

CITY COUNCIL AGENDA STAFF REPORT

DATE: March 18, 2020

TO: Mayor and City Council

APPROVED BY: David B. Dale, City Manager

PREPARED BY: Diego Favila, Fire Chief

SUBJECT: Adopt Resolution of the City Council of the City of Calexico Declaring a Local Emergency Regarding Novel Coronavirus (Covid-19)

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Recommendation:

Adopt resolution of the City Council of the City of Calexico declaring a local emergency regarding Novel Coronavirus (COVID-19).

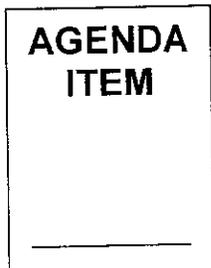
Background:

The COVID-19 virus is currently spreading in California and the United States. There are currently no known or suspected cases in Calexico. However, the County of Imperial has declared a local emergency for Imperial County, and we understand that local cities are likely to follow suit.

Discussion and Analysis:

The City Manager, City Fire Chief and City Attorney have determined that a declaration of local emergency by the City Council may help the City obtain state or federal disaster funds if the city ends up having to make expenditures related to COVID-19. Under Chapter 2.36 of the City Municipal Code, a declaration of local emergency also positions the City to act very quickly in taking steps to prevent or contain a COVID-19 outbreak, and it seems prudent for the City to be prepared.

It is worth reiterating that this declaration of emergency is proactive in nature. There is no reason for Calexico residents or visitors to panic. The Cities emergency operations staff remain in close contact with their Imperial County counterparts, Imperial County Public Health, and local Hospitals to coordinate efforts and engage in planning and forecasting. The City will continue these preparation and planning efforts, alongside our partner agencies.



Fiscal Impact:

The estimated costs in responding to the Novel Coronavirus (COVID-19) is currently unknown. For the City of Calexico at the present, this would allow for training and equipment associated with COVID-19

Coordinated With:

City Manager and Legal.

Attachment:

1. Resolution 2020-12 - Declaring a Local Emergency Regarding Novel Coronavirus (Covid-19).

RESOLUTION NO. 2020-012

**ADOPT RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CALEXICO DECLARAING A LOCAL
EMERGENCY REGARDING NOVEL CORONAVIRUS
(COVID-19),**

WHEREAS, the federal Centers for Disease Control and Prevention ("CDC") has confirmed multiple cases of individuals who have severe respiratory illness caused by a novel coronavirus, called COVID-19, as well as deaths caused by this illness; and

WHEREAS, the World Health Organization declared COVID-19 a public health emergency of international concern, and the CDC announced that community spread of COVID-19 is likely to occur in the United States; and

WHEREAS, on March 4, 2020 California Governor Newsome declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and

WHEREAS, the increase of reported cases and deaths associated with COVID-19 has also prompted the County of Imperial County, Los Angeles, Orange, San Diego, Alameda, Santa Clara and the Department of Public Health to proclaim a local and public health emergency; and

WHEREAS, the imminent and proximate threat of introduction of COVID-19 in the City of Calexico threatens the safety and health of City residents; and

WHEREAS, California Government Code Section 8630 and Calexico Municipal Code section 2.36.010 empowers the City Council to proclaim the existence of a local emergency to protect and preserve public welfare when the City is affected or likely to be affected by a public calamity; and

WHEREAS, a declaration of a local emergency will assist in a coordinated public health response to reduce transmission and illness severity, provide assistance to health care providers, coordinate and mitigate public services that may be disrupted from this emergency, and mitigate any other effects of this emergency on the citizens of the City; and

WHEREAS, under Government Code section 8630(b), a proclamation of local emergency must be ratified by the City Council within seven (7) days to remain in effect; and

WHEREAS, Government Code section 8630 generally requires the City Council to review the need for continuing the local emergency at least every sixty (60) days, but as part of Governor Gavin Newsom's March 4, 2020 Declaration of a State of Emergency in California due to COVID-19, this provision has been waived for the duration of the statewide emergency, allowing the City to maintain its emergency in place until terminated by the City Council; and

WHEREAS, the City Council desires to declare a local emergency and ratify the proclamation of local emergency by the City Manager.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Calexico resolves as follows:

Section 1. Pursuant to California Government Code section 8630 and Calexico Municipal Code 2.36.010, the City Council hereby finds and proclaims and ratifies a local emergency caused by conditions or threatened conditions of COVID-19 in Calexico, which constitutes an extreme peril of health and safety of persons within the territorial limits of the City.

Section 2. The local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council.

Section 3. The City Manager, acting as the Director of Emergency Services, is hereby authorized to furnish information, to promulgate orders and regulations necessary to provide for the protection of life and property pursuant to California Government Code section 8634, to enter into agreements and to take all actions necessary to obtain State emergency assistance to implement preventive measures to protect and preserve the residents of the City within the scope of the local emergency hereby declared.

Section 4. Pursuant to California Penal Code section 396, it is unlawful for any person or business of the City of Calexico to charge more than 10% higher than the price charged by that person or business 30 days after the proclamation this local emergency. The statue also authorizes the City Council to extend the price controls for additional 30-day period as needed to protect the lives, property or welfare of the citizens.

Section 5. To provide for the continuance of the legislative department of the City in this state of emergency, pursuant to California Government Code section 8638, the following are hereby appointed standby officers for the City. Each of the designated standby officers for the City Council shall take the oath of office as required for the office of Council Member and shall serve in his/her post as standby officer at the pleasure of the City Council and may be removed and replaced at any time with or without cause. Standby officers shall receive no compensation for the performance of their duties as standby officers. The standby officers shall serve until the recovery of the regular officer from his or her injuries or illnesses.

Miguel Figueroa, Karla Lobatos, Diego Favila, Gerardo Gonzalo, and Bill Hodges

Section 6. During the existence of said local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, ordinances, and resolutions of this City of Calexico.

PASSED, APPROVED and ADOPTED by the City Council of the City of Calexico at a regular or emergency meeting of said Council held on the 03-18-2020 by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

City of Calexico

ATTEST:

City Clerk

APPROVED AS TO FORM:
BEST, BEST & KRIEGER LLP

City Attorney