



CITY OF CARMEL-BY-THE-SEA CITY COUNCIL AGENDA

Mayor Dave Potter, Council Members Jeff Baron,
Jan Reimers, Bobby Richards, and Carrie Theis
Contact: 831.620.2000 www.ci.carmel.ca.us

All meetings are held in the City Council Chambers
East Side of Monte Verde Street
Between Ocean and 7th Avenues

CITY COUNCIL SPECIAL MEETING Friday, March 13, 2020 11:00 AM

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC APPEARANCES

Members of the Public are invited to speak on any item that does not appear on the Agenda and that is within the subject matter jurisdiction of the City Council. The exception is a Closed Session agenda, where speakers may address the Council on those items before the Closed Session begins. Speakers are usually given three (3) minutes to speak on any item; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak. If an individual wishes to submit written information, he or she may give it to the City Clerk. Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

ORDERS OF BUSINESS

Orders of Business are agenda items that require City Council, Board or Commission discussion, debate, direction to staff, and/or action.

1. Consideration of adoption of a Resolution ratifying a Proclamation of Existence of a Local Emergency due to the spread of the Novel Coronavirus (COVID-19).

ADJOURNMENT

This agenda was posted at City Hall, Monte Verde Street between Ocean Avenue and 7th Avenue, Harrison Memorial Library, NE corner of Ocean Avenue and Lincoln Street, and the Carmel-by-the-Sea Post Office, 5th Avenue between Dolores Street and San Carlos Street, and the City's webpage <http://www.ci.carmel.ca.us/carmel/> on in accordance with the applicable legal requirements.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the City Council regarding any item on this agenda, received after the posting of the agenda will be available for public review at City Hall located on Monte Verde Street between Ocean and Seventh Avenues during regular business hours.

SPECIAL NOTICES TO PUBLIC

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact

the City Clerk's Office at 831-620-2000 at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting (28CFR 35.102-35.104 ADA Title II).



CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

**March 13, 2020
ORDERS OF BUSINESS**

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Chip Rerig, City Administrator
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Consideration of adoption of a Resolution ratifying a Proclamation of Existence of a Local Emergency due to the spread of the Novel Coronavirus (COVID-19).

RECOMMENDATION:

Adopt Resolution 2020-021, ratifying the City Administrator's Proclamation of the existence of a Local Emergency due to the worldwide spread of the Coronavirus (COVID-19).

BACKGROUND/SUMMARY:

In December 2019, reports began spreading of a flu-like virus that was more deadly than the flu generally. This virus became known as the Coronavirus ("COVID-19").

From January 2020 to March 2020, COVID-19 spread throughout the world, with over 114,000 confirmed cases of individuals contracting COVID-19, and over 4,000 confirmed cases of individuals dying from COVID-19.

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.

On March 6, 2020, the County Administrative Officer of Monterey County ("County CAO") proclaimed a Local Emergency due to the threat of COVID-19 in the County.

On March 10, 2020, the Governor's Office of Emergency Services quarantined in Monterey County up to 24 cruise ship passengers who recently disembarked from the Grand Princess cruise ship in Oakland, California, which had over 20 confirmed cases of COVID-19 onboard.

As of March 11, 2020, the Centers for Disease Control and Prevention ("CDC") has confirmed 938 cases of COVID-19 in the United States, with 29 cases resulting in death, with thirty-nine (39) jurisdictions reporting cases, including California.

On March 11, 2020, the World Health Organization (“WHO”) classified the spread of COVID-19 internationally as a global pandemic.

On March 12, 2020 at 10:26am, City Administrator Rerig signed a Proclamation of the Existence of a Local Emergency due to impacts from the spread of COVID-19. The declaration will allow the City Administrator, as the Director of Emergency Services, to exercise all of the powers and duties articulated in CMC Section 2.64.060.

Staff recommends that Council ratify the City Administrator Proclamation of the Existence of a Local Emergency with the attached resolution.

FISCAL IMPACT:

None. This declaration may allow the City to be eligible to receive state and federal funding for expenses incurred responding to and recovering from the COVID-19 outbreak.

PRIOR CITY COUNCIL ACTION:

None for this action.

