



Agenda
City of Vernon
Special City Council Meeting
Tuesday, March 17, 2020, 09:00 AM
City Hall, Council Chamber
4305 Santa Fe Avenue
Vernon, California

Melissa Ybarra, Mayor
Leticia Lopez, Mayor Pro Tem
William Davis, Council Member
Carol Menke, Council Member
Diana Gonzales, Council Member

CALL TO ORDER

FLAG SALUTE

ROLL CALL

PUBLIC COMMENT

At this time the public is encouraged to address the City Council on any matter that is within the subject matter jurisdiction of the City Council. The public will also be given a chance to comment on matters which are on the posted agenda during City Council deliberation on those specific matters.

CHANGES TO THE AGENDA

CLOSED SESSION

- 1. THREAT TO PUBLIC SERVICES OR FACILITIES**
pursuant to Government Code Section 54957(a)
Consultation with Police Chief and Legal Counsel

NEW BUSINESS

- 2. City Administration**
[Ratification of Proclamation of Local Emergency](#)
Recommendation:
Adopt a resolution ratifying the Chief Executive Officer's proclamation of local emergency as a result of the threat to public health from the COVID-19 virus.
 - [1. Resolution Ratifying Local Emergency](#)
 - [2. Executive Order N-26-20](#)

City Council Agenda Item Report

Agenda Item No. COV-122-2020

Submitted by: Lisa Pope

Submitting Department: City Clerk

Meeting Date: March 17, 2020

SUBJECT

Ratification of Proclamation of Local Emergency

Recommendation:

Adopt a resolution ratifying the Chief Executive Officer's proclamation of local emergency as a result of the threat to public health from the COVID-19 virus.

Background:

On March 14, 2020, at approximately 10:00 a.m., Mayor Melissa Ybarra, acting as the Chief Executive Officer of the Emergency Council, issued a Proclamation of Local Emergency (Proclamation) ordering that there now exists a state of local emergency in the City of Vernon due to COVID-19 (Coronavirus). Pursuant to Government Code Section 8630, the local emergency shall not remain in effect for a period in excess of seven days unless the Proclamation has been ratified by the City Council. If adopted, the Resolution will constitute ratification of the Proclamation by the City Council.

In December 2019, reports began spreading worldwide about 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).

On March 4, 2020, a State of Emergency was proclaimed by Governor Gavin Newsom. On March 11, 2020, the World Health Organization (WHO) classified the spread of COVID-19 internationally as a global pandemic and on March 12, 2020, a Gathering Guidance Policy was issued by the California Department of Public Health due to COVID-19.

On March 12, 2020, Governor Gavin Newsom issued Executive Order N-25-30 with orders including that all residents heed any orders and guidance of state and local public health officials.

Fiscal Impact:

There is no fiscal impact associated with adoption of the resolution. The actions taken by the City in response to the local emergency may have a fiscal impact depending on the actions taken.

Attachments:

- [1. Resolution Ratifying Local Emergency](#)
- [2. Executive Order N-26-20](#)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VERNON RATIFYING EMERGENCY PROCLAMATION 2020-01, A PROCLAMATION OF LOCAL EMERGENCY DUE TO THE SERIOUS AND IMMINENT THREAT OF THE NOVEL CORONAVIRUS (COVID-19)

WHEREAS, under the California Emergency Services Act (California Government Code sections 8630, 8550 et seq.), California Government Code section 8555(c) defines a "Local Emergency" as the existence of conditions of disaster or 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, Government Code Section 8630 and Vernon Municipal Code Chapter 8 authorize the Vernon Disaster Council Chief Executive Officer to proclaim the existence or threatened existence of a local emergency when the City Council is not in session so long as the proclamation is ratified by the City Council within seven days; and

WHEREAS, Vernon Municipal Code Section 8.1 defines an "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 caused by such conditions as air pollution, fire, flood, storm, epidemic, riot or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but other than conditions resulting from a labor controversy, which conditions 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, in December 2019, reports began spreading worldwide about a flu-like virus first found in China that was significantly more deadly than the flu generally, with the virus becoming known as the Novel Coronavirus (COVID-19); and

