PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY BY THE CITY MANAGER OF BENICIA

WHEREAS, the California Emergency Services Act (California Government Code sections 8630, 8550, et. seq.) defines a local emergency as the existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a city, caused by conditions such as an epidemic, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of a city, and require the combined forces of other political subdivisions to combat; and

WHEREAS, Section 2.36.020 of the City of Benicia ("City") Municipal Code defines emergency as the actual or threatened existence of conditions of disaster or extreme peril to the safety of persons and property within this City caused by conditions such as an epidemic, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, Section 2.36.050(A) of the City's Municipal Code designates the City Manager as the Director of Emergency Services for the City; and

WHEREAS, 2.26.050(A)(1) empowers the City Manager, as the Director of Emergency Services, to proclaim the existence or threatened existence of a local emergency when the City Council is not in session so long as such proclamation is ratified by the City Council within seven (7) days; and

WHEREAS, in December 2019, reports began spreading worldwide of a flu-like virus first found in China, that was significantly more deadly than the flu generally, with the virus becoming known as the Coronavirus ("COVID-19"); and

WHEREAS, from January 2020 to March 2020, COVID-19 spread throughout the world, with over 100,000 confirmed cases of individuals contracting COVID-19, and over 3,000 confirmed cases of individuals dying from COVID-19; and

WHEREAS, on March 3, 2020, the County of Solano ("County") ratified a proclamation of a Local Emergency due to the threat of COVID-19 in the County; and

WHEREAS, on or about March 4, 2020, as part of the State of California's response to address the global COVID-19 outbreak, Governor Gavin Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19 following one official COVID-19 death; and

WHEREAS, as of March 8, 2020, the World Health Organization ("WHO") has confirmed 105,586 cases of COVID-19 internationally, with 3,171 cases resulting in death; and

WHEREAS, as of March 10, 2020, the Centers for Disease Control and Prevention ("CDC") has confirmed 647 cases of COVID-19 in the United States, with 25 cases resulting in death, with thirty-six (36) jurisdictions reporting cases, including California; and

WHEREAS, on March 13, 2020, the President of the United States issued an emergency declaration relating to the widespread transmission of COVID-19.

NOW, THEREFORE, the Director of Emergency Services finds that:

A. The United States 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

B. The County has found that the conditions constituting a threat to community health, including a presumptive case of community infection, may be present in the County, warranting a proclamation of a County emergency; and

C. Conditions of disaster and 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

D. As contemplated in the California Emergency Services Act contained in Government Code Section 8550 et seq., including Section 8558(c), a local emergency exists because of the existence of conditions of disaster or of extreme peril to the safety of persons and property within the City caused by the aforesaid conditions, which are likely to be beyond the control of the services, personnel and facilities of the City, and require the combined forces of other political subdivisions to combat; and the proclamation of a Local Emergency is necessary 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, and to warn City residents and visitors of the threat posed by COVID-19 and to enable them sufficient time to plan and prepare; and

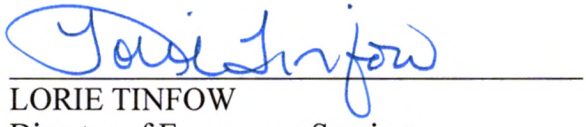
E. In consequence of said conditions and pursuant to Government Code section 8630 and the City Municipal Code section 2.36.050, a local emergency now exists throughout the City of Benicia; and

F. At the time of this proclamation, the City Council is not in session.

NOW, THEREFORE, BE IT RESOLVED, a local emergency is hereby declared on March 15, 2020, within the City of Benicia. During the local emergency, the powers and duties of the City Manager and the Disaster Council of the City shall be as defined in state and federal law, and the ordinances, resolutions, and approved plans of the City of Benicia in in order to mitigate the effects of said local emergency; and

This proclamation shall be transmitted to the City Council within seven (7) days for ratification, and this local emergency shall continue until terminated by further declaration of the undersigned, or by resolution of the City Council.

SIGNED AND SUBSCRIBED on this 15th day of March, 2020.



LORIE TINFOW
Director of Emergency Services