

RESOLUTION NO. 2020-08

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
RATIFYING AND CONTINUING THE PROCLAMATION OF EXISTENCE
OF A LOCAL EMERGENCY ISSUED BY THE DIRECTOR OF EMERGENCY
SERVICES**

WHEREAS, the Emergency Services Act, Government Code section 8630, and section 2.28.080 of the Los Altos Municipal Code empower the Director of Emergency Services (City Manager) to proclaim the existence or threatened existence of a local emergency if the Council of the City of Los Altos (“City”) is not in session, and require that the City Council shall take action to ratify the proclamation within seven (7) days thereafter, or the proclamation shall have no further force or effect; and

WHEREAS, pursuant to California Government Code Sections 8680.9 and 8558(c), a local emergency is a condition of extreme peril to persons or property proclaimed as such by the governing body of the local agency affected by a natural or manmade disaster; and

WHEREAS, the purpose of a local emergency proclamation is to provide extraordinary police powers, immunity for emergency actions, authorize issuance of orders and regulations, and activate pre-established emergency provisions; and

WHEREAS, a local emergency proclamation is a prerequisite for requesting state or federal assistance; and

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within the City, based on the following:

1. A novel coronavirus (Named COVID-19) was first detected in December 2019.
2. On January 30, 2020 the World Health Organization (WHO) declared the COVID-19 outbreak a Public Health Emergency of International Concern. On January 31, 2020 the United States Secretary of Health and Human Services declared a Public Health Emergency.
3. On February 10, 2020, the County of Santa Clara declared a local health emergency and proclaimed a local emergency.
4. On March 9, 2020 the County of Santa Clara Public Health Department took steps to protect the health of the community by issuing an order cancelling all mass gatherings of over 1,000 people and additional recommendations to slow the spread of the virus, reduce the number of people infected, and, especially, to protect those who are most vulnerable to severe illness.
5. On March 11, 2020 the WHO made the assessment that COVID-19 can be characterized as a pandemic.

6. The City of Los Altos has been responsive and proactive. The City has cancelled recreation programs, postponed agenda items that are not time-sensitive, cancelled all non-essential travel by City staff and all City-sponsored events likely to result in a possible mass gathering while this crisis continues; 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 in the City; and

WHEREAS, California Government Code, Title 2, Division 1, Chapter 7.5 - California Disaster Assistance Act (CDAA) allows that with the Proclamation of a Local Emergency the City may seek financial assistance and may request reimbursement of the significant expenses incurred during response, if approved by the Director of the California Office of Emergency Services or Concurrence or Governor's Proclamation; and

WHEREAS, on March 11, 2020, the Director of Emergency Services issued a proclamation declaring the existence of a local emergency within the City; and

WHEREAS, the associated emergency conditions are on-going and the emergency should not be terminated at this time;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Los Altos that:

1. The Proclamation of Existence of a Local Emergency, as issued by the Director of Emergency Services on March 12, 2020, is hereby ratified and confirmed.
2. The City Council has reviewed the need for continuing the declaration of local emergency and finds based on substantial evidence that the public interest and necessity require the continuance of the proclamation of local emergency related to COVID-19.
3. Said local emergency shall be deemed to continue to exist until terminated by the City Council of the City of Los Altos.
4. The Director of Emergency Services is hereby directed to report to the City Council within sixty (60) days on the need for further continuing the local emergency.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 17th day of March, 2020 by the following vote:

AYES: BRUINS, ENANDER, FLIGOR, LEE ENG, PEPPER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE



Janis C. Pepper, MAYOR

Attest:



Jon Maginot, CMC, CITY CLERK