

Elizabeth Alcantar, Mayor
Jose R. Gonzalez, Vice Mayor
Chris Garcia, Council Member
Jack M. Guerrero, Council Member
Blanca Lozoya, Council Member



CLARA STREET PARK
TURNER HALL
4835 Clara Street
Cudahy, CA 90201
Phone: (323) 773-5143
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REMOTE TELECONFERENCE
TURNER HALL
Chamber of Commerce Room
4835 Clara Street
Cudahy, CA 90201
Teleconference Phone Number:
+1 (253) 215-8782
Meeting ID: 455 106 1606
<https://zoom.us/j/4551061606>

AGENDA

A SPECIAL MEETING
OF THE CUDAHY CITY COUNCIL
and JOINT MEETING of the
CITY OF CUDAHY AS SUCCESSOR AGENCY and HOUSING SUCCESSOR AGENCY
TO THE CUDAHY DEVELOPMENT COMMISSION
Monday, March 23, 2020 – 6:30 P.M.

Written materials distributed to the City Council within 24 hours of the City Council meeting shall be available for public inspection in the City Clerk's Office at City Hall located at 5220 Santa Ana Street, Cudahy, CA 90201.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, you should contact the City Clerk's Office at (323) 773-5143 at least 24 hours in advance of the meeting.

Rules of Decorum

*"Members of the public are advised that all **PAGERS, CELLULAR TELEPHONES, and any OTHER COMMUNICATION DEVICES** are to be **turned off** upon entering the City Council Chambers." If you need to have a discussion with someone in the audience, kindly step out into the lobby.*

Under the Government Code, the City Council may regulate disruptive behavior that impedes the City Council Meeting.

Disruptive conduct may include, but is not limited to:

- Screaming or yelling during another audience member's public comments period;
- Profane language directed at individuals in the meeting room;
- Throwing objects at other individuals in the meeting room;
- Physical or verbal altercations with other individuals in the meeting room; and
- Going beyond the allotted three-minute public comment period granted.

When a person's or group's conduct disrupts the meeting, the Mayor or presiding officer will request that the person or group stop the disruptive behavior, and WARN the person or group that they will be asked to leave the meeting room if the behavior continues.

If the person or group refuses to stop the disruptive behavior, the Mayor or presiding officer may order the person or group to leave the meeting room and may request that those persons be escorted from the meeting room. Any person who, without authority of law, willfully disturbs or breaks up a City Council meeting is guilty of a misdemeanor. (Pen. Code, § 403.)

It should also be noted that any person who WILLFULLY disturbs or breaks up the City Council meeting may be arrested for a misdemeanor offense. (Penal Code, § 403.)

1. CALL TO ORDER

2. ROLL CALL

Council / Agency Member Garcia
Council / Agency Member Guerrero
Council / Agency Member Lozoya
Vice Mayor / Vice Chair Gonzalez
Mayor / Chair Alcantar

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENTS

(Each member of the public may submit one comment card if he or she wishes to address the City Council. Only speakers that submit a comment card within the first 20 minutes of the meeting will be permitted to speak for three (3) minutes concerning items under the City Council's jurisdiction, including items on the agenda and closed session items.)

(Any person who, without authority of law, willfully disturbs or breaks up a City Council meeting is guilty of a misdemeanor. (Pen. Code, § 403).)

5. WAIVER OF FULL READING OF RESOLUTIONS AND ORDINANCES

(Consideration to waive full text reading of all Resolutions and Ordinances by single motion made at the start of each meeting, subject to the ability of the City Council / Agency to read the full text of selected resolutions and ordinances when the item is addressed by subsequent motion.)
(COUNCIL / AGENCY)

Recommendation: Approve the Waiver of Full Reading of Resolutions and Ordinances.

6. BUSINESS SESSION

A. Consideration and Adoption of a Resolution Declaring a Local Emergency Due to the Public Threat Caused by the Coronavirus (COVID-19) *(page 7)*

Presented by City Attorney's Office

Recommendation: The City Council is recommended to adopt Resolution No. 20-07, (Attachment A) declaring a local emergency due to the public threat caused by the coronavirus (COVID-19).

RECESS TO CLOSED SESSION

This is the time at which the City Council will meet in closed session to go over items of business on the closed session agenda. Once closed session is completed and the City Council returns from closed session into open session, members of the public may then reenter the Council Chamber to rejoin the proceedings.

7. CLOSED SESSION

DELIBERATING AS CUDAHY SUCCESSOR AGENCY

A. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:

Site No. 1 Elizabeth Street Residential Property
5256 Elizabeth Street APN: 6224-001-014
5260 Elizabeth Street APN: 6224-001-015

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer
Under Negotiation: Price and Terms

B. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:

Site No. 2 Atlantic Avenue/Santa Ana Street Commercial Property
4734 Santa Ana Street APN: 6224-018-008
8110 South Atlantic Avenue APN: 6224-018-071
8100 South Atlantic Avenue APN: 6224-018-068
Santa Ana Street APN: 6224-018-070
4720 Santa Ana Street APN: 6224-018-069

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer
Under Negotiation: Price and Terms

C. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:

Site No. 3 Santa Ana Street Residential Property
4610 Santa Ana Street APN: 6224-019-014