WHEREAS, on March 4, 2020, a State of Emergency was proclaimed in California by Governor Gavin Newsom; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) classified the spread of COVID-19 internationally as a global pandemic and on March 12, 2020, a Gathering Guidance Policy was issued by the California Department of Public Health due to COVID-19; and

WHEREAS, on March 12, 2020, Governor Gavin Newsom issued Executive Order N-25-30 with orders including that all residents heed any orders and guidance of state and local public health officials; and

WHEREAS, on March 14, 2020, at approximately 10:00 a.m., Mayor Melissa Ybarra, acting in her capacity as Chief Executive Officer of the Disaster Council, issued Emergency Proclamation 2020-01, a Proclamation declaring the existence of a local state of emergency which now exists in the City of Vernon due to COVID-19, attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERNON AS FOLLOWS:

SECTION 1: The City Council of the City of Vernon hereby finds and determines that the above recitals are true and correct.

SECTION 2: The City Council of the City of Vernon has reviewed the Proclamation and hereby ratifies Emergency Proclamation 2020-01, a copy of which is attached hereto as Exhibit A.

SECTION 3: In accordance with Vernon Municipal Code Chapter 8 and applicable law, the City Council declares that due to an imminent threat to health and safety as a result of COVID-19 that a local emergency exists within the City of Vernon's territorial limits.

SECTION 4: The City Administrator, as the Director of Emergency Services, is empowered to carry out all emergency powers conferred upon him as the Director of Emergency Services by local and state laws, and by all other lawful authority, as may be necessary to protect life and property.

SECTION 5: During the existence of this local emergency, the powers, functions, and duties of the Director of Emergency Services and the emergency organization of this City will be those prescribed by state law, by ordinance, resolutions and the City Multi-Hazard Functional Plan.

SECTION 6: The City Clerk is directed to forward a copy of this Resolution to the County of Los Angeles and the California Director of the Office of Emergency Services with a request to find it acceptable in accordance with provisions of the Natural Disaster Assistance Act; and that the City's Director of Emergency Services or his assistant is hereby declared as the City's authorized representative for the purpose of receiving, processing and coordinating all inquiries and requirements needed to obtain valuable state and, if needed, federal assistance.

SECTION 7: The City Administrator or his designee is designated as the Local Hazard Mitigation Coordinator of the City of

Vernon for the purpose of assessing the threat to the people in the City as a result of COVID-19 and consulting with Federal, State, County and other authorities as necessary to assess the threat and to take appropriate actions to address the threat including taking actions authorized by law including, but not limited to Municipal Code Section 8.8 which authorizes the Director to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however such rules and regulations must be confirmed at the earliest practicable time by the Chief Executive Officer and the City Council.

SECTION 8: This local emergency will continue to exist until otherwise determined by City Council resolution.

SECTION 9: The City Clerk of the City of Vernon shall certify to the passage, approval and adoption of this resolution, and the City Clerk of the City of Vernon shall cause this resolution and the City Clerk's certification to be entered in the File of Resolutions of the Council of this City.

APPROVED AND ADOPTED this ____ day of _____, 20__.

Name: _____

Title: Mayor / Mayor Pro-Tem

ATTEST:

Lisa Pope, City Clerk

APPROVED AS TO FORM:

Zaynah N. Moussa, Senior Deputy City Attorney

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

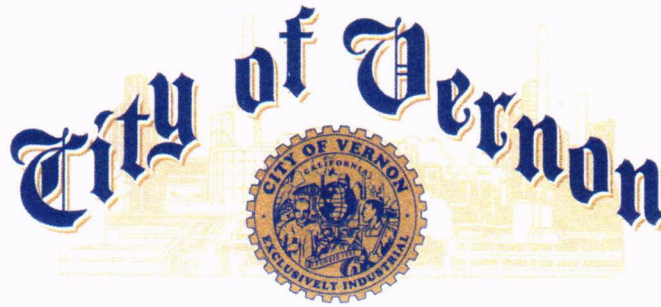
I, _____, City Clerk / Deputy City Clerk of the City of Vernon, do hereby certify that the foregoing Resolution, being Resolution No. _____, was duly passed, approved and adopted by the City Council of the City of Vernon at a regular meeting of the City Council duly held on Tuesday, _____, and thereafter was duly signed by the Mayor or Mayor Pro-Tem of the City of Vernon.

