

RESOLUTION NO. 2020-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUCAIPA, CALIFORNIA, PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY CONCERNING THE COVID-19 VIRUS

WHEREAS, Section 8630 of the Government Code and Chapter 8.36 of Yucaipa Municipal Code authorize the City Council to proclaim the existence of a local emergency, as defined by Government Code Section 8558, concerning the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this City caused by conditions that include without limitation epidemics; and

WHEREAS, actual or threatened conditions of disaster or of extreme peril to the safety of persons and property have arisen both internationally and within the United States as a result of the introduction of the novel coronavirus (COVID-19), a novel communicable disease, which was first detected in Wuhan City, Hubei Province, China in December 2019; and

WHEREAS, due to the expanding list of countries with widespread transmission of COVID-19, and increasing travel alerts and warnings for countries experiencing sustained or uncontrolled community transmission issued by the Centers for Disease Control and Prevention (CDC), COVID-19 has created conditions that are likely to be beyond the control of local resources and require the combined forces of other political subdivisions to combat; and

WHEREAS, on January 30, 2020, the World Health Organization Director-General declared the novel coronavirus (2019-nCoV) outbreak a public health emergency of international concern, followed by a federal public health emergency declaration on January 31, 2020, and

WHEREAS, on February 26, 2020, the CDC confirmed the first case of potential local person to-person transmission of COVID-19 in California and this case raises the possibility of community transmission occurring in the general public; and

WHEREAS, on March 4, 2020, Gavin Newsom, Governor of the State of California, proclaimed a State of Emergency to exist in California due to the spread of COVID- 19; and

WHEREAS, on March 10, 2020, the San Bernardino County Health Officer and the San Bernardino County Board of Supervisors determined there is an imminent threat to the public health from the introduction of COVID-19 in the County of San Bernardino and has declared a Local Health Emergency; and

WHEREAS, on March 12, 2020, the Governor issued Executive Order N-24-20, further proclaiming that “despite sustained efforts, the virus to remains a threat, and further efforts to control the spread of the virus to reduce and minimize the risk of infection are needed”; and

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

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WHEREAS, the City's ability to mobilize local resources, coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and seek future reimbursement by the State and Federal governments will be critical to successfully responding to COVID-19; and

WHEREAS, in the interest of public health and safety, it is necessary for the City of Yucaipa to ensure adequate resources exist to address the impacts of COVID-19 on local services and operations, and

WHEREAS, these conditions warrant and necessitate that the City of Yucaipa declare the existence of a local emergency.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUCAIPA DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

1) IT IS HEREBY PROCLAIMED AND ORDERED that a Local Emergency exists throughout the City of Yucaipa; and

2) IT IS FURTHER PROCLAIMED AND ORDERED that the City Manager, acting as the City's Director of Disaster Services pursuant to Yucaipa Municipal Code Section 8.36.070, and the City of Yucaipa Disaster Council, established pursuant to Yucaipa Municipal Code Section 8.36.040, are authorized and directed to take any necessary steps for the protection of life, health and safety in the City of Yucaipa; and

3) IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of this Local Emergency the powers, functions, and duties of the City's Director of Disaster Services, and the Disaster Council of the City shall be those prescribed by State law and the City's ordinances, resolutions, and adopted emergency plans; and

4) IT IS FURTHER ORDERED, that all City Departments shall review and revise their department emergency and contingency plans to address the risks COVID-19 poses to their critical functions in coordination with the San Bernardino County Office of Emergency Services (OES); and

5) IT IS FURTHER ORDERED, that all City Departments shall track costs for staffing, supplies, and equipment related to COVID-19 preparation and prevention; and

6) IT IS FURTHER ORDERED, that the City's Director of Disaster Services and the Disaster Council of the City shall coordinate Citywide planning, preparedness and response efforts regarding COVID-19 with OES and the San Bernardino County Department of Public Health; and

7) IT IS FURTHER ORDERED, that pursuant to California Penal Code Section 396, it is unlawful for any person or business of the City of Yucaipa to charge more than 10% higher than the price charged by that person or business for 30 days after the proclamation of this local emergency. The statute also authorizes the City Council to extend the price controls for an additional 30-day period as needed to protect the lives, property or welfare of the citizens.

8) IT IS FURTHER ORDERED, that the Local Emergency proclaimed in this Resolution shall take effect immediately and that the City shall give widespread publicity

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and notice of the Local Emergency through the most feasible and adequate means of disseminating such notice throughout the City; and

9) IT IS FURTHER ORDERED, A copy of this proclamation shall be forwarded to the Director of California Governor's Office of Emergency Services requesting that the Director find it acceptable in accordance with State law and to the OES and other government agencies and officials as the City's Director of Disaster Services deems prudent or necessary; and

10) IT IS 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 Yucaipa; and

11) IT IS FURTHER ORDERED, that the City Clerk shall certify to the passage and adoption of this Resolution and shall enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED at an emergency meeting of the City Council held this 18th day of March 2020.



DAVID AVILA, MAYOR

ATTEST:



JENNIFER CRAWFORD, CITY CLERK