

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. 9613-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE  
RATIFYING THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES'  
PROCLAMATION DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, section 6.08.070(A)(1) of the Garden Grove Municipal Code empowers the City Manager acting as the Director of Emergency Services to proclaim a local emergency if the City Council is not in session and requires that the City Council shall take action to ratify the proclamation within seven days thereafter;

WHEREAS, Government Code Section 8550 et seq., including Section 8558(c), authorize the City Manager to proclaim a local emergency when the City is threatened by conditions of disaster or extreme peril to the safety of persons and property within the City that are likely to be beyond the control of the services, personnel, equipment, and facilities of the City;

WHEREAS, a novel coronavirus, COVID-19, causes infectious disease and was first detected in Wuhan City, Hubei Province, China in December 2019. Symptoms of COVID-19 include fever, cough, and shortness of breath; outcomes have ranged from mild to severe illness, and, in some cases, death. The Center for Disease Control and Prevention (CDC) has indicated the virus is a tremendous public health threat;

WHEREAS, Chinese health officials have reported tens of thousands of cases of COVID-19 in China, with the virus reportedly spreading from person-to-person. COVID-19 illnesses, are also being reported in 117 countries, including 10,442 cases the United States with 150 deaths as of March 19, 2020;

WHEREAS, on January 30, 2020, the World Health Organization (WHO) declared the outbreak a "public health emergency of international concern" and on March 11, 2020, the WHO elevated the public health emergency to the status of a pandemic. On January 31, 2020, United States Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19;

WHEREAS, on February 26, 2020, the County of Orange declared a local emergency and a local health emergency; and on March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in California; and on March 13, 2020, United State President Donald Trump declared a national emergency all at a time when the City Council was not in session;

WHEREAS, in declaring a State of Emergency, Governor Newsom indicated that, as of March 4, 2020, there were 129 confirmed cases of COVID-19 in the United States, including 53 in California, and more than 9,400 Californians across 49 counties in home

monitoring based on possible travel-based exposure to the virus, with officials expecting the number of cases in California, the United States, and worldwide to increase;

WHEREAS, as of March 19, 2020 the number of cases in the United States rose to 10,442 and the number of cases in California rose to 652;

WHEREAS, Governor Newsom on March 12, 2020 issued Executive Order N-25-20, ordering, inter alia, that all residents are to heed the orders and guidance of state and local public health officials;

WHEREAS, the President Donald J. Trump on March 13, 2020 declared a national emergency to provide disaster funding, speed up the United States response to the crisis created by COVID-19, and to offer maximum flexibility to attack the problem;

WHEREAS, on March 17, 2020 and March 18, 2020, the Orange County Health Officer, issued an order prohibiting all public and private gatherings as defined in California Department of Public Health *Guidance for the Prevention of COVID-19 Transmission for Gathering*, dated March 16, 2020 through March 31, 2020, and allowing businesses to continue to operate subject to social distancing recommendations by keeping a six-foot space between individuals, and ordering the closing of bars that do not sell food, and ordering all food establishments to close their dining areas and provide only take-out or drive-thru service;

WHEREAS, the City Council does hereby find that the conditions of extreme peril described in the City Manager's Proclamation, attached hereto as Exhibit 1 and incorporated hereto by reference, did warrant and necessitate the proclamation of the existence of a local emergency in the City of Garden Grove; and

WHEREAS, the City Manager acting as the Director of Emergency Services did proclaim the existence of a local emergency within the City effective at 12:01 a.m. Pacific Daylight Time on the 17<sup>th</sup> of March 2020.

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

The City Council ratifies, confirms, and enacts the imposition of the following orders during the existence of this local emergency:

1. The powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law and by ordinances, resolutions, and orders of this City, including but not limited to the City of Garden Grove Emergency Operations Plan.

2. Activation of the Emergency Operation Center on Friday, March 13, 2020.
3. Within the boundaries of the City of Garden Grove, the Public Health Experts' recommendations shall be deemed mandatory.
4. Closing the following City facilities, and canceling all programs and classes thereon:
  - (a) H. Louis Lake Senior Center; Garden Grove Sports and Recreation Center; Atlantis Play Center; Buena Clinton Youth and Family Center; Garden Grove Community Meeting Center; Garden Grove Courtyard Center. Limited services at the Magnolia Park Family Resource Center.
  - (b) The Tiny Tot program will be canceled in accordance with the Garden Grove Unified School District's suspension of classes.
  - (c) Garden Grove City Hall services will be provided by phone or email only. Water bill payments can be made over the phone, online, by mail, or drop box, located in front of City Hall (non-cash payments only).
  - (d) Garden Grove Housing Authority will suspend all face-to-face office visits, and will be open for paperwork drop-off only. All services will be provided by phone or email. Annual inspections will be postponed and rescheduled. New lease inspections will be performed if the units are vacant, and all communication with the owner or tenant will be via email or phone. Failed inspection repairs will be verified via email with pictures provided by tenant/owner. Special inspections will be delayed unless it's essential to the health and safety of the tenant.
  - (e) The Garden Grove Police Department headquarters front lobby is closed. For non-emergency services, the public may use the red phone, located outside of police headquarters, or call the non-emergency number. Officers will continue to respond to emergency calls, but will be limiting public contact. All registrant, fingerprinting, property release and Juvenile Justice Center programs are suspended. Vehicle releases will be done by appointment only.
  - (f) The Garden Grove Municipal Service Center is closed. Services will be provided by phone and email only.
  - (g) The Tuesday, March 24 Garden Grove City Council meeting and Housing Authority meeting will be held in the Garden Grove Community Meeting Center Council Chamber, however, public seating will be moved to the adjoining Constitution Room. Councilmembers may attend by

teleconferencing. Public comments may be emailed in advance to the City Clerk's Office. Meetings will be livestreamed via the City's GGTV3 YouTube Channel, also accessible on Spectrum Cable Channel 3.

5. Suspension of street sweeping citations.
6. Suspension of water shut-offs for non-payment through March 31, 2020. Late payments will be accepted without penalty if paid by April 15, 2020.
7. Suspension of the limitations in the Garden Grove Municipal Code on the hours of operation of, and deliveries to, businesses and establishments engaged in essential activities.
8. Pursuant to paragraph 2 of Governor Newsom's Executive Order N-28-20 adopted on March 16, 2020 from the date of this Resolution and through May 31, 2020 a temporary moratorium suspending residential and commercial evictions and foreclosures due to nonpayment of rent or substantial decrease in household or business income caused by layoff, or a reduction in compensable hours of work or a substantial decrease in business income caused by a reduction in opening hours or consumer demand or substantial out-of-pocket medical expenses caused by the COVID-19 pandemic or by any local, state or federal government response to COVID-19, which is documented. This moratorium does not relieve a tenant of the obligation to pay rent, nor restrict a landlord's ability to recover rent due.

Adopted this 24<sup>th</sup> day of March 2020.

ATTEST:

/s/ STEVEN R. JONES  
MAYOR

/s/ TERESA POMEROY, CMC  
CITY CLERK

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE    ) SS:  
CITY OF GARDEN GROVE )

I, TERESA POMEROY, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Garden Grove, California, at a meeting held on March 24, 2020, by the following vote:

AYES: COUNCIL MEMBERS: (7) BRIETIGAM, O'NEILL, NGUYEN D., BUI  
KLOPFENSTEIN, NGUYEN K., JONES  
NOES: COUNCIL MEMBERS: (0) NONE  
ABSENT: COUNCIL MEMBERS: (0) NONE

/s/ TERESA POMEROY, CMC  
CITY CLERK