Executed this ____ day of _____, 2020, at Vernon, California.

City Clerk / Deputy City Clerk

(SEAL)

EXHIBIT A



EMERGENCY PROCLAMATION 2020-01

A PROCLAMATION BY THE MAYOR OF THE CITY OF VERNON, CALIFORNIA, ACTING AS THE CHIEF EXECUTIVE OFFICER OF THE DISASTER COUNCIL, DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, Section 8.5 of the Vernon Municipal Code designates the Mayor as the Chief Executive Officer and Section 8.6 empowers the Vernon Chief Executive Officer to proclaim the existence or threatened existence of a local emergency when the City of Vernon is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, the federal Centers for Disease Control and Prevention (CDC) has confirmed multiple cases of individuals with severe respiratory illness caused by a Novel Coronavirus (COVID-19), as well as deaths caused by the illness; and

WHEREAS, on March 4, 2020, a State of Emergency was proclaimed by Governor Gavin Newsom and the Los Angeles County Board of Supervisors and the Department of Public Health declared a local and public health emergency. On March 11, 2020, the World Health Organization (WHO) classified the spread of COVID-19 internationally as a global pandemic and on March 12, 2020, a Gathering Guidance Policy was issued by the California Department of Public Health due to COVID-19; and

WHEREAS, on March 12, 2020, Governor Gavin Newsom issued Executive Order N-25-30 with orders including an order that all residents heed any orders and guidance of state and local public health officials; and

WHEREAS, the Chief Executive Officer of the City of Vernon does hereby find that conditions of extreme peril to the safety of persons and property have arisen within said City, caused by the current confirmed cases of COVID-19 internationally, including in California and Los Angeles County, and that these conditions are or are likely to be beyond the control of the existing services, personnel, equipment and facilities of the City of Vernon; and

WHEREAS, based on the Centers of Disease Control and Prevention statements, there is an ongoing risk and probability of COVID-19 positive patients being identified in the City of Vernon; and

WHEREAS, the Chief Executive Officer of the City of Vernon finds that COVID-19 is an infectious and communicable disease, which creates a condition of extreme peril to the health and safety of persons within the City, and which is likely to be beyond the ability and resources of the City to control; and

WHEREAS, a proclamation of local emergency will assist in a coordinated public health response to reduce transmission and illness severity, provide assistance to public safety and health providers, and mitigate the effects of this pandemic on the citizens, businesses, and employees of the City; and

WHEREAS, the conditions and circumstances described above warrant and necessitate that the City proclaim the existence of a local emergency.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the City of Vernon Chief Executive Officer that a local emergency now exists throughout the entire City of Vernon.

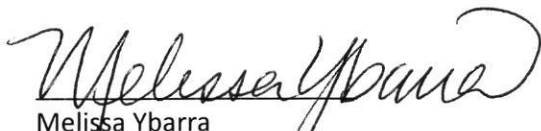
IT IS FURTHER PROCLAIMED AND ORDERED, that the Chief Executive Officer of the City of Vernon authorizes the City Administrator to furnish information and enter into any necessary agreements to obtain any emergency assistance to implement necessary intervention activities to prevent a threatened epidemic of disease in the community, and to take necessary measures to protect and preserve the public health and safety from said public health hazard.

IT IS FURTHER PROCLAIMED AND ORDERED, that the City Administrator is hereby authorized to make and issue policies and regulations on matters necessary to the protection of life and property within the City of Vernon and within scope of the local emergency hereby proclaimed.

IT IS FURTHER PROCLAIMED AND ORDERED, that during the existence of said local emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, by ordinances, and resolutions of this City; and that this emergency proclamation shall expire seven (7) days after issuance unless confirmed and ratified by the governing body of the City of Vernon. In addition, the City Council shall review the need for continuing the local emergency at least once every 30 days until the local emergency is terminated by resolution.

