

RESOLUTION NO. R-32-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON PROCLAIMING A LOCAL EMERGENCY REGARDING NOVEL CORONAVIRUS (COVID-19)

WHEREAS, the federal Centers for Disease Control and Prevention (“CDC”) has confirmed multiple cases of individuals who have severe respiratory illness caused by a novel coronavirus, called COVID-19, as well as deaths caused by this illness; and

WHEREAS, the World Health Organization declared COVID-19 a public health emergency of international concern, and the CDC announced that community spread of COVID-19 is likely to occur in the United States; and

WHEREAS, on March 4, 2020 California Governor Newsome 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; and

WHEREAS, the increase of reported cases and deaths associated with COVID-19 has also prompted the County of San Bernardino to proclaim a local public health emergency; and

WHEREAS, the imminent and proximate threat of introduction of COVID-19 in the City of Colton threatens the safety and health of City residents; and

WHEREAS, California Government Code Section 8630 and Colton Municipal Code Chapter 2.28 empowers the City Council to proclaim the existence of a local emergency to protect and preserve public welfare when the City is affected or likely to be affected by a public calamity; and

WHEREAS, a declaration of a local emergency will assist in a coordinated public health response to reduce transmission and illness severity, provide assistance to health care providers, coordinate and mitigate public services that may be disrupted from this emergency, and mitigate any other effects of this emergency on the citizens of the City; and

WHEREAS, Government Code section 8630 generally requires the City Council to review the need for continuing the local emergency at least every sixty (60) days, but as part of Governor Gavin Newsom’s March 4, 2020 Declaration of a State of Emergency in California due to COVID-19, this provision has been waived for the duration of the statewide emergency, allowing the City to maintain its emergency in place until terminated by the City Council; and

WHEREAS, the City Council desires to declare a local emergency.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Colton resolves as follows:

Section 1. Pursuant to California Government Code section 8630 and Colton Municipal Code Chapter 2.28, the City Council hereby finds and proclaims and ratifies a local emergency caused by conditions or threatened conditions of COVID-19 in Colton, which constitutes an extreme peril of health and safety of persons within the territorial limits of the City.

Section 2. The local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council.

Section 3. The City Manager, acting as the Director of Emergency Services, is hereby authorized to furnish information, to promulgate orders and regulations necessary to provide for the protection of life and property pursuant to California Government Code section 8634, to enter into agreements and to take all actions necessary to obtain State emergency assistance to implement preventive measures to protect and preserve the residents of the City within the scope of the local emergency hereby declared.

Section 4. Pursuant to California Penal Code section 396, it is unlawful for any person or business of the City of Colton to charge more than 10% higher than the price charged by that person or business for 30 days after the proclamation of this local emergency. The statute also authorizes the City Council to extend the price controls for additional 30-day period as needed to protect the lives, property or welfare of the citizens.

Section 5. The City Council also recognizes further abilities and powers as authorized by Executive Order N-25-20, issued by the State of California on March 12, 2020.

Section 6. During the existence of said local emergency, the powers, functions, and duties of the emergency organization and orders promulgated by the Emergency Services Director of this City shall be those prescribed by state law, ordinances, and resolutions of this City of Colton

PASSED, APPROVED and ADOPTED by the City Council of the City of Colton at a special meeting of said Council held on the 17th of March, 2020, by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

City of Colton

Frank Navarro, Mayor

ATTEST:

Carolina Padilla, City Clerk

APPROVED AS TO FORM:
BEST, BEST & KRIEGER LLP

Carlos Campos