



# City of Hidden Hills

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## MEMORANDUM

**To:** Honorable Mayor and Members of the City Council

**From:** Roxanne Diaz, City Attorney

**Date:** March 16, 2020

**Subject:** Consideration of a Resolution Ratifying the Director of Emergency Services' Proclamation of the Existence of a Local Emergency

### Background

On March 15, 2020, the City Manager in his capacity as the Director of Emergency Services executed a Proclamation of Local Emergency due to the Novel Coronavirus Pandemic. State law and the City's Municipal Code require that the City Council ratify the Proclamation of Local Emergency within seven (7) days of its adoption.

### Discussion

Governments worldwide are responding to an outbreak of respiratory disease caused by a novel (new) coronavirus that was first detected in China and which has now been detected in almost over 100 countries, including in the United States. The virus has been named "SARS-CoV-2" and the disease it causes has been named "coronavirus disease 2019" (abbreviated "COVID-19").

COVID-19 is a serious disease that has killed over 4,000 people worldwide with over 1,100 confirmed cases and over 30 deaths in the United States. On March 4, 2020, the California Governor proclaimed a state of emergency in California. On, March 5, the County of Los Angeles declare a local emergency due to COVID-19. On March 11, 2020, the World Health Organization declared the categorized the disease as a global pandemic. On March 13, the President of the United States declared a national emergency.

Through Hidden Hills Municipal Code Section 4-2-4.B.1(a), the City Manager is the Director of Emergency Services. As such, he proclaimed a Local Emergency on Sunday March 15, 2020 to enhance the City's ability to protect public health and safety, and to mobilize local resources, coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and seek potential reimbursement by the State and Federal governments.

Per California Government Code § 8630 and the Hidden Hills Municipal Code, a proclamation of local emergency must be ratified by the governing body within 7 days of issuance and reviewed and continued every 30 days thereafter until termination of the local emergency as conditions warrant. The declaration of emergency permits the City to invoke the emergency powers of the City and to potentially qualify for state and or federal funding.

**Fiscal Impact**

Ratification of this resolution will maintain the City's compliance with State and Federal requirements for emergency response and promote the City's eligibility to receive State and Federal emergency assistance funds. It is recommended that the Finance Department designate an separate account to capture all costs associated with the 2020 Coronavirus Pandemic.

**Recommendation**

Adopt Resolution No. 950, A Resolution of the City Council of the City of Hidden Hills Ratifying the Director of Emergency Services' Proclamation of the Existence of a Local Emergency

Attachments:

Exhibit 1 – Resolution No. 950

**RESOLUTION NO. 950**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS  
RATIFYING THE DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION OF  
THE EXISTENCE OF A LOCAL EMERGENCY**

**WHEREAS**, the City Manager is the Director Emergency Services in the City of Hidden Hills. Pursuant to Hidden Hills Municipal Section 4-2-4.B.1(a), the Hidden Hills Municipal Code empowers the City Manager as the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when said city is affected or likely affected by a public calamity and the City Council is not in session, subject to ratification by the City Council within 7 days; and

**WHEREAS**, conditions of disaster or of extreme peril to the health and safety of persons and property have arisen both Internationally and within the United States as a result of the introduction of the novel coronavirus (COVID-19), a novel communicable disease, which was first detected in December 2019; and

**WHEREAS**, COVID-19 has spread globally to over 70 countries, infecting more than 118,000 persons and killing more than 4,200 individuals worldwide. Due to the expanding list of countries with widespread transmission of COVID-19, and increasing travel alerts and warnings for countries experiencing sustained or uncontrolled community transmission issued by the Centers for Disease Control and Prevention (CDC), COVID-19 has created conditions that are likely to be beyond the control of local resources and require the combined forces of other political subdivisions to combat; and

**WHEREAS**, on February 26, 2020, the CDC confirmed the first case of local person-to-person transmission of COVID-19 in the United States and this case raises the possibility of community transmission occurring in the general public. Also on March 5, 2020, the County of Los Angeles declared a local emergency to prepare in the event of a COVID-19 outbreak; and

**WHEREAS**, on March 4, 2020, Gavin Newsom, Governor of the State of California, proclaimed a state of emergency to exist in California due to the spread of COVID-19 and further on March 12, 2020, issued Executive Order N-25-20 in furtherance of the state of emergency; and

**WHEREAS**, as of March 12, 2020, across the globe, there were more than 130,000 confirmed cases of COVID-19, tragically resulting in more than 4,000 deaths worldwide; and

**WHEREAS**, as of March 13, 2020, there were over 1,621 COVID-19 cases identified in the United States, including over 335 cases in California. As of March 15, 2020, there are 69 cases in Los Angeles County, and officials expect the number of cases in California, the United States, and worldwide to increase; and

**WHEREAS**, on March 13, 2020, the President of the United States of America declared a national emergency; and

**WHEREAS**, due to the expanding list of countries with widespread transmission of COVID-19, increasing travel alerts and warnings for countries experiencing sustained or uncontrolled community transmission issued by the CDC, the escalation of United States domestic cases of and deaths from COVID-19, and the identification of COVID-19 cases in California, COVID-19 has created conditions that are or likely to be beyond the control of local resources and require the combined forces of other political subdivisions to combat; and

**WHEREAS**, the Centers for Disease Control and Prevention, the California Department of Health and the Los Angeles County Department of Public Health and the County of Los Angeles Office of Emergency Management have all issued recommendations including but not limited to social distancing, staying home if sick, canceling or postponing large group events, and other precautions to protect public health and prevent transmission of this communicable virus; and,

**WHEREAS**, the City's ability to mobilize local resources, coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and seek future reimbursement by the State and Federal governments will be critical to successfully responding to COVID-19; and

**WHEREAS**, these conditions have endangered the safety of persons within the City of Hidden Hills due to the spread of COVID-10, which threatens extreme peril to the safety of persons and property, at which time the City Council was not in session; and

**WHEREAS**, the City Council does hereby find that the above described conditions of extreme peril did warrant and necessitate the proclamation of the existence of a local emergency by the Director of Emergency Services; and

**WHEREAS**, the Director of Emergency Services of the City of Hidden Hills did proclaim the existence of a local emergency within this City on the 15th day of March, 2020;

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Hidden Hills that the Proclamation of Existence of a Local Emergency, as issued by the Director of Emergency Services is hereby ratified and confirmed and there exists a local emergency throughout the City of Hidden Hills; and

**IT IS FURTHER ORDERED**, that the City Council ratifies that the City Manager shall serve as the Director of Emergency Services and during the existence of said local emergency the powers, functions, and duties of the City Manager and the Director of Emergency Services, as well as the Deputy Director of Emergency Services and the Assistant Director of Emergency Services, if appointed, and the Emergency Organization of the City shall be those prescribed by state law, by ordinances, and resolutions of the City and by the approved emergency plans of the City of Hidden Hills; and

**IT IS FURTHER ORDERED**, that the local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council;

**IT IS FURTHER ORDERED**, that a copy of this Resolution be forwarded to the Los Angeles County Office of Emergency Management and that a copy of this Resolution be forwarded to the Director of the California Governor’s Office of Emergency Services requesting that the Director find it acceptable in accordance with State law; that the Governor of California pursuant to the Emergency Services Act, issue a proclamation declaring an emergency in the City of Hidden Hills and/or the declaring an emergency in Los Angeles County; that the Governor waive regulations that may hinder response and recovery efforts; that response and recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs.

**PASSED, APPROVED AND ADOPTED this 16th day of March, 2020.**

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Bret Katz, Mayor

ATTEST:

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Deana L. Graybill, CMC, City Clerk