

RESOLUTION NO. 2020-32-CC

**CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE,
CALIFORNIA, EXTENDING THE LOCAL EMERGENCY WITHIN THE CITY
AS A RESULT OF THE ONGOING CORONAVIRUS DISEASE 2019 PANDEMIC,
RETROACTIVELY EFFECTIVE JULY 11, 2020**

WHEREAS, since its discovery in November 2019, mainland Chinese authorities identified thousands of human infections, resulting in thousands of deaths associated with the novel Coronavirus Disease 2019 (“COVID-19”), a respiratory illness which began in Wuhan City, Hubei Province and spread outside of China, impacting more than 140 countries, including the United States;

WHEREAS, COVID-19 symptoms typically cause mild to moderate illness, such as the common cold/flu, infected people with COVID-19 also have fever, cough and have a difficulty breathing which may result with pneumonia;

WHEREAS, on January 23, 2020, the national Centers for Disease Control and Prevention (“CDC”) activated its Emergency Response System to provide ongoing support for the responses to the COVID-19 across the country;

WHEREAS, pursuant to the State Constitution and statutes, including the California Emergency Services Act, and in particular Government Code Section 8625, Governor Gavin Newsom declared a State of Emergency on March 4, 2020, pertaining to the threat posed by the COVID-19;

WHEREAS, on March 11, 2020, Governor Gavin Newsom announced that California public health officials had issued an updated policy on gatherings to protect public health and slow the spread of COVID-19 determining that gatherings should be postponed or canceled across the state until at least the end of March, and non-essential gatherings must be limited to no more than 250 people, while smaller events can proceed only if the organizers can implement social distancing of 6 feet per person;

WHEREAS, Governor Gavin Newsom on March 12, 2020 issued a new executive order further enhancing California’s ability to respond to the COVID-19 pandemic by waiving the one-week waiting period for people who are unemployed and/or disabled as a result of COVID-19; delaying the deadline for state tax filing by 60 days for individuals and businesses unable to file on time based on compliance with public health requirements related to COVID-19 filings; directing residents to follow public health directives and guidance, including to cancel large non-essential gatherings that do not meet state criteria; allowing local or state legislative bodies to hold meetings via teleconference and to make meetings accessible electronically; and allowing local and state emergency administrators to act quickly to protect public health;

WHEREAS, the Los Angeles Unified School District (“LAUSD”) had declared a state of emergency over the spread of the COVID-19, on March 13, 2020, LAUSD announced the closure of schools for at least two weeks beginning Monday, March 16, 2020, to prevent the spread of the COVID-19;

WHEREAS, on March 15, 2020, Governor Gavin Newsom issued sweeping new restrictions calling for home isolation of everyone 65 years and older and people with chronic disease, both high-risk populations; requested the closure of bars, wineries, night clubs and brew pubs; no visitations for hospitals and congregate living facilities (assisted living, nursing homes, etc.) except for end of life visitations; and called for restaurants to reduce their occupancy by half, calling this “deep social distancing” and a “pragmatic response to the moment”;

WHEREAS, on March 16, 2020, the Los Angeles County Department of Public Health, (“LACDPH”) issued an order prohibiting all indoor and outdoor, public and private events and gatherings within a confined space, where 50 or more members of the public were expected to attend at the same time, and requiring social distancing measures and temporary closure of certain businesses. The decision for this order was based on evidence of increasing community transmission requiring the immediate implementation of additional community mitigation efforts for organizations to help reduce the spread of COVID-19 within the county. This order was to remain in effect at least through March 31, 2020;

WHEREAS, President Donald Trump issued Coronavirus Guidelines which include following directions of state and local authorities; contacting your medical provider if you or your children feel sick and stay home; if someone in your household has tested positive, keep the entire household at home; if you are an older person, stay home and away from other people; and if you are a person with a serious underlying health condition that can put you at an increased risk, stay home and away from other people;

WHEREAS, on March 16, 2020, President Trump called for Americans to avoid social gatherings of more than 10 people and to limit discretionary travel;

WHEREAS, on March 17, 2020, Governor Gavin Newsom expanded his call for extraordinary restaurant measures to help prevent the further spread of the COVID-19 by the statewide closures of dine-in restaurants for the foreseeable future;

