

RESOLUTION NO. 20-28

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA RATIFYING
THE CITY MANAGER'S PROCLAMATION OF THE EXISTENCE
OF A LOCAL EMERGENCY DUE TO THE WORLDWIDE SPREAD
OF THE CORONAVIRUS ("COVID-19")**

WHEREAS, the California Emergency Services Act (California Government Code sections 8639, 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 of extreme peril to the safety of persons and property within this City, including 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 Municipal Code designates the City Manager as the Director of Emergency Services for the City; and

WHEREAS, Section 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 and January 2020, reports began spreading worldwide of a flu-like virus first found in China, that was 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 Director of the County of Solano ratified a proclamation of a Local Emergency due to the threat of COVID-19 in the County; 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 15, 2020, the Centers for Disease Control and Prevention ("CDC") has confirmed over 3,000 cases of COVID-19 in the United States; 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, on March 13, 2020, the President of the United States issued an emergency declaration relating to the widespread transmission of COVID-19; and

WHEREAS, based on said events, the City Manager of the City of Benicia declared the existence of a local emergency within the City on March 15, 2020.

NOW, THEREFORE, BE IT RESOLVED THAT that the Proclamation of the Existence of a Local Emergency issued by the City Manager acting as the Director of Emergency Services is hereby confirmed and ratified by the City Council of the City of Benicia.

BE IT FURTHER RESOLVED that that said local emergency shall be deemed to continue to exist and shall be reviewed at least once every 60 days until its termination is proclaimed by the City Council of the City of Benicia per California Government Code section 8630.

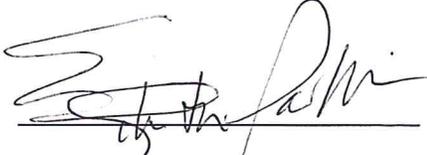
BE IT FURTHER RESOLVED that the City Manager or her designee is authorized to take whatever other action is authorized under the Benicia Municipal Code and state and federal law, subject to any required authorization from the City Council, consistent with this Resolution and its basic purposes.

On motion of Council Member **Strawbridge**, seconded by Council Member **Young**, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 19th day of March, 2020 by the following vote:

Ayes: **Council Members Campbell, Largaespada, Strawbridge, Young, and Mayor Patterson**

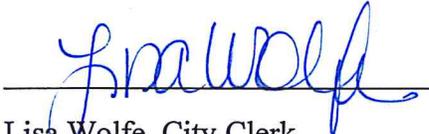
Noes: **None**

Absent: **None**



Elizabeth Patterson, Mayor

Attest:



Lisa Wolfe, City Clerk

3-20-2020

Date