



Agenda Report

Fullerton City Council

MEETING DATE: JUNE 15, 2021

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: STEVE DANLEY, ACTING CITY MANAGER

PREPARED BY: LUCINDA WILLIAMS, CITY CLERK

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

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, July 7, 2020, August 18, 2020, November 2, 2020, February 16, 2021 and April 20, 2021. Staff requests City Council again reaffirm the local emergency per Government Code Section 8630.

RECOMMENDATION

Adopt Resolution No. 2021-XX.

RESOLUTION NO. 2021-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 government declared a public health emergency in response to growing concern for public health related to the novel

coronavirus (COVID-19) pandemic. The County of Orange declared a local health emergency on February 26, 2020 and Governor Newsom declared a state of emergency in California on March 4, 2020.

On March 16, 2020, the City Manager, acting in his lawful capacity as Director of Disaster Services pursuant to Government Code Section 8550 et seq. including Section 8558(c), proclaimed the existence of a local emergency in Fullerton (Attachment 1).

City Council adopted Resolution No. 2020-33 on March 17, 2020 to ratify the proclamation. Additionally, City Council adopted the following resolutions to reaffirm Resolution No. 2020-33:

Resolution No:	Date Adopted:
Resolution No. 2020-41	May 5, 2020
Resolution No. 2020-58	July 7, 2020
Resolution No. 2020-69	August 18, 2020
Resolution No. 2020-95	November 2, 2020
Resolution No 2021-16	February 16, 2021
Resolution No 2021-21	April 20, 2021

Government Code Section 8630 requires City Council to “review the need for continuing the local emergency at least once every 60 days until the governing body (i.e. 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, the local emergency did not conclude within the 60-day window triggered by the initial emergency declaration. While the Governor’s March 4, 2020 State of Emergency declaration waives the 60-day requirement of Government Code Section 8630, the City Attorney’s Office desires, out of an abundance of caution, that City Council continue to follow Government Code Section 8630. Staff therefore recommends City Council adopt another resolution reaffirming and continuing the current declaration of a local emergency.

Attachments:

- Attachment 1 – Proclamation No. 2020-01
- Attachment 2 – Draft Resolution No. 2021-XX