



City of Culver City

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Staff Report Details (With Text)

File #: 20-866 **Version:** 1 **Name:** Resolution and Ordinance re COVID-19 Emergency
Type: Minute Order **Status:** Action Item
File created: 3/14/2020 **In control:** City Council Meeting Agenda
On agenda: 3/18/2020 **Final action:**
Title: CC - (1) Adoption of a Resolution Ratifying the Proclamation of Local Emergency by the Director of Emergency Services of the City of Culver City, California, Issued by the City Manager on March 14, 2020 Related to the 2019 Novel Coronavirus (COVID-19), and Confirming the Existence of Such Local Emergency; (2) FOUR-FIFTHS VOTE REQUIREMENT: Adoption of an Urgency Ordinance Confirming Public Order Issued by Director of Emergency Services on March 16, 2020 Ordering Various Precautionary Measures to be Taken Across the City to Protect Members of the Public and City Workers from Undue Risk of COVID-19, and Enforcement Thereof; and (3) FOUR-FIFTHS VOTE REQUIREMENT: Approval of a Budget Appropriation of \$250,000 for Related Emergency Response Expenses

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2020-03-18_ATT - Proposed Resolution Ratifying Proclamation of Emergency.pdf, 2. 2020-03-18_ATT - Culver City - Proclamation of Local Emergency.pdf, 3. 2020-03-18_ATT - California - State of Emergency Proclamation.pdf, 4. 2020-03-18_ATT - LA County - Local and Public Health Emergency Proclamations.pdf, 5. 2020-03-18_ATT - Public Order Issued by Director of Emergency Services.pdf, 6. 2020-03-18_ATT_Proposed Urgency Ordinance Confirming Public Order.pdf

Date	Ver.	Action By	Action	Result
3/18/2020	1	City Council Meeting Agenda		

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Meeting Date: March 18, 2020

Contact Person/Dept: Shelly Wolfberg/City Manager's Office
Onyx Jones/Finance Department

Phone Number: (310) 253-6000
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Fiscal Impact: Yes ☒ No ☐ **General Fund:** Yes ☒ No ☐

Public Hearing: ☐ Action Item:[X] Attachments: [X]

Commission Action Required: Yes ☐ No [X] Date:

Public Notification: (E-Mail) Meetings and Agendas - City Council (03/16/20)

Department Approval: John M. Nachbar, City Manager (03/16/20)

RECOMMENDATION

Staff recommends the City Council (1) adopt a Resolution ratifying the Proclamation of Local Emergency by the Director of Emergency Services of the City of Culver City, California, Issued by the City Manager on March 14, 2020 related to 2019 Novel Coronavirus (COVID-19), and confirming the existence of such local emergency (Attachment 1); (2) adoption of an Urgency Ordinance confirming Public Order issued by Director of Emergency Services on March 16, 2020 ordering various precautionary measures to be taken across the City to protect members of the public and City workers from undue risk of COVID-19, and enforcement thereof (**urgency ordinance requires four-fifths vote**); and (3) approve an appropriation of \$250,000 for emergency response-related expenses (**budget amendment requires four-fifths vote**).

BACKGROUND/DISCUSSION

Since February 2020, the City of Culver City has been part of a coordinated response involving the federal Centers for Disease Control and Prevention, the California Department of Public Health, and the Los Angeles County Department of Public Health. The City of Culver City has supported this effort in response to the rapidly evolving multinational outbreak of respiratory disease caused by a novel (new) coronavirus that was first detected in Wuhan City, Hubei Province, China.

As of March 15, 2020, the World Health Organization reports 153,517 confirmed COVID-19 cases globally and 5,735 deaths. As of March 14, 2020, the California Department of Public Health announced 369 confirmed cases and five deaths. The Los Angeles County Department of Public Health reports over 90 cases and one death. As there are two known cases of COVID-19 in Culver City at this time, and there is an ongoing risk of infection in Los Angeles County, the federal Centers for Disease Control and Prevention and California Department of Public Health are recommending that the U.S. and State continue to address COVID-19 pandemic.

All known COVID-19 cases in the US are in isolation, until they no longer have any sign of the infection on follow-up tests. COVID-19 tests are currently controlled by the CDC and have become available to some Public Health labs in California. It is expected that the COVID-19 tests will continue to become more readily available in the coming days.

Proclamation of Local Emergency

Pursuant to the authority granted by Culver City Municipal Code Section 3.09.020, on March 14, 2020, the City Manager, as the Director of Emergency Services, issued a Proclamation of Local Emergency due to the outbreak and spread of Coronavirus (COVID-19) (Attachment 2). Such action

follows the Los Angeles County Department of Public Health's and the Chair of the Board of Supervisor's declarations of a local health emergency (collectively, Attachment 3) and the State of California's declaration of a State of Emergency (Attachment 4) on March 4, 2020, and the President's declaration of a National Emergency on March 13, 2020.

