Memo

To: Mayor, City Councilmembers, City Manager, City Attorney
From: Yvonne Quarker, City Clerk
Date: March 16, 2020
Re: Urgency Item – Resolution of the City Council of the City of West Hollywood Proclaiming the Existence of a Local Emergency

Attached please find a proposed Urgency Item to be considered for the agenda of March 16, 2020. There may be further revisions that need to be made at the meeting as Staff is learning of new information by the hour.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY
STATEMENT ON THE SUBJECT:
The City Council will consider adding an Urgency Item to the March 16, 2020 Agenda to adopt a Resolution proclaiming the existence of a local emergency in the City of West Hollywood.

In order for this Item to be added to the Agenda as an Urgency Item, it must be approved by 2/3 vote of the Council.

RECOMMENDATION:
Adopt Resolution No. 20-______, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY."

BACKGROUND / ANALYSIS:
California Government Code Section 8630 provides that a local emergency may be proclaimed by the governing body of a City. This Item is requesting that Council adopt a Resolution proclaiming the existence of a local emergency in the City of West Hollywood.

An emergency exists when conditions are beyond the control of the services, personnel, equipment, and facilities of this City. This Resolution is an acknowledgement of the need for the combined forces of other political subdivisions to combat and respond to the novel coronavirus ("COVID-19").

On March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in response to the increased spread of COVID-19. Additionally, on March 4, 2020, the Los Angeles County Board of Supervisors and the Department of Public Health all declared a local and public health emergency in response to increased spread of COVID-19 across the country and in Los Angeles County. Since then, the President of the United States has declared a federal emergency as a result of the spread of the COVID-19.
On March 12, 2020, the City cancelled or postponed all non-essential City events and meetings until June 30, 2020, to help prevent further spread of coronavirus and protect its vulnerable populations.

Due to the increase of reported cases associated with COVID-19, there is an imminent and proximate threat of introduction of COVID-19 in the City that threatens the safety and health of City residents and warrants a declaration of local emergency.

The City’s ability to mobilize local resources, coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future reimbursement by the state and federal governments, are critical to successfully responding to COVID-19.

If adopted, the City Council will review, and as needed renew, this action at least every 60 days. The local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council.

CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST HOLLYWOOD GENERAL PLAN:

This item is consistent with the Primary Strategic Goal(s) (PSG) and/or Ongoing Strategic Program(s) (OSP) of:

- OSP-7: Collaborative Public Safety.
- OSP-12: Actively Participate in Regional Issues.

In addition, this item is compliant with the following goal(s) of the West Hollywood General Plan:

- G-2: Maintain transparency and integrity in West Hollywood’s decision-making process.

EVALUATION PROCESSES:

City Council will review, and as needed renew, this action at least every 60 days

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:

This action has direct impacts on the health and well-being of residents and visitors of West Hollywood.

COMMUNITY ENGAGEMENT:

N/A

OFFICE OF PRIMARY RESPONSIBILITY:

CITY MANAGER’S DEPARTMENT
FISCAL IMPACT:
None at this time. However; the existence of a local emergency will help qualify the City for reimbursement of certain expenses associated with disaster and emergency response.

ATTACHMENTS:
Attachment A: Resolution
Attachment B: Proclamation of Existence of Local Emergency – Los Angeles County
RESOLUTION NO. 20-________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAMING THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, California Government Code Section 8630 provides that a local emergency may be proclaimed by the governing body of a city; and

WHEREAS, on February 26, 2020, the Center for Disease Control (CDC) confirmed the first possible case of community spread of novel coronavirus ("COVID-19") in the United States, and since then, there has been a significant escalation of United States domestic cases of and deaths from COVID-19. The Health Officer of Los Angeles County determined that there is an imminent and proximate threat to the public health from the introduction of COVID-19 in Los Angeles County, and declared a Local Health Emergency; and

WHEREAS, on March 4, 2020 the Chair of the Los Angeles County Board of Supervisors proclaimed the existence of a local emergency; and

WHEREAS, due to the expanding list of countries with widespread transmission of COVID-19, increasing travel alerts and warnings for countries experiencing sustained or uncontrolled community transmission issued by the federal CDC, the escalation of United States domestic cases of and deaths from COVID-19, and the identification of COVID-19 cases in California, including Los Angeles County, COVID-19 has created conditions that are or likely to be beyond the control of local resources and require the combined forces of other political subdivisions to combat; and

WHEREAS, on March 11, 2020 the World Health Organization (WHO) characterized COVID-19 as a pandemic, and

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

WHEREAS, the mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future reimbursement by the state and federal governments will be critical to successfully responding to COVID-19.