WHEREAS, Section 7.14.050 (Office of Director and Office of Deputy Director of Emergency Services, Office of Emergency Services Coordinator), of Chapter 7.14 (Emergency Organizations and Functions), of Title 7 (Public Safety and Morals), of the South Gate Municipal Code, empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the city is affected or likely to be affected by a public calamity and the City Council is not in session;

WHEREAS, Section 7.14.050 (Office of Director and Office of Deputy Director of Emergency Services, Office of Emergency Services Coordinator), of Chapter 7.14 (Emergency Organizations and Functions), of Title 7 (Public Safety and Morals), of the South Gate Municipal

Code, designates the City Manager of the City of South Gate as the City's Director of Emergency Services;

WHEREAS, on March 18, 2020, the City's Director of Emergency Services proclaimed the existence of a local emergency ("Local Emergency") within the City as a result of the spread of the COVID-19 to ensure authority to take measures necessary to protect and preserve public health and safety, including seeking aid from state and federal authorities as necessary;

WHEREAS, pursuant to Government Code Section 8630(c), the governing body shall review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency;

WHEREAS, on March 19, 2020, as the State Public Officer and Director of the California Department of Public Health, Governor Gavin Newsom issued Executive Order N-33-20, a Stay-at-Home Order or at their place of residence order until further notice, to protect the health and well-being of all Californians and to establish consistency across the state in order to slow the spread of COVID-19;

WHEREAS, on March 24, 2020, the City Council adopted Resolution No. 2020-07-CC ratifying the declaration of the existence of a Local Emergency by the City's Director of Emergency Services on March 18, 2020;

WHEREAS, on April 1, 2020, in an effort to protect everyone, more so for people who are high risk for serious illness, the County of Los Angeles Health Officer ("Health Officer") issued the Public Health Emergency Quarantine Order requiring the self-quarantine of persons exposed to a person diagnosed with or likely to have COVID-19 until it is determined that they are not at risk for spreading the disease, and remaining in effect until rescinded, in writing, by the Health Officer;

WHEREAS, as a result of the rapid spread of COVID-19, on April 10, 2020, the Health Officer revised the Safer-at-Home Order for control of COVID-19 continuing the prohibition of all indoor and outdoor public and private gatherings and events, specifically requires all businesses to cease in-person operations and remain closed to the public unless the business is defined as an essential business ("Stage 1"), and included a requirement to provide all of their employees whose duties require contact with other employees and/or the public with a cloth face covering to wear while performing duties that involve contact with others, and remaining in effect through May 15, 2020;

WHEREAS, thereafter Governor Newsom announced a multiphase recovery plan modifying the Stay-at-Home Order, allowing the limited reopening of certain businesses beyond those in the category of essential critical infrastructure, known as the Resilience Roadmap Stages as follows:

- Stage 1: Safety and Preparedness: Making essential workforce environment as safe as possible.
- Stage 2: Lower Risk Workplace: Creating opportunities for lower risk sectors to

adapt and re-open. Modified school programs and childcare re-open.

Stage 3: Higher Risk Workplaces: Creating opportunities for higher risk sectors to adapt and re-open.

Stage 4: End of Stay-At-Home Order: Return to expanded workforce in highest risk workplaces. Requires Therapeutics.

WHEREAS, as a result of the decline of COVID-19 cases in the downward trajectory for 14 days, on May 8, 2020, California moved into Stage 2, modifying the state's Stay-at-Home Order to gradually re-open certain businesses such as restaurants, malls and personal care businesses to improve the economy;

WHEREAS, on May 12, 2020, the City Council adopted Resolution No. 2020-19-CC finding there is a need to continue the local emergency within the City as a result of the ongoing COVID-19 pandemic;

WHEREAS, on July 13, 2020, however, as a result of the spike in new COVID-19 cases, Governor Newsom ordered the closure of indoor dining, bars, movie theaters, family entertainment centers, gyms, churches, personal care businesses, malls and additional indoor operations statewide, and only allowed certain businesses to operate outdoors with physical distancing and infection control protocol as the impact of the spread of the virus outside is believed more favorable than mixing with individuals for an extended period of time, which cohorts for an extended period of time inside where you do not have the air circulation;

