



# Council Agenda Report

To: Mayor Silverstein and the Honorable Members of the City Council

Prepared by: Kelsey Pettijohn, City Clerk

Approved by: Steve McClary, City Manager

Date prepared: April 27, 2023 Meeting date: July 10, 2023

Subject: Resolution Extending the Declaration of the COVID-19 Local Emergency

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**RECOMMENDED ACTION:** Adopt Resolution No. 23-36 extending the declaration of the existence of a local emergency.

**FISCAL IMPACT:** There is no fiscal impact with the recommended action.

**WORK PLAN:** This item was not included in the Adopted Work Plan for Fiscal Year 2023-2024. This project is part of normal staff operations. Staff continue to work on ongoing projects and normal business while the FY 2023-24 Work Plan is finalized.

**DISCUSSION:** An emergency exists when conditions are beyond the control of the services, personnel, equipment, and facilities of this City. The declaration is an acknowledgement of the need for the combined forces of other political subdivisions to combat.

In 2020 a severe acute respiratory illness caused by a novel (new) coronavirus, known as COVID-19, spread globally and rapidly, resulting in severe illness and death around the world. The World Health Organization classified COVID-19 as a global pandemic.

On March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in response to the increased spread of COVID-19. The Governor's declaration also suspended the requirement under Government Code Section 8630 for local government authorities to renew a state of local emergency every 60 days.

Additionally, on March 4, 2020, the Los Angeles County Board of Supervisors and the Department of Public Health all declared a local and public health emergency in

response to increased spread of COVID-19 across the country and in Los Angeles County. The President of the United States declared a federal emergency as a result of the spread of the COVID-19.

On March 14, 2020, the Director of Emergency Services of the City proclaimed the existence of a local emergency.

On March 16, 2020, the City Council adopted Resolution No. 20-14 ratifying the proclamation of the existence of a local emergency by the Director of Emergency Services.

On February 28, 2023, California Governor Gavin Newsom terminated the State of Emergency renewing the need for the City Council to review the need for continuing the local emergency at least every sixty (60) days, pursuant to Government Code Section 8630.

On April 10, 2023, the City Council adopted Resolution No. 23-15 extending the declaration of the existence of a local emergency.

On May 22, 2023, the City Council adopted Resolution No. 23-21 extending the declaration of the existence of a local emergency.

The COVID-19 emergency continues to evolve and State and Federal agencies continue to recommend social distancing to prevent the spread of COVID-19. The local state of emergency allows the City to continue emergency response programs, such as the Temporary Restaurant Recovery Program, that support social distancing and public safety during the ongoing emergency.

Government Code Section 8630 requires that the City Council review the need for continuing a local emergency at least once every 60 days until the City Council terminates the local emergency.

As such, City staff recommends adopting Resolution No. 23-36 extending the declaration of the existence of a local emergency. If adopted, the City Council will review, and as needed renew, this action at least every 60 days.

ATTACHMENTS:

1. Resolution No. 23-36

## RESOLUTION NO. 23-36

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU EXTENDING THE DECLARATION OF THE EXISTENCE OF A LOCAL EMERGENCY

The City Council of the City of Malibu does hereby find, order and resolve as follows:

#### SECTION 1. Recitals.

A. In 2020 a severe acute respiratory illness caused by a novel (new) coronavirus, known as COVID-19, spread globally and rapidly, resulting in severe illness and death around the world. The World Health Organization classified COVID-19 as a global pandemic.

B. On March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in response to the increased spread of COVID-19. The Governor's declaration also suspended the requirement under Government Code Section 8630 for local government authorities to renew a state of local emergency every 60 days.

C. Additionally, on March 4, 2020, the Los Angeles County Board of Supervisors and the Department of Public Health all declared a local and public health emergency in response to increased spread of COVID-19 across the country and in Los Angeles County. The President of the United States declared a federal emergency as a result of the spread of the COVID-19.

D. The City activated its Emergency Operations Center on March 12, 2020 and the Director of Emergency Services of the City proclaimed the existence of a local emergency on March 14, 2020.

E. On March 16, 2020, the City Council adopted Resolution No. 20-14 ratifying the proclamation of the existence of a local emergency by the Director of Emergency Services.

F. On February 28, 2023, California Governor Gavin Newsom terminated the State of Emergency renewing the need for the City Council to review the need for continuing the local emergency at least every sixty (60) days, pursuant to Government Code Section 8630.

G. On April 10, 2023, the City Council adopted Resolution No. 23-15 extending the declaration of the existence of a local emergency.

H. On May 22, 2023, the City Council adopted Resolution No. 23-21 extending the declaration of the existence of a local emergency.

I. The COVID-19 emergency continues to evolve and State and Federal agencies continue to recommend social distancing to prevent the spread of COVID-19.

J. The local state of emergency allows the City to continue emergency response programs, such as the Temporary Restaurant Recovery Program, that support social distancing and public safety during the ongoing emergency.

SECTION 2. The City Council has reviewed the staff report and conditions justifying the state of local emergency in the City and finds that the declaration of a local emergency remains valid and necessary.

SECTION 3. The local emergency shall be deemed to continue and exist until its termination is proclaimed by the City Council. As required by law, the City Council shall review the need to continue the state of emergency every 60 days until this resolution is terminated.

SECTION 4. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED this \_\_\_th day of \_\_\_\_ 2023.

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BRUCE SILVERSTEIN, Mayor

ATTEST:

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KELSEY PETTIJOHN, City Clerk  
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED  
BY THE CITY ATTORNEY'S OFFICE

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TREVOR RUSIN, Interim City Attorney