These efforts, which often include forcing patients to run a gauntlet of demonstrators near the entrances, exits, and driveways of reproductive health care facilities, or to confront intimidating demonstrators stationed at or near those entrances, exits, and driveways, also disrupt the ability of staff at reproductive health care facilities to devote their full efforts to providing health care services and divert valuable facility resources away from patients.

These factors can lead to increased patient stress that may affect the efficacy and complication rate of the medical care sought within. Actions that result in such obstruction and deterrence of patients, and diversion of reproductive health care facilities’ staff and resources, undermine the City/County’s interest in maintaining the public health, safety, and welfare, and in preserving its residents’ constitutional right to privacy.

Individuals attempting to access reproductive health care facilities to obtain reproductive health care services have been subjected to harassing or intimidating activity from extremely close proximity, tending to hamper or stop their access to those facilities and services and thus subverting their legal rights to seek and obtain legal health care services. Reproductive health care facilities that are not owned or operated by a licensed hospital, are more vulnerable to such subversion of their patients’ rights on account of the layout and design of their facilities and parking areas as well as their staff resources and deployment. Further, reproductive health care facilities not affiliated with hospitals commonly possess fewer resources for providing adequate security and safety to individuals seeking access to reproductive health care services.”

FISCAL IMPACT

Development of an advocacy letter for City Council consideration, if directed by the City Council, is expected to require limited staff time.

ENVIRONMENTAL REVIEW

This activity is not a project under California Environmental Quality Act (CEQA) as defined in CEQA Guidelines, section 15378, because it has no potential for resulting in either a direct or reasonably foreseeable indirect physical change in the environment.

PUBLIC NOTICE

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

ALTERNATIVES

The City Council can decline to direct staff to develop a letter for the City Council's consideration.

ATTACHMENTS

Attachment A – San Francisco staff report
Attachment B – Walnut Creek staff report

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