WHEREAS, in addition, on July 22, 2020, the LACDPH allowed personal care businesses to operate outdoors with physical distancing and infection control protocol;

WHEREAS, the City finds itself in a region that has seen COVID-19 infection rates to some of the highest in Los Angeles County and these trends have continued since July 11, 2020;

WHEREAS, on August 13, 2020, the City's Director of Emergency Services, issued a Proclamation extending the Local Emergency as a result of the COVID-19 pandemic infection rate increases to ensure authority to take measures necessary to protect and preserve public health and safety, including seeking aid from state and federal authorities as necessary, retroactively effective July 11, 2020;

WHEREAS, as of August 20, 2020, there are 3,856 COVID-19 cases in the City with 56 deaths, and 213,784 COVID-19 cases in Los Angeles County with 5,086 deaths; and

WHEREAS, in the interest of public health and safety, the City desires to extend the Local Emergency within the City as a result of the ongoing COVID-19 pandemic, retroactively effective July 11, 2020.

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF SOUTH GATE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. After duly considering all the information presented by the Director of Emergency Services, the City Council hereby finds and resolves that there is a need to extend the Local Emergency within the City as a result of the ongoing COVID-19 pandemic, retroactively effective July 11, 2020.

SECTION 2. The City Council hereby declares and reaffirms:

1. A Local Emergency continues to exist throughout the City;
2. During the existence of said Local Emergency the powers, functions and duties of the emergency organization of the City shall be those prescribed by state law, by ordinances and resolutions of the City, as approved by the City Council;
3. During the existence of said Local Emergency, the City shall follow and impose all directives, mandates, Executive Orders and any other emergency related restrictions issued by the State of California and/or the County of Los Angeles, including any and all social distancing recommendation;
4. Should he deem it necessary, the Director of Emergency Services/City Manager is authorized to direct the immediate closure of City facilities (including City Hall) during normal business hours;
5. The Director of Emergency Services'/City Manager's purchasing authority is hereby increased to meet the needs of addressing this emergency;
6. The normal City goods and service procurement requests and purchase practices, including bidding requirements, are stayed during this period of emergency;
7. Purchases of items that are not budgeted are authorized to be purchased in order to respond during this period of emergency;
8. Authorizes all City officers and employees to take steps requested by the Director of Emergency Services/City Manager to qualify the City for reimbursement from the Federal Emergency Management Agency and for other state and federal relief as may be available to reimburse the City for the expenses it incurs in addressing this emergency;
9. Other actions deemed necessary by the Director of Emergency Services/City Manager to reasonably respond to the emergency and to effectively serve the community within the City;
10. The local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of South Gate;


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11. City staff will continue to monitor Governor Gavin Newsom's Executive Orders, and any related orders issued by the County of Los Angeles Department of Public Health, and will modify the City's policies and procedures accordingly; and
12. As required by law, the City Council shall review the need to continue the state of emergency every sixty (60) days until this Resolution is terminated.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

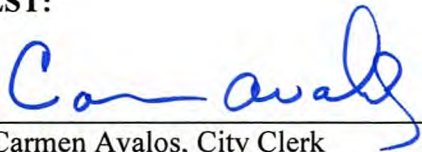
PASSED, APPROVED and ADOPTED this 25th day of August 2020.

CITY OF SOUTH GATE:

By: 


Maria Davila, Mayor

ATTEST:

By: 

Carmen Avalos, City Clerk
(SEAL)

APPROVED AS TO FORM:

By: 

Raul F. Salinas, City Attorney

RESOLUTION CERTIFICATION PAGE

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES) **SS**

CITY OF SOUTH GATE)

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the whole number of Members of the City Council of said City is five; that Resolution No. 2020-32-CC was adopted by the City Council at their Regular Meeting held on August 25, 2020, by the following vote:

Ayes: Council Members: Davila, Rios, Avalos, Diaz and Hurtado

Noes: Council Members: None

Absent: Council Members: None

Abstain: Council Members: None

Witness my hand and the seal of said City on August 27, 2020.



Carmen Avalos, City Clerk
City of South Gate, California