Staff recommends the City Council adopt a resolution ratifying the Proclamation of Local Emergency by the Director of Emergency Services and confirming the existence of such local emergency by the Director of Emergency Services due to the potential spread of COVID-19 in the City of Culver City. The City of Culver City Municipal Code Section 3.09.020.B empowers the Director of Emergency Services to issue a proclamation of local emergency, if the City Council is not in session. The proclamation by the Director of Emergency Services must be ratified by the City Council within seven (7) days.

Staff further recommends City Council confirm the existence of such local emergency in response to COVID-19 and review the need for continuing this local emergency at least every 30 days, until this local emergency is terminated, which shall be terminated at the earliest possible date that conditions warrant.

Confirmation of Public Order of Precautionary Measures

On March 16, 2020, the City Manager, under the authority of CCMC section 3.09.020, as the Director of Emergency Services, issued a Public Order enacting new City measures to protect members of the public and City workers from undue risk of COVID-19 (Public Order) (Attachment 5). This Public Order was enacted after the City of Los Angeles issued a similar public order, and in conjunction with the other westside cities, who are issuing similar orders. This Public Order addresses closing bars, lounges and nightclubs that do not serve food, prohibits dine-in food service for local restaurants (but permits delivery and take-out), and closes movie theaters, live performance venues, gyms, fitness studios and the like, and other indoor recreational facilities.

Pursuant to Culver City Municipal Code Section 3.09.020.B.1.h(2), staff recommends the City Council adopt an Urgency Ordinance confirming the Public Order issued by the Director of Emergency Services on March 16, 2020 (Attachment 6).

Budget Appropriation

The City defines an emergency as an actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons, property or the environment within this City. The proclamation of a local emergency, issued by the Director of Emergency Services on March 14, 2020, enables the City to operate beyond its operational policies and procedures and with coordination of the emergency functions of the City with all other public agencies, corporations, organizations, and affected private persons to take such steps that are necessary for the protection of life and property in the affected area.

Staff has worked diligently to create a state of heightened public safety void of service disruptions. The City of Culver City has taken a number of steps to help prevent the spread of viruses during this emergency event by increasing the frequency of disinfecting public counters, desks and public areas; making handwashing stations available for public use; and ensuring Citywide hygienic products including antibacterial soaps, sanitizers and cleaning supplies meet all Center of Disease Control specifications. Additional measures have been taken, including but not limited to, the cancellation of

City-sponsored events, the closing of City facilities, including the Senior Center and City Hall, and ordering other actions be taken by businesses throughout the City, all as precautionary measures to reduce opportunities for community transmission of the virus.

As further staffing, supplies and services are considered to meet the City's emergency response needs, staff is requesting a budget appropriation of \$250,000.

FISCAL ANALYSIS

Culver City Municipal Code Sections 3.07.060.B and 3.09.040 enables for expenditures to be made in connection with emergency activities in the event of a locally declared emergency. Staff is requesting an appropriation of \$250,000 from Unassigned General Fund Balance, which has a current projected balance of \$12.5 million. While the City has a Contingency Reserve that is designated for emergency use, the fund is only accessible when a state or federally declared emergency where the City response or related loss is greater than or equal to five percent (5%) of the General Fund Operation Budget, a threshold of approximately \$6.7 million for FY 2019/2020. For this reason, this appropriation is requested from Unassigned General Fund Balance, and funding will be used in support of accounts that have been designated with project code CV019. This project code has been established for ease in monitoring all emergency event related expenses. To date, less than \$5,000 has been expended in response to COVID-19.

ATTACHMENTS

1. 2020-03-18_ATT - Proposed Resolution Ratifying Proclamation of Emergency
2. 2020-03-18_ATT - Culver City - Proclamation of Local Emergency
3. 2020-03-18_ATT - California - State of Emergency Proclamation
4. 2020-03-18_ATT - LA County - Local and Public Health Emergency Proclamation
5. 2020-03-18_ATT - Public Order Issued by Director of Emergency Services
6. 2020-03-18_ATT - Proposed Urgency Ordinance Confirming Public Order

MOTION

That the City Council:

1. Adopt a Resolution ratifying the Proclamation of Local Emergency issued by the City Manager (Director of Emergency Services) on March 14, 2020 related to 2019 Novel Coronavirus (COVID-19), and confirming the existence of such local emergency; and
2. Adopt an Urgency Ordinance confirming the Public Order issued by the Director of Emergency Services on March 16, 2020 ordering various precautionary measures to be taken across the City to protect members of the public and City workers from undue risk of COVID-19, and

enforcement thereof (**requires a four-fifths vote**); and

3. Approve a Budget Appropriation of \$250,000 for related emergency response expenses (**requires a four-fifths vote**); and
4. Provide additional direction to the City Manager as deemed appropriate.