IT IS FURTHER PROCLAIMED AND ORDERED, that a copy of this proclamation be forwarded to the Federal Emergency Management Agency, the LA County Office of Emergency Management, the State Office of Emergency Services requesting that the Director of the State Office of Emergency Services find it acceptable in accordance with State Law; that the Governor waive regulations that may hinder response and recovery efforts; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to County, State and Federal resources and any other appropriate federal disaster relief programs.

DATED: March 14, 2020



Melissa Ybarra
CHIEF EXECUTIVE OFFICER OF THE DISASTER COUNCIL
Mayor, City of Vernon

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

EXECUTIVE ORDER N-26-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS responses to the threat of COVID-19, including decisions about schools, should be informed by and commensurate with scientific evidence and real-time data related to protecting public health; and

WHEREAS schools are critical to the daily lives of many Californians; and

WHEREAS local public health and education officials, in collaboration, are best positioned to measure and balance competing considerations, including the community's current public health, access to food and care, availability of resources, and other factors informing responses to the threat of COVID-19; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

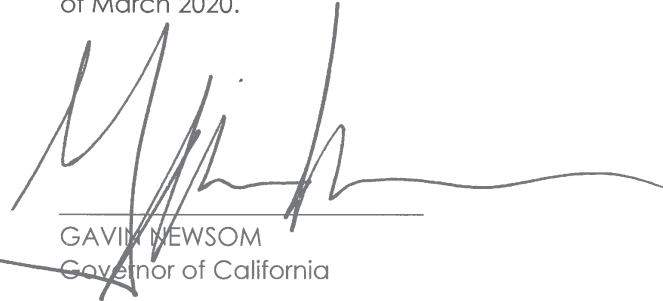
1. For purposes of this Order, Local Educational Agency (LEA) means school districts, county offices of education, and charter schools.
2. If an LEA closes its schools to address COVID-19, as provided in Paragraph 4 of this Order, the LEA will continue to receive state funding to support the following during the period of closure:
 - (i) Continue delivering high-quality educational opportunities to students to the extent feasible through, among other options, distance learning and/or independent study; and
 - (ii) Provide school meals in noncongregate settings through the Summer Food Service Program and Seamless Summer Option, consistent with the requirements of the California Department of Education and U.S. Department of Agriculture;
 - (iii) Arrange for, to the extent practicable, supervision for students during ordinary school hours; and
 - (iv) Continue to pay its employees.

3. If an LEA closes its schools to address COVID-19, the LEA is not prohibited from offering distance learning or independent study to impacted students. To the extent any state or local law might have been interpreted to the contrary, that law is waived.
4. For LEAs that initiate a school closure to address COVID-19, the closure shall qualify as a condition that prevents the maintenance of the LEA's schools during a fiscal year for at least 175 days pursuant to Education Code section 41422. Additionally, for such LEAs, the requirement in Education Code section 41422 to submit affidavits of the members of the governing board of the school district, the governing board of the county office of education, or the governing board or body of the charter school and of the county superintendent of schools are hereby suspended on the condition that the superintendent of the school district, the county superintendent of schools, or the charter school leader certifies in writing to the Superintendent of Public Instruction that the closure occurred to address COVID-19.
5. The California Department of Education and the Health and Human Services Agency shall jointly develop and issue guidance by March 17, 2020. The guidance shall include, but not necessarily be limited to, the following topics:
 - (i) Implementing distance learning strategies and addressing equity and access issues that may arise due to differential access to Internet connectivity and technology;
 - (ii) Ensuring students with disabilities receive a free and appropriate public education consistent with their individualized education program and meeting other procedural requirements under the Individuals with Disabilities Education Act and California law; and
 - (iii) Providing meals to be served in noncongregate settings at school and non-school sites in a manner that protects the safety of both students and school personnel, including classified employees.
6. The Labor and Workforce Development Agency and the Health and Human Services shall jointly develop and issue guidance by March 17, 2020 covering how to support parents to care for their children during ordinary school hours in the event of a school closure.
7. The Governor's Office of Business and Economic Development shall work with the California business community to encourage employers to exercise flexibility in the event of a school closure to enable parents to care for their children during ordinary school hours.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 13th day of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State