

RESOLUTION NO. 2020-11

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
RANCHO PALOS VERDES, DECLARING AND
PROCLAIMING A LOCAL EMERGENCY IN RESPONSE TO
COVID-19**

WHEREAS, in December, 2019, an outbreak of respiratory illness due to a novel coronavirus (COVID-19) was first identified in Wuhan City, Hubei, Province, China; and,

WHEREAS, the Center for Disease Control and Prevention (CDC) considers COVID-19 to be a very serious public health threat with outcomes ranging from very mild (including some with no reported symptoms) to severe, including illness resulting in death; and,

WHEREAS, according to the CDC, there is no vaccine to prevent COVID-19 and there is no specific antiviral treatment recommended for COVID-19 at this time; and,

WHEREAS, on January 30, 2020, the World Health Organization (WHO) declared a Public Health Emergency of International Concern over the global spread of the novel coronavirus (COVID-19); and,

WHEREAS, on January 31, 2020, Health and Human Services (HHS) Secretary Alex M. Azar II declared a Public Health Emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and,

WHEREAS, the California Department of Public Health has activated its Medical and Health Coordination Center, and the Office of Emergency Services recently activated the State Operations Center to provide support and guide actions to preserve public health; and,

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a State of Emergency for the State of California; and,

WHEREAS, on March 4, 2020, the County of Los Angeles declared a Local Health Emergency in response to increased spread of COVID-19; and,

WHEREAS, on March 11, 2020, the WHO characterized COVID-19 as a "pandemic"; and,

WHEREAS, on March 12, 2020, Governor Newsom issued Executive Order N-25-20 regarding COVID-19; and,

WHEREAS, on March 13, 2020, President Trump declared a National State of Emergency in response to increased spread of COVID-19; and,

WHEREAS, there is one suspected (but as-yet-unconfirmed) case of COVID-19 on the Palos Verdes Peninsula, COVID-19 is easily transmissible from person to person and, as of March 15, 2020, has spread globally to over 146 countries and territories, has infected more than 153,000 individuals and killed more than 5,700 individuals per the WHO; and,

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases within the City, and to prepare to respond to an increasing number of individuals who may require medical care; and,

WHEREAS, strict compliance with certain Municipal Code and other City regulations would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19, which issue cannot be timely addressed absent a declaration of emergency; and,

WHEREAS, per Government Code §8630 a declaration of a local emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the City Council; and,

WHEREAS, Section 2.24.050 of the Rancho Palos Verdes Municipal Code appoints the City Manager as Director of Emergency Services, and empowers the Director request the City Council to proclaim the existence or threatened existence of a local emergency if the City Council is in session, or to issue such proclamation if the City Council is not in session; and,

WHEREAS, on March 14, 2020, the City Manager activated the City's Emergency Operations Center (EOC) at Level 3, the lowest level of activation; and,

WHEREAS, out of an abundance of caution to protect the health, safety, and welfare of the community, the Director of Emergency Services requested the City Council to proclaim a local emergency due to the public health threat caused by COVID-19.

WHEREAS, during the existence of the local emergency, and along with all State and County first response resources, all City first response resources, vehicles, and services shall be given first priority from shopkeepers and businesses located within the City, including, but not limited to, water, fuel and gasoline

NOW, THEREFORE, THE RANCHO PALOS VERDES CITY COUNCIL HEREBY RESOLVES, AS FOLLOWS:

SECTION 1. The conditions of extreme peril to the safety of persons and property have arisen within the City of Rancho Palos Verdes, caused by the effects of COVID-19.

SECTION 2. The aforementioned conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency by the City, as the

means to resolve the conditions of extreme peril will probably exceed the capability of the City.

SECTION 3. The City Council does hereby declare and proclaim the existence of a local emergency.

SECTION 4. During the existence of such local emergency, the powers, functions, and duties of the City Manager as Director of Emergency Services and the Disaster Council of this City shall be those prescribed by State Law, Chapter 2.24 of the Rancho Palos Verdes Municipal Code, and ordinances and resolutions of this City, and approved plans of the City in order to mitigate the effects of the local emergency.

SECTION 5. In addition to the powers, functions, and duties already prescribed above, the Council desires to make clear the powers, functions, and duties include:

(a) As necessary for the public health, life, and property, entering into contracts to arrange for the procurement of materials, goods, and services needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the spread of COVID-19.

(b) Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, as well as any City procurement or related policy, are suspended to the extent reasonably necessary to address the effects of COVID-19.

(c) The Emergency Services Director is expressly authorized to assist with any lawful order, including the enforcement of an order of quarantine or curfew, as well as ordering potentially ill City employees to leave the workplace, authorizing certain City employees to work remotely, taking steps to limit non-essential contact by City employees, etc., to address the effects of COVID-19.

(d) The Emergency Services Director is expressly authorized at his or her discretion to invoke force majeure clause on any City agreements or obligations, to the extent reasonably necessary to address the effects of COVID-19.”

SECTION 6. The local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council.

SECTION 7. The Government Code § 8630 requirement that the Council review of the need for continuing the local emergency at least once every 60 days until the City Council terminates the local emergency has been waived for the duration of the statewide emergency declared by Governor Newsom. In the event this declaration of local emergency extends for more than the duration of the statewide emergency declared for COVID-19, City Staff are directed to thereafter return this item for Council review of the need for continuing the local emergency at least once every 60 days until the City Council terminates the local emergency.

SECTION 8. This Resolution shall take effect immediately. A copy of this Resolution shall be forwarded to the Los Angeles County Operational Area for transmission to California Emergency Management Agency.

SECTION 9. The City Clerk shall certify to the passage and adoption of this resolution.

PASSED, APPROVED and ADOPTED on this 17th day of March 2020.

/s/ John Cruikshank
Mayor

Attest:

/s/ Emily Colborn
Emily Colborn, City Clerk

State of California)
County of Los Angeles) ss
City of Rancho Palos Verdes)

I, Emily Colborn, City Clerk of the City of Rancho Palos Verdes, hereby certify that the above Resolution No. 2020-11 was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on March 17, 2020.

/s/ Emily Colborn
City Clerk