

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY RELATING TO THE COVID-19 VIRUS PANDEMIC AND CONFIRMING THE CITY MANAGER'S DECLARATION OF LOCAL EMERGENCY ON MARCH 17, 2020

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES RESOLVE AS FOLLOWS:

Section 1. Recitals. The City Council finds, determines and declares that:

(a) Government Code § 8630 and Temecula Municipal Code Chapter 2.56 provide that the City Council of the City of Temecula may proclaim the existence of a local emergency as defined by Government Code § 8558, subdivision (c).

(b) In December 2019, an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19), was first identified in Wuhan City, Hubei Province, China, and has spread outside of China, impacting more than 75 countries, including the United States.

(c) Since the federal Centers for Disease Control and Prevention ("CDC") confirmed the first possible case of community spread of COVID-19 in the United States on February 26, 2020, there has been a significant escalation of United States domestic cases and deaths from COVID-19.

(d) 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.

(e) On March 11, 2020 the World Health Organization declared the COVID-19 outbreak to be a pandemic.

(f) 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.

(g) As of March 12, 2020, there were over 1,200 COVID-19 cases identified in the United States, including over 170 cases in California, and officials expect the number of cases in California, the United States, and worldwide to increase.

(h) On March 12, 2020, Governor Newsom issue Executive Order No. N-25-20 making certain findings and issuing emergency orders to deal with COVID-19 pandemic.

(i) On March 13, 2020, President Trump determined that the ongoing Coronavirus Disease 2019 (COVID-19) pandemic is of sufficient severity and magnitude to warrant an emergency determination under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207.

(j) On March 16, 2020, the Riverside County Public Health Officer issued an Order cancelling and prohibiting all gatherings in which ten or more people are expected to be present, subject to certain limited exceptions.

(k) On March 16, 2020, the Riverside County Public Health Officer reported that 15 cases of COVID-19 exist in Riverside County and one death from COVID 19 has been reported.

(l) On March 17, 2020, the City Manager of the City of Temecula issued a Declaration of Local Emergency related to the COVID-19 pandemic pursuant to Temecula Municipal Code Section 2.56.050.

(m) 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.

(n) The mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future reimbursement by the state and federal governments will be critical to successfully responding to COVID-19.

(o) The City Council finds that these conditions warrant and necessitate that the City proclaim the existence of a local emergency.

Section 2. Proclamation of Local Emergency. Based on the findings set forth above, the City Council of the City of Temecula hereby proclaims that a local emergency now exists throughout the City of Temecula. During the existence of said local emergency the following shall be in effect:

(a) The local emergency powers, functions, and duties of the City Manager and the emergency organization of this City shall be those prescribed by state law, by ordinances, and resolutions of this City, and by the approved emergency plans of the City of Temecula.

(b) The local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Temecula, State of California.

(c) The City Council shall review this local emergency proclamation at least every sixty (60) days pursuant to Government Code Section 8630(c) and shall terminate the emergency proclamation at the earliest possible date the conditions warrant.

(d) The City Manager is authorized to transfer funds from the Unreserved Fund Balance and transfer funds between departmental budget accounts when necessary under this declaration of an emergency.

(e) Pursuant to the provisions of Temecula Municipal Code Section 2.56.050 the City Manager is authorized to enter into agreements on behalf of the City necessary under this declaration of an emergency.

(f) The City Council determines that for the reasons described in this Resolution, compliance with the bidding requirements of Chapters 3.28 and 3.30 of Temecula Municipal Code is not in the best interest of the City and all such bidding requirements are hereby waived.

(g) The City Manager may authorize expenditures of funds without regard to the amounts thereof, so long as there exists an unencumbered appropriation in the fund account against which the cost of the agreement is to be charged.

(h) The City Manager is hereby authorized to enter into agreements on behalf of the City, Temecula Community Services District, Temecula Public Financing Authority, and the Successor Agency to the Temecula Redevelopment Agency without regard to the amounts thereof, so long as there exists an unencumbered appropriation in the fund account against which the cost of the agreement is to be charged.

(i) The City Manager, in consultation with the City Attorney, is hereby authorized to settle personal injury and property damage lawsuits and enter into settlement agreements on behalf of the City, Temecula Community Services District, and the Successor Agency to the Temecula Redevelopment Agency without regard to the amounts thereof, so long as there exists an unencumbered appropriation in the fund account against which the cost of the agreement is to be charged.

(j) The City Manager is authorized to negotiate and implement labor related policies and staffing changes deemed necessary in order to respond to the Local Emergency.

(k) The City Manager is authorized to sign checks on behalf of the City, including without limitation, payroll hand checks, and may delegate this authority to the Director of Finance.

(l) City Manager is authorized to modify on-street and off-street parking requirements for businesses, including without limitation modifications for food service or other businesses to accommodate pick-up or delivery services.

Section 3. Ratification of City Manager's March 17, 2020 Proclamation of Local Emergency. The City Council hereby ratifies the City Manager's March 17, 2020 Proclamation of a local emergency and ratifies the actions of the City Manager taken pursuant to such Proclamation.

Section 4. Further Actions. The City Manager shall:

(a) Forward a copy of this Resolution to the Director of California Governor's Office of Emergency Services;

(b) Request the Governor of California, pursuant to the Emergency Services Act issue a proclamation declaring an emergency in Riverside County and waive regulations that may hinder response and recovery efforts;

(c) Request that recovery assistance be made available under the California Disaster Assistance Act; and

(d) Request that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs.

Section 5. Certification. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Temecula this 24th day of March, 2020.

James Stewart, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF TEMECULA)

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Resolution No. 2020- was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the 24th day of March, 2020, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Randi Johl, City Clerk