



CITY OF SIGNAL HILL

2175 Cherry Avenue ♦ Signal Hill, CA 90755-3799

March 24, 2020

AGENDA ITEM

**TO: HONORABLE MAYOR
AND MEMBERS OF THE CITY COUNCIL**

**FROM: HANNAH SHIN-HEYDORN
CITY MANAGER**

**SUBJECT: ADOPTION A RESOLUTION RATIFYING THE CITY MANAGER'S
PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY IN
RESPONSE TO COVID-19**

Summary:

City Council will consider ratifying the proclamation of the existence of a local emergency in response to the current public health crisis, made by the City Manager as the Director of Emergency Services, on March 19, 2020.

Recommendations:

1. Waive further reading and adopt the following resolution, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, RATIFYING THE PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY BY THE CITY MANAGER OF THE CITY OF SIGNAL HILL, AS DIRECTOR OF EMERGENCY SERVICES

2. Provide staff with direction on preferred protocol for future meetings, including those of the City Council, Commissions, and Committees.
3. Provide staff with direction on preferred protocol for continuing government operations.

Attachment B
(Attachments to staff report
not provided)

Fiscal Impact:

The primary costs incurred by the City will be for administrative support in the coordination, surveillance, communication and management of the COVID-19 local emergency, as well as related services and supplies. Current City costs are being covered by existing department appropriations, but City staff will be directed to track all costs separately. Staff will pursue Federal and State reimbursement for all City costs incurred.

Strategic Plan Objectives:

Goal No. 1: Ensure public safety is a high priority.

Goal No. 6: Promote a transparent and open government.

Background:

On January 30, 2020, the World Health Organization (WHO) declared a novel coronavirus (COVID-19) a public health emergency of international concern. On January 31, 2020, the United States Department of Health and Human Services declared this global outbreak a public health emergency for the United States. The Centers for Disease Control and Prevention (CDC) announced on February 25, 2020 that community spread of COVID-19 was likely to occur in the United States. On March 11, 2020 the WHO made the assessment that COVID-19 can be characterized as a pandemic. On March 13, 2020, President Trump declared a National State of Emergency. On March 19, 2020, the Los Angeles County Department of Public Health (LACDPH) issued an Order of the Health Officer to control the spread of COVID-19 within the County of Los Angeles. On March 19, 2020, Governor Newsom issued Executive Order N-33-20 to control the spread of COVID-19 within the State of California.

As of March 20, 2020, the WHO reported that, to date, there were 209,839 confirmed cases of COVID-19, 8,778 of which resulted in death, across 169 countries. On March 19, 2020, the California Department of Public Health (CDPH) reported that, to date, California has 675 confirmed cases of COVID-19, 16 of which have resulted in death. The CDC anticipates that widespread transmission of COVID-19 in the United States will occur.

While there are no reported confirmed cases of COVID-19 in Signal Hill, the City's proposed actions will provide the City additional powers to coordinate local efforts and identify and procure resources needed to effectively address the emergency as needed. Upon the first concerns of the virus becoming a serious health issue, the City's Emergency Management Division began working with the LACDPH. As the situation evolved within the State of California and County of Los Angeles, the City began identifying potential stakeholders and reaching out in a preliminary lean forward posture. The Emergency Management Division is actively participating in daily in-person and

remote briefings (teleconferences or webinars) with LACDPH, Los Angeles County Office of Emergency Management, California Department of Public Health, California Office of Emergency Services and the CDC. As updated information is provided, the Emergency Management Division is providing either written or verbal briefings to appropriate City staff and executives.

The Emergency Management Division began working with the City's Public Information Officer (PIO) to develop external public communication utilizing information and best practices based on guidance provided by LACDPH and the CDC. This included placing dedicated information on the City website, the City social media sites, the City eNewsletter, NextDoor, and the City's emergency notification system (Nixle). The City Manager's Office and the PIO collaborated early to develop guidelines and internal messaging for the safety of the public and City personnel. Information has been placed on the City's website (<https://www.cityofsignalhill.org/coronavirus>) and shared through various mediums. The City's intention is to ensure public safety by minimizing public events and to provide vital services to the public while limiting risk and exposure to City personnel.

Analysis:

On March 19, 2020, the City Manager acting as the Director of Emergency Services signed a Proclamation of a Local Emergency due to COVID-19 (Attachment A). This action was taken to facilitate Signal Hill implementing guidelines to combat the spread as announced at the county, state and national level. This allows the City greater flexibility in enacting rules, policies and purchasing.

Government Code section 8558 defines a local emergency as "the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city, caused by conditions such as air pollution, fire, flood, storm, **epidemic**, riot, drought, ... or other conditions, other than conditions resulting from a labor controversy, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of that political subdivision and require the combined forces of other political subdivisions to combat." (Emphasis added.)

Under Government Code section 8630, the City Council can proclaim the existence of a local emergency. Under Signal Hill Municipal Code section 2.76.060, if the City Council is not in session, the City Manager, as Director of Emergency Services, is given the authority to proclaim a local emergency subject to ratification by the City Council within seven (7) days. Once the existence of a local emergency is proclaimed, neighboring jurisdictions and the State have the power to provide mutual aid to address the emergency conditions. Pursuant to Government Code section 8630, once proclaimed, the City Council is required to review the need for continuing the local emergency at least every 60 days until the local emergency is terminated, and must proclaim the termination of the local emergency at the earliest possible date that conditions warrant. Currently, the Governor's March 4, 2020 declaration of a State of Emergency waived

the 60-day review requirement. Accordingly, on March 19, 2020 the City Manager proclaimed the existence of a local emergency.

The proclamation will enable the City to more effectively respond to the potential outbreak, put in place a framework that supports the continuity of essential public safety services, seek and utilize mutual aid, potentially obtain reimbursement for expenses incurred to address the pandemic, and ensure the City has all available tools at its disposal to keep the community safe. Once a local emergency is proclaimed, the Director of Emergency Services is empowered to make and issue rules and regulations on matters reasonably related to the protection of life and liberty. As written, the resolution gives the Director all powers, duties, and functions prescribed by State law, the Signal Hill Municipal Code and all ordinances and resolutions of the City in order to mitigate the effects of the local emergency.

While the City is still under a duty to proceed to perform its functions in the preservation of law and order and in the furnishing of local services under Gov. Code 8643, the resolution authorizes the Director of Emergency Services to invoke force majeure as reasonably necessary to address the effects of COVID-19, which allows the City to suspend its contract obligations due to unforeseeable and unavoidable circumstances of COVID-19. The Director is also given the authority to make and enter into contracts for the provision of resources and supplies relating to COVID-19; enforce an order regarding quarantine and curfew; order potentially ill City employees to leave or work remotely and limiting non-essential contact by City employees; adopt and impose substantive limitations on residential or commercial evictions related to financial impacts caused by COVID-19; make and approve orders for the payment of money for any City obligations without the approval or ratification of City Council. The Resolution also gives State, County, and Local first responders and emergency services first priority for things such as gasoline and water.

City Council needs to ratify the proclamation of a local emergency within seven (7) days thereafter, or the proclamation shall have no further force or effect.

Attachments