The City Council of the City of West Hollywood does hereby find, order and resolve as follows:

SECTION 1. That conditions of extreme peril to the safety of persons and property have arisen within the City of West Hollywood, caused by the novel coronavirus ("COVID-19").
SECTION 2. That the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency;

SECTION 3. That said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of West Hollywood, State of California. As required by law, the City Council shall review the need to continue the state of emergency every 60 days until this resolution is terminated.

SECTION 4. That effective Monday, March 16, 2020 West Hollywood City Hall will be open only for essential business and by appointment only.

SECTION 5. Pursuant to the authority prescribed by West Hollywood Municipal Code Section 2.80, the City Council hereby orders as follows:

a. All restaurants, bars, and night clubs and in the City are hereby ordered closed to onsite patronage until March 31, 2020.
   i. Take-out orders and delivery of meals is permitted, provided that take-out orders are picked up by a single person and social distance is maintained in any necessary queuing.

[ALTERNATIVELY: All restaurants and alcohol beverage establishments in the City are hereby ordered to reduce occupancies and rearrange furniture as necessary to implement social distancing standards]

b. All formal and informal organized and group activities, games and sports are hereby prohibited in all City parks;

[ALTERNATIVELY: All City Dog Parks may remain open; however patrons shall abide by social distancing standards]

c. High visibility signs shall be posted at all City parks advising that:
   ii. COVID-19 is known to survive on surfaces for 72 or more hours; and
   iii. Specified social distancing measures shall be observed.

In order to prevent inconsistencies between any provision in this Section 5 and any federal, state or county order or legislation, the Director of Emergency Services may suspend implementation of any part of this Section 5 in the event that the President of the United States, Congress, Governor of the State of California, California State Legislature or County Board of Supervisors adopts any order or legislation that address the orders covered in this Section 5.
SECTION 6. Notice of the measures set forth in Section 5 shall be provided on the City's website, on the City's social media platforms and by way of email notifications to all restaurants, bars, and night clubs in the City.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City of West Hollywood; and

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 West Hollywood shall be those prescribed by law, by ordinances, and resolutions of the City of West Hollywood, and approved by the City Council. It is further proclaimed and ordered that response and recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate Federal disaster relief programs.

PASSED, APPROVED AND ADOPTED this 16th day of March 2020.

MAYOR

ATTEST:

CITY CLERK
PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY BY THE CHAIR OF THE LOS ANGELES COUNTY BOARD OF SUPERVISORS AND REQUEST FOR A STATE PROCLAMATION

WHEREAS, Chapter 2.68 of the Los Angeles County Code provides that the Chair of the Los Angeles County Board of Supervisors (Board) may proclaim the existence of a local emergency when the County of Los Angeles (County) is affected or likely to be affected by a public calamity and the Board is not in session; and

WHEREAS, the Chair of the Board finds that, beginning on March 4, 2020, conditions of disaster or of extreme peril to the safety of persons and property arose 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. COVID-19 has since spread globally to over 68 countries, infecting more than 90,000 persons and killing more than 3,000 individuals worldwide. As of March 3, 2020, there were 60 COVID-19 cases identified in the United States, including 43 cases in California. In Los Angeles County, there have been five confirmed cases of COVID-19, with additional test results pending. Due to the expanding list of countries with widespread transmission of COVID-19, increasing travel alerts and warnings for countries experiencing sustained or uncontrolled community transmission issued by the federal Centers for Disease Control and Prevention ("CDC"), the escalation of United States domestic cases of and deaths from COVID-19, and the identification of COVID-19 cases in California, including Los Angeles County, COVID-19 has created conditions that are or likely to be beyond the control of local resources and require the combined forces of other political subdivisions to combat; and

WHEREAS, on February 26, 2020, the CDC confirmed the first possible case of community spread of COVID-19 in the United States. Over the past week, there has been a significant escalation of United States domestic cases of and deaths from COVID-19. The Health Officer of Los Angeles County has determined that there is an imminent and proximate threat to the public health from the introduction of COVID-19 in Los Angeles County, and has concurrently declared a Local Health Emergency; and

WHEREAS, the mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future reimbursement by the state and federal governments will be critical to successfully responding to COVID-19; and

WHEREAS, these conditions warrant and necessitate that the County proclaim the existence of a local emergency.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED by the Chair of the Board that a local emergency exists in Los Angeles County, and the local emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the Board; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the emergency organization of the County shall be those prescribed by state law, by ordinances, and resolutions of the County; and

IT IS FURTHER PROCLAIMED AND ORDERED that a copy of this proclamation 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; that the Governor of California, pursuant to the Emergency Services Act, issue a proclamation declaring an emergency in Los Angeles County; that the Governor waive regulations that may hinder response and recovery efforts; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs.

