



Agenda Report

Fullerton City Council

MEETING DATE: JULY 7, 2020

TO: CITY COUNCIL / SUCCESSOR AGENCY

PREPARED BY: KENNETH A. DOMER, CITY MANAGER

SUBJECT: REAFFIRMATION OF DECLARATION OF LOCAL EMERGENCY DUE TO COVID-19 PANDEMIC

SUMMARY

On March 17, 2020, City Council adopted Resolution No. 2020-33 ratifying the proclamation of a local emergency due to the COVID-19 pandemic and reaffirmed the Proclamation on May 5, 2020. Per Government Code Section 8630, City Council is requested to again reaffirm the local emergency.

RECOMMENDATION

Adopt Resolution No. 2020-XX.

RESOLUTION NO. 2020-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, REAFFIRMING RESOLUTION NO. 2020-33 WHICH RATIFIED THE CITY MANAGER'S DECLARATION OF THE EXISTENCE OF A LOCAL EMERGENCY

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statement:

- Public Safety.

FISCAL IMPACT

No fiscal impact.

DISCUSSION

On January 31, 2020, the United States federal government declared a public health emergency in response to growing concern for public health related to the novel coronavirus (COVID-19) pandemic. On February 26, 2020, the County of Orange declared a local health emergency and on March 4, 2020, Governor Newsom declared a state of emergency in California.

On March 16, 2020, in response to these actions and pursuant to Government Code Section 8550 et seq., including Section 8558(c), the City Manager, acting in his lawful capacity as Director of Disaster Services, proclaimed the existence of a local emergency in Fullerton (Attachment 1). On March 17, 2020, City Council ratified the proclamation through its approval of Resolution No. 2020-33 (Attachment 2). On May 5, 2020 City Council adopted Resolution No. 2020-41, reaffirming Resolution No. 2020-33 (Attachment 3).

Pursuant to Government Code Section 8630, City Council is required to “review the need for continuing the local emergency at least once every 60 days until the governing body (i.e. the City Council) terminates the local emergency. Considering the continuing actions by the federal government, the State of California and the County of Orange to control the spread of COVID-19, it is not likely the local emergency will conclude within the 60-day window triggered by the initial emergency declaration, which ends on May 16, 2020. While the Governor’s State of Emergency declaration on March 4, 2020 waives the 60-day requirement of Government Code Section 8630, the City Attorney’s Office desires, out of an abundance of caution, for the City Council to continue to follow Government Code Section 8630. Staff therefore recommends the City Council adopt a resolution reaffirming and continuing the current declaration of a local emergency.

Attachments:

- Attachment 1 – Proclamation 2020-01
- Attachment 2 – Resolution No. 2020-33
- Attachment 3 – Resolution No. 2020- 41
- Attachment 4 – Draft Resolution No. 2020-XX