

AGENDA ITEM
8C

Date: May 26, 2020

Council Action Date: June 15, 2020

TO: Honorable Mayor and City Council

FROM: Gregory G. Diaz, City Attorney

SUBJECT: Consideration of A Resolution of the City Council of the City of San Buenaventura, California, Reconfirming the Existence of a Local Emergency and Extending it Until September 13, 2020

SUMMARY

If approved, the City Council will reconfirm the existence of a local emergency as a result of the continued risk of potential health and safety impacts to the residents of Ventura from the spread of COVID-19. This action will also extend the local emergency for another 60 days unless it is earlier terminated by the City Council or subsequently extended.

RECOMMENDATION

Adopt the Resolution, title as follows:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RECONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY AND EXTENDING IT UNTIL SEPTEMBER 13, 2020”

DISCUSSION/ANALYSIS

On March 4, 2020, the Governor of the State of California proclaimed a state of emergency to exist in California as a result of the threat of COVID-19. On March 12, 2020, the County of Ventura followed with its own declaration. The next day, the President of the United States declared a national emergency.

On March 15, 2020, in response to the potential danger COVID-19 presented to the residents of Ventura, the City Manager, acting as the Director of Disaster Services under Chapter 2.370 of the San Buenaventura Municipal Code, proclaimed the existence of a local emergency, which the City Council ratified on March 17, 2020.

On April 27, 2020, the City Council reconfirmed the state of local emergency as of May 16, 2020 and extended it for an additional sixty days until July 15, 2020.

During the course of this local emergency, the Director of Disaster Services initially took certain actions by executive order that were subsequently confirmed by the City Council. The duration of these actions is set for the entire period of the local emergency unless the City Council determines to end any or all of them sooner. To this end, I have identified the following items that the City Council may wish to provide direction to end before the local emergency ends:

- AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADDING CHAPTER 6.1020, "TEMPORARY EVICTION MORATORIUM," TO THE SAN BUENAVENTURA MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF (Ordinance 2020-010)
- AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, TEMPORARILY PERMITTING THE USE OF RECREATIONAL VEHICLES ON PRIVATE PROPERTY IN RESIDENTIAL ZONES AS HOUSING FOR QUARANTINED PERSONS AS A RESULT OF COVID-19 (Ordinance 2020-013)
- AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING SECTION 6.1020.020, "TEMPORARY EVICTION MORATORIUM," OF THE SAN BUENAVENTURA MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF (Ordinance 2020-014)
- AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ADDING CHAPTER 6.457, "LODGING ESTABLISHMENTS – NOTICE REQUIRED AND TEMPORARY LIMITATIONS ON OCCUPANCY OF SHORT-TERM VACATION RENTALS," TO THE SAN BUENAVENTURA MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF (Ordinance 2020-016)

In order for any of these actions to come back to the City Council before the end of the emergency, it will be necessary for the City Council to provide direction to do so. In order to prepare the documents appropriately, it will also be helpful if the City Council could indicate if you want the item to be ended as of the next City Council meeting or at some

later date in the future. Staff is happy to prepare the documents in a form that will allow you to act upon at that time.

The conditions that justified the proclamation of the local emergency continue to exist. Government Code section 8630 requires that the existence of a local emergency be reconfirmed at least every sixty days, or the existence of a local emergency will terminate. Unless the proclamation of local emergency is extended, it will expire on July 15, 2020.

If the resolution is approved, the local emergency will be extended until September 13, 2020, unless terminated by the City Council before that date.

Prepared by: Andy Heglund, Senior Assistant City Attorney

ATTACHMENT:

- A Resolution Reconfirming the Existence of a Local Emergency

RESOLUTION NO. 2020-____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SAN BUENAVENTURA, CALIFORNIA,
RECONFIRMING THE EXISTENCE OF A LOCAL
EMERGENCY AND EXTENDING IT UNTIL
SEPTEMBER 13, 2020**

WHEREAS, On March 4, 2020, the Governor of the State of California proclaimed a state of emergency to exist in California as a result of the threat of COVID-19, which has been declared a world-wide pandemic by the World Health Organization; and,

WHEREAS, On March 12, 2020, the County of Ventura declared a state of emergency as a result of the threat of COVID-19; and,

WHEREAS, On March 13, 2020, the President of the United States declared a national emergency as a result of the threat of COVID-19; and,

WHEREAS, Conditions of extreme peril to the safety of persons and property within the City have arisen and continue, caused by the spreading of COVID-19; and,

WHEREAS, On March 15, 2020, as a result of these conditions, the City Manager, acting as the Director of Disaster Services under Chapter 2.370 of the San Buenaventura Municipal Code, proclaimed the existence of a local emergency during a time when the City Council of the City of San Buenaventura was not in session and could not immediately be called into session; and,

WHEREAS, The City Council ratified the City Manager's proclamation at a special meeting on March 17, 2020; and,

WHEREAS, On April 27, 2020, the City Council reconfirmed the existence of a local emergency and extended it until July 15, 2020; and,

WHEREAS, Government Code section 8630 requires that the existence of a local emergency be reconfirmed at least every sixty days or the existence of a local emergency will terminate; and,

WHEREAS, Unless otherwise extended, the local emergency will terminate on July 15, 2020.

NOW, THEREFORE, the City Council of the City of San Buenaventura does hereby resolve, find, determine, and order as follows:

Section 1: That a state of local emergency shall be deemed to continue to exist and is hereby reconfirmed as of July 15, 2020 and extended for an additional 60 days until September 13, 2020, unless terminated by action of the City Council of the City of San Buenaventura, State of California.

Section 2: That the City Clerk shall cause this state of local emergency to be scheduled for reconfirmation at least every 60 days until terminated by this City Council.

PASSED AND ADOPTED this 15th day of June, 2020.

Matt LaVere, Mayor

ATTEST:

Antoinette M. Mann, MMC, CRM
City Clerk

APPROVED AS TO FORM
GREGORY G. DIAZ, City Attorney

BY:  5/26/2020
Andrew Heglund Date
City Attorney