

RESOLUTION R2020-037

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NAPA, STATE OF CALIFORNIA, RATIFYING AND
CONTINUING THE PROCLAMATION OF LOCAL
EMERGENCY TO RESPOND TO THE CORONAVIRUS
(COVID-19)

WHEREAS, California Government Code Section 8630 and Napa Municipal Code Section 2.89.060 authorize the City Manager, acting as Director of Emergency Services, to proclaim the existence of a local emergency when the City Council is not in session; and

WHEREAS, Napa Municipal Code Section 2.89.020 defines "local emergency" as the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the City caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, an earthquake, or other conditions other than conditions resulting from labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARSCoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, the World Health Organization ("WHO") report communicates that sustained human-to-human transmission of COVID-19 is occurring; and transmission from asymptomatic individuals has been documented and suspected community transmission of the virus is occurring in the United States. Although the majority of individuals infected with COVID-19 recover from the disease without special treatment, there is significant potential for serious infection and death; and

WHEREAS, WHO declared the COVID-19 outbreak a public health emergency of international concern on January 30, 2020, and made an assessment on March 11, 2020 that COVID-19 can be characterized as a pandemic; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") has determined that the virus presents a serious public health threat, requiring

coordination among state and local health departments to ensure readiness for potential health threats associated with the virus; and

WHEREAS, the CDC has issued guidelines to local and state health departments, including the Napa County Health & Human Services Agency ("HHS"), concerning risk assessment and public health management of persons with potential exposure to COVID-19. These guidelines require HHS to make extraordinary efforts to monitor ongoing communicable disease threats and prepare for management of individuals who may have been exposed to COVID-19; and

WHEREAS, HHS, the Office of Emergency Services, and other County partners, to include the City of Napa, have been working diligently to implement the CDC guidelines, but now require additional tools and resources to protect the public health given the current state of the pandemic and the need for a sustained response; and

WHEREAS, the City Manager has informed the Council that there continues to exist within the City of Napa conditions of extreme health and welfare risk to persons and community caused by COVID-19, and has requested that the Council proclaim that a local emergency continues to exist; and

WHEREAS, in response to COVID-19, the Governor of the State of California issued a Proclamation of a State of Emergency on March 4, 2020, and issued Executive Order N-25-20 on March 12, 2020; and

WHEREAS, on March 12, 2020, the Napa County Health Officer declared a local health emergency as a result of the imminent and proximate threat to public health from the potential introduction of COVID-19 in Napa County; and

WHEREAS, on March 13, 2020, the President of the United States issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19 Outbreak); and

WHEREAS, on March 15, 2020, the City Manager of the City of Napa issued Proclamation No. P2020-001, proclaiming the existence of local emergency to respond to the Coronavirus (COVID-19), which is attached hereto as Exhibit "A," and incorporated herein by reference.

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

1. The City Council hereby finds that the conditions of local emergency summarized herein (and as further discussed during the Council meeting on March 16, 2020 and described on the City's website, at www.cityofnapa.org) are beyond the control of the services, personnel,

equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat.

2. The City Council hereby confirms and ratifies the City Manager's proclamation of local emergency (Proclamation No. P2020-001, dated March 15, 2020, as described in Exhibit "A"), and as described during the noticed public meeting of the City Council on March 16, 2020, related to COVID-19.

3. The City Council hereby finds, due to the substantial impact of COVID-19 described herein, that there are and continue to be conditions of extreme peril to the safety of persons and property in the City that warrant and necessitate a proclamation of local emergency.

4. The City Council hereby proclaims and orders that, until the local emergency described in this resolution is terminated, the powers, functions, and duties of the City Manager and the emergency organization of the City of Napa shall be those authorized by City law (including "Emergency and Disaster Preparedness," Napa Municipal Code Chapter 2.89, City resolutions, the City's emergency plans, and City Charter).

5. The City Manager is hereby authorized to establish administrative regulations that will allow for the administrative waiver of late fees and penalties for City charges (such as water rates and business licenses) that are caused by the conditions set forth in this resolution.

6. The City Manager is hereby authorized to forward a copy of this resolution to the Governor of the State of California, to the State Director of the Office of Emergency Services, and to the Napa County Director of Emergency Services; all in support of the implementation of this resolution.

7. The City Manager is hereby directed to give this Resolution, and the proclamations and orders contained herein, widespread publicity and notice.

8. The City Manager hereby determines that any emergency project that is undertaken under the authority of this resolution is exempt from California Environmental Quality Act, pursuant to CEQA Guidelines Section 15269.

9. The City Council hereby finds that the facts set forth in the recitals to this resolution are true and correct, and establish the factual basis for the City Council's adoption of this resolution.

10. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 16th day of March, 2020, by the following vote:

AYES: Scott, Luros, Alessio, Gentry, Techel

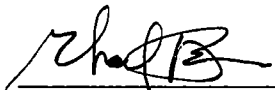
NOES: None

ABSENT: None

ABSTAIN: None

ATTEST: 
Tiffany Carranza
City Clerk

Approved as to form:



Michael W. Barrett
City Attorney

EXHIBIT A

PROCLAMATION NO. P2020-001

PROCLAMATION OF THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF NAPA, STATE OF CALIFORNIA, PROCLAIMING THE EXISTENCE OF LOCAL EMERGENCY TO RESPOND TO THE CORONAVIRUS (COVID-19)

WHEREAS, California Government Code Section 8630 and Napa Municipal Code Section 2.89.060 authorize the City Manager, acting as Director of Emergency Services, to proclaim the existence of a local emergency when the City Council is not in session; and

WHEREAS, Napa Municipal Code Section 2.89.020 defines "local emergency" as the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the City caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, an earthquake, or other conditions other than conditions resulting from labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, international, national, state, and local health and governmental authorities have been and are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARSCoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, the World Health Organization ("WHO") has reported that sustained human-to-human transmission of COVID-19 is occurring; and transmission from asymptomatic individuals has been documented and suspected community transmission of the virus is occurring in the United States. Although the majority of individuals infected with COVID-19 recover from the disease without special treatment, there is significant potential for serious infection and death; and

WHEREAS, WHO declared the COVID-19 outbreak a public health emergency of international concern on January 30, 2020, and made an assessment on March 11, 2020 that COVID-19 can be characterized as a pandemic; and

EXHIBIT A

WHEREAS, the Centers for Disease Control and Prevention ("CDC") has determined that the virus presents a serious public health threat, requiring coordination among state and local health departments to ensure readiness for potential health threats associated with the virus; and

WHEREAS, the CDC has issued guidelines to local and state health departments, including the Napa County Health & Human Services Agency ("HHSA"), concerning risk assessment and public health management of persons with potential exposure to COVID-19. These guidelines require HHSA to make extraordinary efforts to monitor ongoing communicable disease threats and prepare for management of individuals who may have been exposed to COVID-19; and

WHEREAS, HHSA, the Office of Emergency Services, and other County partners (including the City of Napa) have been working diligently to implement the CDC guidelines, but now require additional tools and resources to protect the public health given the current state of the epidemic and the need for a sustained response; and

WHEREAS, in response to COVID-19, the Governor of the State of California issued a Proclamation of a State of Emergency in response to COVID-19 on March 4, 2020, and issued Executive Order N-25-20 on March 12, 2020; and

WHEREAS, the Napa County Health Officer declared a local health emergency on March 12, 2020 as a result of the imminent and proximate threat to public health from the potential introduction of COVID-19 in Napa County; and

WHEREAS, the President of the United States issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19 Outbreak, on March 13, 2020.

NOW, THEREFORE, BE IT PROCLAIMED by the City Manager of the City of Napa, in the capacity of the Director of Emergency Services of the City of Napa, as follows:

1. The City Manager finds that, beginning on or about March 15, 2020, at 6:00 p.m., there existed conditions of extreme peril to the safety of persons and property within the City caused by COVID-19.

2. The City Manager finds that the conditions described herein are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat.

EXHIBIT A

3. The City Manager hereby proclaims that the existence of a "local emergency" as defined by Napa Municipal Code Section 2.89.020, based on the existence of the conditions related to COVID-19 identified herein.

4. During this local emergency, the City Manager shall exercise the authority identified by City law (including "Emergency and Disaster Preparedness," Napa Municipal Code chapter 2.89, City resolutions, the City's emergency plans, and City charter).

5. The City Manager shall work with appropriate local, state, and federal representatives in order to seek disaster relief assistance. The City Manager shall work with the Mayor in order to determine the appropriate method of requesting assistance from County, state and federal officials.

6. In connection with the local emergency identified in this proclamation, a meeting of the City Council has been scheduled for March 16, 2020, to consider the ratification of this proclamation. Other than that Council meeting on March 16, 2020, the City Manager hereby orders, for the protection of persons and property, the cancellation of public meetings for all City legislative bodies (i.e., the City Council, and all City boards and commissions) through March 30, 2020, including all of the following previously scheduled meetings:

- a) City Council, including the meeting previously scheduled for March 17, 2020
- b) Housing Authority of the City of Napa, including the meeting previously scheduled for March 17, 2020
- c) Parking Authority of the City of Napa, including the meeting previously scheduled for March 17, 2020
- d) Park, Recreation & Trees Advisory Commission, including the meeting previously scheduled for March 18, 2020
- e) Planning Commission, including the meeting previously scheduled for March 19, 2020

7. This proclamation shall be published and promulgated in as widespread a manner as reasonably feasible in light of the conditions prevailing during the local emergency.

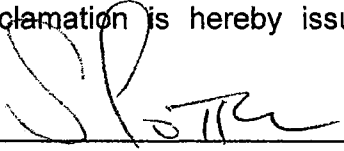
8. This proclamation shall expire if not confirmed and ratified by the City Council within seven days of the proclamation.

9. The City Manager hereby finds that the facts set forth in the recitals to this proclamation are true and correct, and establish the factual basis for this proclamation.

10. This Proclamation shall take effect immediately upon its execution.

EXHIBIT A

This proclamation is hereby issued by the City Manager, Director of Emergency Services.



Name: Steve Potter
Title: City Manager
Director of Emergency Services
Date: March 15, 2020