

RESOLUTION NO. 2020-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS, CALIFORNIA, DECLARING A LOCAL EMERGENCY DUE TO THE PUBLIC THREAT CAUSED BY CORONAVIRUS (COVID-19)

WHEREAS, Coronavirus, also known as COVID-19, was first reported in China in December 2019; and

WHEREAS, in less than three (3) months, COVID-19 has infected over 135,000 people in 120 cases and has caused nearly 5,000 deaths; and

WHEREAS, COVID-19 can take up to 14 days to exhibit symptoms, is highly contagious (even when not showing symptoms), and has no known vaccine; and

WHEREAS, COVID-19 was first identified in the United States on January 21, 2020, and since then, there has been a total of 1,599 confirmed cases and 40 deaths; and

WHEREAS, public facilities, schools, major events, and activities throughout Southern California have been cancelled, closed or postponed; and

WHEREAS, on February 26, 2020, the Centers for Disease Control and Prevention (“CDC”), confirmed the first possible case of community transmission of the COVID-19 in the United States; and

WHEREAS, on March 4, 2020, California Governor Gavin Newsom declared a State of Emergency and the County of Los Angeles, City of Los Angeles, City of Long Beach and City of Pasadena all declared Local Emergencies; and

WHEREAS, on March 11, 2020, the World Health Organization (“WHO”) publicly characterized COVID-19 as a pandemic; and

WHEREAS, on March 12, 2020, the City of Bell Gardens (“City”) began taking measures to reduce the spread of the virus by canceling all City-planned events for the Month of March, temporarily closing the Senior Center programs and activities; recreational classes; STAR program activities; large group facility; senior soccer program; youth baseball awards ceremony; coffee with a Cop; Census Complete Count Committee; and Censoteria; and

WHEREAS, on March 12, 2020, Governor Newsom issued Executive Order N-25-20 in a further effort to confront and contain COVID-19, that among other things suspended certain provisions of the Ralph M. Brown Act providing local agencies with greater flexibility to hold meetings via teleconferencing; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency due to the continued spread and the effects of COVID-19; and

WHEREAS, the City Council does hereby find the following:

1. That the above recitals are true and correct and based thereon, hereby finds that the spread and potential further spread of COVID-19 constitutes a situation that severely impairs the public health and safety within the City and constitutes conditions of extreme peril to the safety of persons and property within the City;
2. That these conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City; and
3. That the conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency.

WHEREAS, Title 2 (administration and Personnel), Chapter 2.34 (Disaster Council), Section 2.34.030 (Created – Membership) of the Bell Gardens Municipal Code (“Code”) creates the Bell Gardens disaster council and shall consist of: 1) The mayor, who shall be chairman; 2) the director of emergency services, who shall be vice chairman; 3) the coordinator of emergency services; 4) such chiefs of emergency services as are provided for in a current emergency plan of this City; and 5) such representatives of civic business, labor, veterans, professional, or other organizations having an official emergency responsibility, and may be appointed by the director with the advice and consent of the City Council; and

WHEREAS, Title 2 (administration and Personnel), Chapter 2.34 (Disaster Council), Section 2.34.050 (Director and coordinator of emergency services – Offices created), of the City’s Municipal Code designates the City Manager to act as Director of Emergency Services, as part of the Bell Gardens Disaster Council and allows the Director to appoint office of coordinator of emergency services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bell Gardens as follows:

SECTION 1. At the City Council meeting of March 17, 2020, the City Council declared a Local Emergency due to Coronavirus (COVID-19).

SECTION 2. That during the threatened existence and actual existence of the local emergency, the powers, functions, and duties of the Director of Emergency Services and the emergency organization of the City shall be those prescribed by state law, by ordinances, and resolutions of the City and approved by the City Council.

SECTION 3. That, the City Manager, as the Director of Emergency Services, is hereby authorized to exercise his powers and duties as provided in § 2.34.060 of the Bell Gardens Municipal Code.

SECTION 4. To ensure that City vendors are paid in a timely manner, the City Manager is authorized and directed to approve the claims and demands, make payments

thereon, and finally to bring those claims and demands to the City Council at future meetings for ratification of the payments made.

SECTION 5. That the City Council will utilize, to the extent reasonably feasible and appropriate, the ability to conduct its council meetings via teleconferencing and other electronic means to permit councilmembers and members of the public to adopt social distancing to the greatest extent possible while still proceeding with the efficient handling of the City's business, in compliance with California Executive Order N-25-20.

SECTION 6. To the full extent ordered by the County of Los Angeles Public Health Department and the State of California, all business establishments for which members of the public typically congregate for eating, recreation or exercise (e.g., restaurants, bars, nightclubs, gymnasiums and the like) shall adhere to the operational restrictions established by declaration, proclamation or executive order of the County of Los Angeles Public Health Department; the State of California and the federal government of the United States of America, including the office of the President of the United States.

SECTION 7. To the fullest extent permitted by applicable law, declaration or executive order of the State of California or as may otherwise be provided under the Bell Gardens Municipal Code or collective bargaining agreement, the City Manager shall be authorized to make such urgency expenditures as may be necessary to preserve the public health safety and welfare and make such personnel assignments as may be necessary for the orderly and effective functioning of City government, including but not limited to services that directly impact the health and safety of the public.

SECTION 8. The City Clerk shall attest and certify to the passage and adoption of this Resolution and enter it into the book of original resolutions, and it shall become effective immediately upon its approval.

PASSED, APPROVED and ADOPTED this 17th day of March, 2020.

THE CITY OF BELL GARDENS

Alejandra Cortez, Mayor

APPROVED AS TO FORM:

ATTEST:

Rick Olivarez
City Attorney

Jane Halstead
City Clerk