

RESOLUTION NO. 4168**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE WORLDWIDE SPREAD OF THE CORONAVIRUS (“COVID-19”)**

WHEREAS, the California Emergency Services Act (California Government Code sections 8639, 8550, et. seq.) defines a local emergency as the existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a city, caused by conditions such as an epidemic, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of a city, and require the combined forces of other political subdivisions to combat; and

WHEREAS, Chapter 8.08, section 8.08.020 of the City of Capitola (“City”) Municipal Code defines an emergency as the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this city caused by such conditions as air pollution, fire, flood, storm, epidemic, riot or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities for this city, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, in December 2019 and January 2020, there began worldwide reports of a flu-like virus first found in China, that was more deadly than the flu, with the virus becoming known as the Coronavirus (“COVID-19”); and

WHEREAS, from January 2020 to March 2020, COVID-19 spread throughout the world, with over 114,000 confirmed cases of individuals contracting COVID-19, and over 4,000 confirmed cases of individuals dying from COVID-19; and

WHEREAS, on March 4, 2020, the County of Santa Cruz Health Officer declared a local health emergency due to the imminent threat to public health and safety caused by COVID-19. The County Board of Supervisors ratified this declaration on March 10, 2020; and

WHEREAS, on March 10, 2020, the County of Santa Cruz Board of Supervisors proclaimed the existence of a local emergency due to COVID-19; and

WHEREAS, as of March 12, 2020, the Centers for Disease Control and Prevention (“CDC”) has confirmed 1,215 cases of COVID-19 in the United States, with 36 cases resulting in death, with 43 jurisdictions, including California, reporting cases; and

WHEREAS, on March 11, 2020, the County of Santa Cruz Public Health Division announced the County’s third and fourth cases of COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization (“WHO”) classified the spread of COVID-19 internationally as a global pandemic; and

WHEREAS, on March 4, 2020, as part of the State of California’s response to address the global COVID-19 outbreak, Governor Gavin Newsom 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 broader spread of COVID-19 following one official COVID-19 death.

WHEREAS, on March 11, 2020, the California Department of Public Health issued guidance that gatherings of more than 250 people, small gatherings that do not allow social distancing of six feet per person, and gatherings of more than 10 people at higher risk should be cancelled or postponed through the end of March.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Capitola determines that the existence and anticipated spread of COVID-19 is an Emergency Situation, as defined in California Government Code Section 54956.5, because it severely impairs public health and safety; and

BE IT FURTHER RESOLVED, that the City Council of the City of Capitola determines that:

1. The existence and anticipated spread of COVID-19 is a Local Emergency, as defined by the California Emergency Services Act (California Government Code sections 8639, 8550, et. seq.); and
2. Said Local Emergency shall be deemed to continue to exist and shall be reviewed at least once every 60 days until its termination is proclaimed by the City Council of the City of Capitola per California Government Code section 8630; and
3. The City Manager or his designee is authorized to take whatever other action is authorized under the Capitola Municipal Code and state and federal law, subject to any required authorization from the City Council, consistent with this Resolution and its basic purposes.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the City Council of the City of Capitola on the 12th day of March, 2020, by the following vote:

AYES: Council Members Bertrand, Bottorff, Brooks and Storey and Mayor Petersen
NOES: None
ABSENT: None
ABSTAIN: None


Kristen Petersen, Mayor

Attest:


Liz Nichols, Deputy City Clerk