City of Lafayette  
Staff Report  
City Council

Meeting Date: March 20, 2020  
From: Niroop Srivatsa, City Manager  
Subject: Resolution Ratifying the Proclamation of Emergency by the Mayor Due to the Spread of a Severe Acute Respiratory Illness Caused by a Novel (New) Coronavirus (“COVID-19”)

Recommendation

Adopt a Resolution Ratifying the Proclamation of Emergency by the Mayor Due to the Spread of a Severe Acute Respiratory Illness Caused by a Novel (New) Coronavirus (“COVID-19”).

Background and Discussion

Pursuant to California Government Code Section 8630 and Lafayette Municipal Code Section 8-314, on March 15, 2020, the Mayor Proclaimed an Emergency due to conditions of extreme peril to the safety of persons and property within the City as a consequence of the global spread of a severe acute respiratory illness caused by a novel (new) coronavirus (“COVID-19”), including numerous confirmed cases in Contra Costa County. As a result of multiple confirmed and presumed cases in Contra Costa County, the County has declared a local health emergency.

The Governor of the State of California Proclaimed a State of Emergency for COVID-19 and on March 10, 2020, Contra Costa Health Services reported ten confirmed cases of COVID-19, prompting the County to declare a local health emergency.

On March 11, 2020, the World Health Organization described the virus as a pandemic.

The Resolution would ratify the proclamation of emergency by the Mayor during the local emergency provide that the City Manager shall have the authority to promulgate or suspend orders and regulations necessary to provide for the protection of life and property pursuant to Government Code section 8634. Such orders and regulations and amendments and rescissions thereof shall be in writing and shall be given widespread publicity and notice.

The City Council shall review the need for continuing the local emergency at least once every 60 days until the City Council terminates the local emergency and shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.
Attachments

1. Resolution 2020-10
2. Proclamation of Emergency
BEFORE THE CITY COUNCIL OF THE CITY OF LAFAYETTE

A Resolution of the City Council of the City of Lafayette, California, Ratifying the Proclamation of Emergency by the Mayor Due to the Spread of a Severe Acute Respiratory Illness Caused by a Novel (New) Coronavirus (“COVID-19”) Resolution No. 2020-10

WHEREAS, the California Emergency Services Act, Government Code sections 8558(c) and 8630 authorize the proclamation of a local emergency when conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a city exist; and

WHEREAS, pursuant to Government Code section 8630 such an emergency may be proclaimed by the governing body or by an official designated by ordinance adopted by the governing body; and

WHEREAS, Lafayette Municipal Code section 8-314 provides that the Mayor may request the City Council to proclaim the existence of a local emergency; and

WHEREAS, under provision of local law, the Mayor may proclaim a local emergency, which must be ratified or nullified by the City Council within seven days of issuance; and

WHEREAS, in accordance with authority granted under the above provisions of state and local law, the Mayor beginning on March 15, 2020 did proclaim the existence of a local emergency caused by epidemic in the form of the global spread of a severe acute respiratory illness caused by a novel (new) coronavirus (“COVID-19”); and

WHEREAS, the Governor of the State of California has Proclaimed a State of Emergency for COVID-19; and

WHEREAS, the World Health Organization has described COVID-19 as a pandemic, and

WHEREAS, the President has declared a national emergency for COVID-19; and

WHEREAS, there have been numerous confirmed cases of COVID-19 in California, the San Francisco Bay Area, and numerous confirmed cases originating in Contra Costa County, prompting the County to declare a local health emergency; and

WHEREAS, the County issued an order dated March 16, 2020 directing all individuals living within the County to shelter at their place, directing all businesses and governmental agencies to cease non-essential operations, and prohibiting all non-essential gatherings of any number of individuals, and ordering cessation of all non-essential travel; and

WHEREAS, the City Council does find that the aforesaid conditions were of extreme peril and that these conditions did warrant and necessitate the proclamation of a local emergency; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Lafayette that it is hereby proclaimed and ordered that the Proclamation of Local Emergency, issued by the Mayor, is hereby
ratified and confirmed.

BE IT FURTHER RESOLVED that during the local emergency the City Manager shall have the authority to promulgate or suspend orders and regulations necessary to provide for the protection of life and property pursuant to Government Code section 8634. Such orders and regulations and amendments and rescissions thereof shall be in writing and shall be given widespread publicity and notice.

BE IT FURTHER RESOLVED that during the existence of this local emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, ordinances, resolutions and approved plans of the City of Lafayette.

BE IT FURTHER RESOLVED that the City Council shall review the need for continuing the local emergency at least once every 60 days until the City Council terminates the local emergency and shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.

DATED: ________________________

Mike Anderson, Mayor

ATTEST:

______________________________
Joanne Robbins, City Clerk
PROCLAMATION OF THE MAYOR OF THE CITY OF LAFAYETTE

BE IT PROCLAIMED by the Mayor of the City of Lafayette as follows:

WHEREAS, the California Emergency Services Act, Government Code sections 8558(o) and 8630 authorize the proclamation of a local emergency when conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a city exist; and

WHEREAS, pursuant to Government Code section 8630 such an emergency may be proclaimed by the governing body or by an official designated by ordinance adopted by the governing body; and

WHEREAS, Lafayette Municipal Code section 8-314 provides that the Mayor may request the City Council to proclaim the existence of a local emergency; and

WHEREAS, the City Council is not in session and cannot immediately be called into session; and

WHEREAS, under provision of local law, the Mayor may proclaim a local emergency, which must be ratified or nullified by the City Council within seven days of issuance; and

WHEREAS, in accordance with my authority under the above provisions of state and local law as Mayor; and

WHEREAS, the circumstances of extreme peril to public safety described below are so severe and require immediate remedial action; and

WHEREAS, as Mayor, I have determined that the proclamation of a local emergency is warranted by virtue of the extreme peril to the safety of persons and property in the City caused by epidemic in the form of the global spread of a severe acute respiratory illness caused by a novel (new) coronavirus ("COVID-19"), and

WHEREAS, the Governor of the State of California has Proclaimed a State of Emergency for COVID-19; and

WHEREAS, the World Health Organization has described COVID-19 as a pandemic, and

WHEREAS, the President has declared a national emergency for COVID-19; and

WHEREAS, there have been numerous confirmed cases of COVID-19 in California, the San Francisco Bay Area, and numerous confirmed cases originating in Contra Costa County, prompting the County to declare a local health emergency; and

BE IT FURTHER PROCLAIMED that this proclamation shall be in effect for a period of seven days by which time it must be ratified or nullified by the Council of the City of Lafayette, pursuant to Government Code section 8630.

NOW, THEREFORE, I HEREBY PROCLAIM that, effective immediately, a local emergency now exists in the City as a result of the circumstances described above.

BE IT FURTHER ORDERED THAT all City officers and employees take all steps requested by the City Manager to prevent the spread of COVID-19 and to prevent or alleviate illness or death due to the virus; and

BE IT FURTHER ORDERED THAT all City officers and employees take all steps requested by the City Manager to qualify the City for reimbursement from the Federal Emergency Management Agency and for other state and federal relief as may be available to reimburse the City for the expenses it incurs in addressing this emergency.

Dated: March 15, 2020

By: [Signature]

Mike Anderson,
Mayor, City of Lafayette