

RESOLUTION NO. 3768

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTE SERENO RATIFYING THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY (NOVEL CORONAVIRUS “COVID-19”) BY THE CITY MANAGER IN HIS CAPACITY AS DIRECTOR OF EMERGENCY SERVICES

WHEREAS, Section 2.06.050 of the Monte Sereno Municipal Code designates the City Manager as the Director of Emergency Services; and

WHEREAS, the Municipal Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when said city is affected or likely to be affected by a public calamity and;

WHEREAS, Section 8558 of the Government Code defines a local emergency as including an epidemic; and

WHEREAS, on or about March 4, 2020, as part of the State of California’s response to address the global COVID-19 outbreak, Governor Gavin Newsom 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 following one official COVID-19 death; and

WHEREAS, on March 11, 2020, the World Health Organization (“WHO”) characterized COVID-19 as a global pandemic and the number of cases will tragically continue to increase across the United States and globally; and

WHEREAS, on March 12, 2020, Governor Newsom issued Executive Order N 25-20, which provided that non-essential gatherings must be limited to no more than 250 people, while smaller events can proceed only if the organizers can implement social distancing of 6 feet per person. Gatherings of individuals who are at higher risk for severe illness from COVID-19 should be limited to no more than 10 people, while also following social distancing guidelines; and

WHEREAS, as of March 13, 2020, there are 1,629 confirmed cases of COVID-19 in the United States, including an estimated 224 reported cases of COVID-19 in California; and

WHEREAS, as of March 16, 2020, the Santa Clara County Health Officer issued an order requiring all persons to shelter in place at their residences, and prohibiting all non-essential gatherings and travel, only exempting essential activities, essential business operations and essential governmental functions; and

WHEREAS, COVID-19 might affect many tens of thousands residents within the City and the immediately surrounding areas. The COVID-19 is likely to create conditions of disaster

WHEREAS, the City of Monte Sereno may need to promulgate emergency orders and regulations to facilitate the maintenance of order and reduction in potential loss of life and property; and

WHEREAS, on March 16, 2020, the City Manager, in his capacity as Director of Emergency Services, proclaimed the existence of local emergency in the City of Monte Sereno, after determining that the rapidly widespread of COVID-19 is likely to create conditions of disaster or extreme peril which will be beyond the services, personnel and equipment and facilities of the City; and

WHEREAS, on or about March 19, 2020, as part of the State of California's response to address the global COVID-19 outbreak, Governor Gavin Newsom issued Order No. N-33-20 requiring persons to shelter in place statewide to minimize the spread of COVID-19; and

WHEREAS, in accordance with Government Code section 8630 and the Municipal Code, the City Council must take action to ratify the proclamation of the Director of Emergency Services within seven days thereafter or the proclamation shall have no further force or effect; and

WHEREAS, as contemplated in the Emergency Service Act contained in Government Code Section 8550 et seq., including Section 8558(c), a local emergency exists because of the existence of conditions of disaster or of extreme peril to the safety of persons and property within the City of Monte Sereno caused by the aforesaid conditions which are likely beyond the control of the services, personnel, equipment, and facilities of the City and require the combined forces of other political subdivisions to combat, and the declaration of a local emergency shall enable the City of Monte Sereno and other local government entities to adequately plan, prepare and secure resources to be able to effectively respond to the threat posed by COVID-19; and

WHEREAS, the City Council does hereby find that the aforesaid conditions did warrant and necessitate the proclamation of the existence of a local emergency; and

NOW, THEREFORE, BE IT RESOLVED that said proclamation of existence of a local emergency, as issued by said City Manager/Emergency Services Director, is hereby ratified by the City Council of the City of Monte Sereno; and

BE IT FURTHER RESOLVED that in accordance with Government Code section 8630 and the Governor's March 4, 2020 Order, this local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Monte Sereno.

BE IT FURTHER RESOLVED that the City Manager shall present an item at each subsequent City Council meeting specifying actions taken and powers used under this resolution and an opportunity to terminate this declaration and shall continue to provide a weekly report on actions taken and expected to be taken under the authority provided herein.

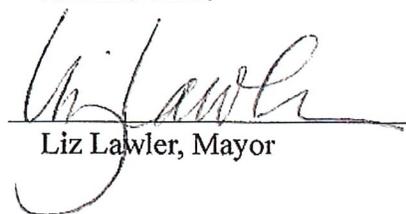
DULY AND REGULARLY ADOPTED this 23rd day of March, 2020.

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DULY AND REGULARLY ADOPTED this 23rd day of March, 2020.

AYES: Council Members Ellahie, LaBouve, Turner, Mayor Pro Tempore Leuthold and Mayor Lawler
NOES: None
ABSENT: None
ABSTAIN: None

APPROVED:



Liz Lawler, Mayor

ATTEST:



Andrea M. Chelemengos, City Clerk