ATTACHMENTS:

Attachment #1 - Resolution 2020-021, ratifying local emergency

Attachment #2 - Proclamation Local Emergency

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2020-021

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
RATIFYING THE CITY ADMINISTRATOR'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, Chapter 2, section 2.64.020 of the City of Carmel-by-the-Sea ("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, Chapter 2, section 2.64.050 of the City of Carmel-by-the-Sea ("City") Municipal Code designates the City Administrator as the Director of Emergency Services for the City; and

WHEREAS, Chapter 2, section 2.64.060 empowers the City Administrator, 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 114,000 confirmed cases of individuals contracting COVID-19, and over 4,000 confirmed cases of individuals dying from COVID-19; 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;

WHEREAS, on March 6, 2020, the County Administrative Officer of Monterey County ("County CAO") proclaimed a Local Emergency due to the threat of COVID-19 in the County; and

WHEREAS, on March 10, 2020, the Governor's Office of Emergency Services quarantined in Monterey County up to 24 cruise ship passengers who recently disembarked from the Grand Princess cruise ship in Oakland, California, which had over 20 confirmed cases of COVID-19 onboard; and

WHEREAS, as of March 11, 2020, the Centers for Disease Control and Prevention ("CDC") has confirmed 938 cases of COVID-19 in the United States, with 29 cases resulting in death, with thirty-nine (39) jurisdictions reporting cases, including California; and

WHEREAS, on March 11, 2020, the World Health Organization ("WHO") classified the spread of COVID-19 internationally as a global pandemic; and

WHEREAS, based on said events, the City Administrator of the City of Carmel-by-the-Sea declared the existence of a local emergency within the City at 10:26 am on Thursday, March 12, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COOUNCIL FO THE CITY OF CARMEL-BY-THE-SEA, that the Proclamation of the Existence of a Local Emergency issued by the City Administrator acting as the Director of Emergency Services is hereby confirmed and ratified by the City Council of the City of Carmel-by-the-Sea; and

BE IT FURTHER RESOLVED, 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 Carmel-by-the-Sea per California Government Code section 8630; and

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

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 13th day of March 2020, by the following vote:

AYES:

NOTES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Britt Avrit, MMC
City Clerk

**PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY
BY THE CITY ADMINISTRATOR**

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, Chapter 2, section 2.64.020 of the City of Carmel-by-the-Sea ("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, Chapter 2, section 2.64.050 of the City of Carmel-by-the-Sea ("City") Municipal Code designates the City Administrator as the Director of Emergency Services for the City; and

WHEREAS, Chapter 2, section 2.64.060 empowers the City Administrator, 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 114,000 confirmed cases of individuals contracting COVID-19, and over 4,000 confirmed cases of individuals dying from COVID-19; 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.

WHEREAS, on March 6, 2020, the County Administrative Officer of Monterey County ("County CAO") proclaimed a Local Emergency due to the threat of COVID-19 in the County; and

WHEREAS, on March 10, 2020, the Governor's Office of Emergency Services quarantined in Monterey County up to 24 cruise ship passengers who recently disembarked from the Grand Princess cruise ship in Oakland, California, which had over 20 confirmed cases of COVID-19 onboard; and

WHEREAS, on March 11, 2020, the Governor's Office of Emergency Services issued an updated policy on gatherings to protect public health and slow the spread of COVID-19 and determined that non-essential gatherings with 250 people or more should be rescheduled or canceled, while smaller events can proceed only if the organizers can implement social distancing of 6 feet per person; Gatherings of individuals who are at high risk for severe illness from COVID-19 should be limited to no more than 10 people, while also following social distancing guidelines; and

WHEREAS, as of March 11, 2020, the Centers for Disease Control and Prevention ("CDC") has confirmed 938 cases of COVID-19 in the United States, with 29 cases resulting in death, with thirty-nine (39) jurisdictions reporting cases, including California; and

WHEREAS, on March 11, 2020, the World Health Organization ("WHO") classified the spread of COVID-19 internationally as a global pandemic.

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

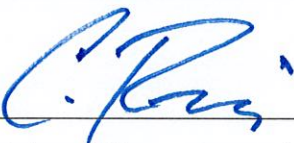
- A. The United States of America has confirmed cases of individuals who have a severe acute respiratory illness caused by a novel (new) coronavirus ("COVID-19" or "the virus") first detected in Wuhan, Hubei Province, People's Republic of China ("China"). The virus was first reported in China on December 31, 2019. As of March 11, 2020, the World Health Organization ("WHO") has reported more than 4,000 deaths stemming from approximately 114,000 confirmed cases of COVID-19, and the virus is present in over 100 countries. The number of confirmed cases has continued to escalate dramatically over a short period of time; and
- B. WHO officials now report sustained human-to-human transmission of the virus. Transmission from asymptomatic individuals has been documented, as has community transmission throughout California and across the United States; and
- C. 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
- D. On January 30, 2020, WHO declared the COVID-19 outbreak a public health emergency of international concern, and 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
- E. 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
 - F. 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
 - G. 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 of Carmel-by-the-Sea ("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
 - H. 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 12, 2020, at 10:26am within the City of Carmel-by-the-Sea. During the local emergency, the powers and duties of the City Administrator and of the City Council shall be as defined in state and federal law, and the ordinances, resolutions, and approved plans of the City of Carmel-by-the-Sea 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 12th day of March, 2020.


 Director of Emergency Services
 Chip Rerig