



REPORT TO CITY COUNCIL

Approved by:


Arnoldo Rodriguez, City Manager

Council Meeting of: March 18, 2020

Agenda Number: A-1

SUBJECT:

Consideration of Adopting a Resolution Proclaiming a Local Emergency within the City of Madera due to the imminent and proximate threat of the Novel Coronavirus (COVID-19) in accordance with Madera Municipal Code Title III, Chapter 2

RECOMMENDATION:

It is recommended the City Council (Council) adopt the Resolution proclaiming a local emergency within the City of Madera due to the imminent and proximate threat of the Novel Coronavirus (COVID-19) in accordance with Madera Municipal City Code Title III, Chapter 2. Approval of the recommended action will (1) recognize the current imminent threat to our citizens, (2) ensure consistency with Federal, State, and County proclamations, and (3) allow for emergency procurement and the coordination of resources with other government entities.

SUMMARY:

The United States of America, the State of California, and the County of Madera have declared states of emergency due to the ongoing health pandemic caused by COVID-19. The requested action will approve an emergency declaration as it pertains to the City of Madera and our local Municipal Code and ordinances.

DISCUSSION:

A Novel Coronavirus (COVID-19) was first detected in Wuhan City, Province, China, in December 2019. The Centers for Disease Control and Prevention (CDC) considers the virus to be a very serious public health threat. The exact modes of transmission, the factors facilitating human-to-human transmission, the extent of asymptomatic viral shedding, the groups most at risk of serious illness, the attack rate, and the case fatality rate all remain active areas of investigation.

The CDC believes at this time that symptoms appear 2 to 14 days after exposure. Currently, there is no vaccine or specific antiviral treatment for COVID-19. There are nearly 165,000 confirmed cases of COVID-19 and over 6,470 deaths to date worldwide. Though concentrated in China, COVID-19 has been reported in 146 areas, countries, territories and includes individuals who

never visited China. The World Health Organization made the assessment that COVID-19 can be characterized as a pandemic. There are approximately 1,630 confirmed cases of COVID-19 in the United States and at least 41 deaths have been reported.

As of March 16, 2020, 47 States reported cases of COVID-19. There are 335 confirmed cases in California and at least 6 deaths have been reported in California due to COVID-19.

On March 4, 2020, Governor Newsom proclaimed a State of Emergency for the State of California as a result of the threat of COVID-19. On March 11, 2020, the Director-General for the World Health Organization declared that COVID-19 can be characterized as a pandemic. Governor Newsom issued Executive Order N-25-20 on March 12, 2020, which followed his March 4 proclamation of a State of Emergency in California as a result of the threat of COVID-19. President Trump declared that the outbreak of COVID-19 in the United States constitutes a national emergency on March 13, 2020. On March 16, 2020, , the Director of the County of Madera Office of Emergency Services proclaimed a local emergency and the County Board of Supervisors ratified the local emergency proclamation on March 17, 2020.

One confirmed case of COVID-19 in the County of Madera has been verified. The County's Department of Public Health has been in regular communication with hospitals, clinics, the CDC, and the California Department of Public Health. The County Health Officer has determined there is an imminent and proximate threat to public health from the introduction of COVID-19 and has issued a local health emergency. Based on the experience of other California counties, it can be reasonably expected that other positive COVID-19 tests will soon follow.

If approved, the proclamation of a local emergency will be forwarded to the State Office of Emergency Services.

Consistent with Title III, Chapter 2 of the Madera Municipal Code, the proclamation designates the City Manager as the Director of Emergency Services (Director). As part of their duties, the Director is authorized to require emergency services of any City officer or employee and to command the aid of as many citizens as they deem necessary and to require necessary personnel or material of any City department or agency. These actions are to be taken in support of the City's response to the local emergency and will be taken with the utmost care for the preservation of life. Council will be provided regular updates regarding any actions taken by the Director of Emergency Services.

FINANCIAL IMPACT:

The recommended action is necessary to ensure specific liability protection, emergency powers of the Emergency Services Director, and potential recovery of eligible costs, if any, from State and Federal emergency funds.

ALTERNATIVES:

No viable options are available.

ATTACHMENTS:

1. Resolution

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA
PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY WITHIN
THE CITY OF MADERA**

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

WHEREAS, COVID-19 has since spread outside of China, impacting more than 75 countries, now including the United States; and

WHEREAS, the CDC activated its Emergency Response System to provide ongoing support for the response to COVID-19 across the country; 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 Newsom proclaimed a State of Emergency for the State of California as a result of the threat of COVID-19; and

WHEREAS, on March 11, 2020, the Director-General for the World Health Organization declared that COVID-19 can be characterized as a “pandemic”; and

WHEREAS, on March 12, 2020, Governor Newsom issued Executive Order N-25-20, which followed his March 4 proclamation of a State of Emergency in California as a result of the threat of COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States declared that the outbreak of COVID-19 in the United States constitutes a national emergency; and

WHEREAS, on March 16, 2020, Madera County declared a local health emergency; 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 or 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, under Government Code Section 8630 the City Council is empowered to declare local emergencies; and

WHEREAS, under Madera City Code Title III, Chapter 2, the City Manager of the City of Madera is designated as the Director of Emergency Services; and

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within the City of Madera caused by the effects of COVID-19 and that these conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of the City of Madera; and

WHEREAS, after consideration of all items before it, the City Council of the City of Madera now desires to declare a state of emergency to make additional resources available to address the effects of COVID-19.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the City Council of the City of Madera that a local emergency now exists throughout the City of Madera.

IT IS HEREBY FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the Director of Emergency Services and the emergency organization of this City shall be those prescribed by state law, ordinances, and resolutions adopted by the City Council.

IT IS HEREBY FURTHER PROCLAIMED AND ORDERED that the local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Madera.

IT IS HEREBY FURTHER PROCLAIMED AND ORDERED as follows:

1. The Government Code Section 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.
2. If 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.
3. This Resolution shall take effect immediately. This Resolution and its contents will be published and promulgated in as widespread a manner as is reasonable feasible under the conditions prevailing during this local emergency.
