

REPORT TO CITY COUNCIL

DATE: DECEMBER 16, 2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: NATHAN HAMBURGER, CITY MANAGER

BY: LOUIS CELAYA, DEPUTY CITY MANAGER

SUBJECT: ADOPT RESOLUTION NO. 20-1963, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, PROCLAIMING THE CONTINUED EXISTENCE OF A LOCAL EMERGENCY CONCERNING THE COVID-19 VIRUS AND PROCLAIMING THAT THE CITY'S LOCAL EMERGENCY SHALL CONTINUE TO EXIST UNTIL EXPRESSLY TERMINATED

On March 17, 2020, the City Council adopted Resolution No. 20-1926, ratifying the Director of Emergency Services' proclamation of the existence of a local emergency. The local emergency was proclaimed by the City Manager, in his capacity as the City's Director of Emergency Services, on March 16, 2020.

Under Government Code Section 8630(c), governing bodies are required to review the need to continue the local emergency at least once every sixty days until the governing body terminates the local emergency. On March 4, 2020, in his Proclamation of a State Emergency, the Governor waived for the duration of the statewide emergency the 60-day time period required by Government Code Section 8630, within which local governments normally must renew a local emergency, and proclaimed that any local emergency proclaimed will remain in effect until each local governing authority terminates its local emergency.

As a matter of administrative process, and after discussion with the City Attorney, many agencies are adopting resolutions proclaiming the continued existence of the local emergency, and stating the local emergency will continue until expressly terminated. This will continue to demonstrate the City is following required protocols to continue to be eligible for future federal or state funding that may become available.

The attached resolution acknowledges the continued existence of the local emergency, the local emergency has created conditions that are beyond the control of local resources, and proclaims the continuation of the local emergency until terminated by the City Council of the City of Agoura Hills. At the conclusion of the local emergency, staff will return with a resolution terminating the existence of the local emergency.

RECOMMENDATION

Staff respectfully recommends the City Council Adopt Resolution No. 20-1963, a Resolution of the City Council of the City of Agoura Hills, California, Proclaiming the Continued Existence of a Local Emergency Concerning the COVID-19 Virus and Proclaiming that the City's Local Emergency Shall Continue to Exist Until Expressly Terminated

Attachment: Resolution No. 20-1963

RESOLUTION NO. 20-1963

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, PROCLAIMING THE CONTINUED EXISTENCE OF A LOCAL EMERGENCY CONCERNING THE COVID-19 VIRUS AND PROCLAIMING THAT THE CITY'S LOCAL EMERGENCY SHALL CONTINUE TO EXIST UNTIL EXPRESSLY TERMINATED

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARS-CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19 ("COVID-19");

WHEREAS, on March 4, 2020, the Governor of the State of California 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 the broader spread of COVID-19;

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread and addressing the effects of COVID-19;

WHEREAS, on March 16, 2020, the City Manager, in his capacity as the Director of Emergency Services for the City of Agoura Hills, proclaimed the existence of a local emergency pursuant to Section 3605 of the Agoura Hills Municipal Code to ensure the availability of mutual aid and an effective City response to COVID-19;

WHEREAS, on March 17, 2020, the City Council adopted Resolution No. 20-1926, ratifying the Director of Emergency Services' proclamation of the existence of a local emergency;

WHEREAS, Government Code Section 8630(c) requires the City Council to review the need for continuing the local emergency at least once every 60 days until the City Council terminates the local emergency;

WHEREAS, on March 4, 2020, in Section 8 of his Proclamation of a State Emergency, Governor Newsom: 1) waived for the duration of the statewide emergency the 60-day time period required by Government Code Section 8630, within which local governments normally must renew a local emergency; and 2) proclaimed that any local emergency proclaimed will remain in effect until each local governing authority terminates its local emergency;

WHEREAS, since the City's proclamation of emergency, various orders and/or recommendations have been implemented by the State of California and the County of Los Angeles (e.g., stay at home orders, prohibitions on social gatherings, imposing social

distancing measures and requiring face coverings). Such orders and recommendations continue to be in place as COVID-19 continues to spread globally, including within the City of Agoura Hills;

WHEREAS, the City Council does hereby find that especially given the continued increase in the number of COVID-19 cases and COVID-19 related hospitalizations, there is still a need to continue to preserve the public health in the face of COVID-19 and the Governor's Executive Orders continue to direct all residents to obey State public health directives;

WHEREAS, COVID-19 continues to create conditions that are likely to be beyond the control of local resources and require the combined forces of other political subdivisions to combat. 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, the City Council does hereby find that the above described conditions of disaster or of extreme peril continue to warrant and necessitate the continued proclamation of the existence of a local emergency for continued protection of life and property affected by the COVID-19 crisis.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. All the recitals set forth above are true and correct and incorporated herein as if set forth in full.

Section 2. Proclamation of Continued Local Emergency. Based on the findings set forth above, the City Council of the City of Agoura Hills hereby proclaims that a local emergency continues to exist throughout the City of Agoura Hills and reaffirms the proclamation of a local emergency as set forth in Resolution No. 20-1926, adopted by the City Council on March 17, 2020.

Section 3. Continuation of Local Emergency Until Express Termination. The City Council also hereby proclaims and confirms that the City of Agoura Hills's local emergency shall be deemed to continue to exist until the local emergency is expressly terminated by the City Council of the City of Agoura Hills, without the need to review and confirm the local emergency every 60 days, consistent with Governor Newsom's March 4, 2020, Proclamation of a State of Emergency.

Section 4. This Resolution shall be effective immediately upon its passage and approval.

Section 5. 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 this 16th day of December, 2020.

Denis Weber, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC
City Clerk