Date: March 4, 2020

Kathryn Barger
Chair, Los Angeles County Board of Supervisors
HOA.10260986.1

ATTACHMENT B
DECLARATION OF A LOCAL HEALTH EMERGENCY REGARDING NOVEL CORONAVIRUS (COVID-19)

WHEREAS, California Health and Safety Code section 101080 authorizes a local health officer to declare a local health emergency within the health officer's jurisdiction, whenever the local health officer reasonably determines that there is an imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, noncommunicable biologic agent, toxin, or radioactive agent; and

WHEREAS, California Health and Safety Code section 101040 authorizes the local health officer to take any preventive measure that may be necessary to protect the public and preserve public health from any public health hazard during an emergency; and

WHEREAS, the Health Officer of the County of Los Angeles makes the following findings:

Novel coronavirus (COVID-19), a new communicable disease, was first detected in Wuhan City, Hubei Province, China in December 2019. COVID-19 has since spread globally to over 68 countries, infecting more than 90,000 persons and killing more than 3,000 individuals. Symptoms of the virus include fever, cough, and shortness of breath, and infected individuals have experienced a range of outcomes, from mild sickness to severe illness and death. On January 30, 2020, the World Health Organization declared the COVID-19 outbreak a Public Health Emergency of International Concern. On January 31, 2020, the United States Secretary of Health and Human Services, Alex M. Azar II, declared a Public Health Emergency to aid the nation in responding to COVID-19. On February 2, 2020, the federal government began restricting the entry of foreign nationals traveling to the U.S. from affected countries, and enhanced the screening of U.S. citizens, residents and family members returning to the U.S. from impacted countries, performing risk assessments and requiring monitoring, federal quarantine, or medical isolation and care based on assessed risk.

To combat the spread of COVID-19, the counties of Orange, Santa Clara, San Diego, Sonoma, and the city and county of San Francisco have each declared local health emergencies and proclaimed local emergencies.

Although coronaviruses are a group of viruses that are known to the medical community, this is a new type of human coronavirus. As cases are identified and investigated and their contacts monitored, we are confirming our understanding about the modes and duration of transmission, period of infectivity, spectrum of disease, case fatality, persons most at risk of serious illness, and optimal therapy in the absence of specific treatments. Currently, there is no vaccine to prevent or specific antiviral treatment for COVID-19.

In Los Angeles County, there have now been seven confirmed cases of COVID-19, with additional test results pending. All five cases are linked to known exposures. This will likely increase in the future, based on the following:
There was a significant escalation of United States domestic cases of and deaths from COVID-19 over the past week. As of March 3, 2020, there were 60 US cases, including 6 deaths from COVID-19.

In California, as of March 2, 2020 there are 43 COVID-19 cases: 24 are from repatriation flights. The other 19 confirmed cases include ten that are travel related and two due to person-to-person exposure from family contact, three due to person-to-person exposure in a health care facility and four from unknown sources. The County Department of Public Health continues to monitor 600 to 1000 returning travelers who are deemed to be at medium risk of exposure to COVID-19, based on the current screening procedures at Los Angeles International Airport (LAX), and who could develop the disease up to 14 days after their last exposure to the virus.

The above facts raise the likelihood of widespread community transmission occurring among the general public in the United States and the need for the County of Los Angeles and public to work cooperatively and proactively to slow the spread of COVID-19 and address any challenges that may arise due to this disease in Los Angeles County.

WHEREAS, the Health Officer of the County of Los Angeles does hereby find that there is an imminent and proximate threat to public health from the introduction of COVID-19 in Los Angeles County.

NOW, THEREFORE, the Los Angeles County Health Officer hereby declares that a local health emergency now exists in the County of Los Angeles.

This declaration shall remain in effect for no longer than seven days unless ratified by the Los Angeles County Board of Supervisors and continued for up to an additional 30 days.

Date: March 4, 2020

Time: 8:00AM

Muntu Davis, M.D., M.P.H.
County Health Officer
County of Los Angeles