

RESOLUTION NO. 2020-13

**RESOLUTION OF THE COUNCIL OF THE CITY OF LIVINGSTON PROCLAIMING
THE EXISTENCE OF A LOCAL EMERGENCY RELATING
TO THE THREAT POSED BY COVID-19 (NOVEL CORONAVIRUS)**

WHEREAS, California Government Code section 8630 and Livingston Municipal Code (“LMC”) section 1-20-5 authorize the City Council to proclaim the existence of a local emergency when the City is affected or likely to be affected by conditions of extreme peril to the safety of persons and property within the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, the Novel Coronavirus (“COVID-19”) is a severe respiratory disease first detected in Wuhan, Hubei Province, People’s Republic of China, on December 31, 2019. COVID-19 may result in serious illness or death, and is easily transmissible from person to person. As of March 13, 2020, it has been reported that COVID-19 has spread to over ninety (90) countries including the United States, and is spreading to a growing number of California cities and counties; and

WHEREAS, on January 30, 2020, the World Health Organization (“WHO”) declared the COVID-19 outbreak a public health emergency of international concern; and

WHEREAS, on January 31, 2020, the U.S. Department of Health and Human Services declared a Public Health Emergency for the United States of America; and

WHEREAS, the United States Centers for Disease Control and Prevention (“CDC”) has determined that COVID-19 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, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

WHEREAS, WHO officials report that sustained human-to-human transmission of the virus is occurring. Transmission from asymptomatic individuals has been documented. 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, on March 12, 2020, Governor Gavin Newsom issued a new executive order further enhancing state and local government’s ability to respond to COVID-19 Pandemic; and

WHEREAS, on March 13, 2020, with COVID-19 continuing to spread and impact California communities, the Merced County Office of Emergency Services (OES) and Merced County Department of Public Health proclaimed a local and public health emergency in order to help address the outbreak; and

WHEREAS, on March 13, 2020, the President of the United States, Donald Trump, declared a state of national emergency in response to the COVID-19 outbreak; and

WHEREAS, the health, safety and welfare of Livingston residents, businesses, visitors, and staff is of utmost importance to the City and additional future measures may be needed to protect the community; and

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within the

City caused by the threat of COVID-19 that will impact significant City and community operations, including critical public infrastructure and services, and which will require the provision of additional public safety and emergency services; and

WHEREAS, existing conditions related to COVID-19 warrant the proclamation of emergency, as defined by LMC Chapter 1-20; and

WHEREAS, the aforesaid conditions of extreme peril warrant and necessitate the proclamation of a Local Emergency to enable the City and other local government entities to adequately plan, prepare and preposition resources to be able to effectively respond to the threat posed by COVID-19, to warn City residents and visitors of the threat posed by COVID-19, and to enable them sufficient time to plan and prepare.

NOW, THEREFORE, BE IT RESOLVED AND PROCLAIMED by the City Council of the City of Livingston that a Local Emergency exists throughout the City of Livingston.


BE IT FURTHER RESOLVED AND PROCLAIMED that during the existence of said local emergency, the powers, functions and duties of the City Council, City Manager, Disaster Council, the Director of the Disaster Council, and the Director of Emergency Services shall be those prescribed by state law and the ordinances and resolutions of this City, including LMC Chapter 1-20.

BE IT IS FURTHER RESOLVED AND PROCLAIMED that because a substantial threat to public health and safety exists that has a substantial likelihood that serious harm will be experienced unless immediate action is taken, the City may need to alter or cease certain services other than essential services in response to this emergency, and the City Manager can take any lawful personnel action that protects the health and safety of the workforce or the community. The City is authorized to postpone and/or delay any associated meet and confer obligations when taking actions in response to the emergency.

BE IT FURTHER RESOLVED AND PROCLAIMED by the Council that the local emergency shall remain in effect until such time that the Council determines that the emergency conditions have been abated.

Passed and adopted this 17th day of March, 2020, by the following vote:

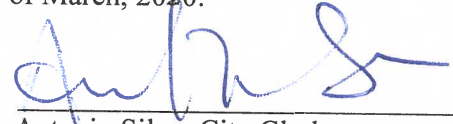
AYES: Mayor Samra and Council Members Baptista and Aguilar
NOES: None
ABSENT: Council Member Kang and Mayor Pro-Tem Garcia



Garpat Samra,
Mayor of the City of Livingston

ATTEST:

I hereby certify that the foregoing Resolution was regularly introduced, passed, and adopted at a special meeting of the City Council of the City of Livingston this 17th day of March, 2020.



Antonio Silva, City Clerk
of the City of Livingston

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