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney

Negotiating parties: Chief Administrative Officer
Under Negotiation: Price and Terms

D. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:

Site No. 4 Atlantic Avenue/Cecilia Street Commercial Property

8135 South Atlantic Avenue APN: 6224-022-001

4629 Cecilia Street APN: 6224-022-004

8201 South Atlantic Avenue APN: 6224-022-002

8221 South Atlantic Avenue APN: 6224-022-012

4633 Cecilia Street APN: 6224-022-003

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney

Negotiating parties: Chief Administrative Officer

Under Negotiation: Price and Terms

E. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:

Site No. 5 Atlantic Avenue/Patata Street Commercial Property

4819 Patata Street APN: 6224-034-014

8420 South Atlantic Avenue APN: 6224-034-032 APN: 6224-034-040

Patata Street APN: 6224-034-041

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney

Negotiating parties: Chief Administrative Officer

Under Negotiation: Price and Terms

F. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:

Site No. 6 Atlantic Avenue/Clara Street Commercial Property

4613 Clara Street APN: 6226-022-002

7660 South Atlantic Avenue APN: 6226-022-008

7630 South Atlantic Avenue APN: 6226-022-019 APN: 6226-022-020

7638 South Atlantic Avenue APN: 6226-022-023

7644 South Atlantic Avenue APN: 6226-022-022

No address APN: 6226-022-021 APN: 6226-022-024

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney

Negotiating parties: Chief Administrative Officer

Under Negotiation: Price and Terms

G. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiator

Properties:

- 8100 Atlantic Ave., 4720 Santa Ana St., 8110 Atlantic Ave., 4734 Santa Ana St. (APN 6224-018-068, 069, 070, 071, 008)
- 8135 Atlantic Ave., 4629 Cecilia St., 8201 S. Atlantic, 4633 Cecilia St., 8221 S. Atlantic Ave. (APN 6224-022-001, 004, 002, 003, 012)
- 4819 Patata, 8420 S. Atlantic Ave. (APN 6224-034-014, 032, 040, 041)
- 4613/4615 Clara St., 7630 Atlantic Blvd., 7660 Atlantic Blvd., 7638 Atlantic Blvd., 7644 Atlantic Blvd. (APN 6226-022-002, 019, 020, 008, 021, 022, 023, 024)
- 4610 Santa Ana St. (APN 6224-019-014)

City Negotiators: Acting City Manager, Santor Nishizaki and City Attorney
Negotiating Parties: Cudahy LF, LLC
Under Negotiation: Price and terms of payment

DELIBERATING AS CITY COUNCIL

H. Closed Session Pursuant to Government Code Section 54956.9(d)(4) – Conference with Legal Counsel to Discuss the Initiation of Litigation – Three Matters

**I. Closed Session Pursuant to Government Code Section 54957 – Public Employee Recruitment
Title of Position Under Consideration: City Manager**

J. Closed Session Pursuant to Government Code Section 54957 – Public Employee Appointment/Employment – Title: Interim City Manager.

**K. Closed Session Pursuant to Government Code Section 54957 – Public Employee Performance Evaluation
Title of Employee: City Manager**

**L. Closed Session Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator
City’s Designated Representative: Victor Ponto, City Attorney
Unrepresented Employee: City Manager**

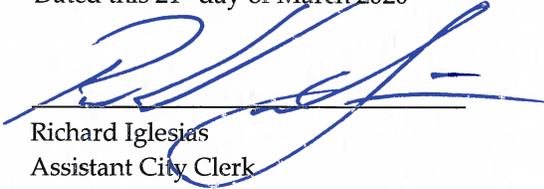
RECONVENE TO OPEN SESSION

8. CLOSED SESSION ANNOUNCEMENT

9. ADJOURNMENT

I, Richard Iglesias, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted at Cudahy City Hall, Bedwell Hall, Clara Park, Lugo Park, and the City's Website not less than 24 hours prior to the meeting. A copy of said Agenda is on file in the City Clerk's Office.

Dated this 21st day of March 2020


Richard Iglesias
Assistant City Clerk



Item Number 6A

STAFF REPORT

Date: March 23, 2020
To: Honorable Mayor/Chair and City Council/Successor Agency Members
From: Santor Nishizaki, Acting City Manager/Executive Director
By: City Attorney's Office
Subject: **Consideration and Adoption of a Resolution Declaring a Local Emergency Due to the Public Threat Caused by the Coronavirus (COVID-19)**

RECOMMENDATION

The City Council is recommended to adopt Resolution No. 20-07, (Attachment A) declaring a local emergency due to the public threat caused by the coronavirus (COVID-19).

BACKGROUND/JUSTIFICATION OF RECOMMENDED ACTION:

Since Coronavirus was first reported in China in December 2019, it has quickly spread throughout the world to over 120 countries. As of March 18, 2020, over 200,000 cases of the virus have been reported worldwide with over 8,000 deaths. After China, the countries with the greatest number of cases are South Korea, Italy, and Iran. Coronavirus can take up to 14 days to show symptoms, is highly contagious (even before showing symptoms), and has no known vaccine. Extraordinary measures have been taken to contain the virus, including quarantining multiple provinces of China and the entire country of Italy. On March 11, 2020, the World Health Organization ("WHO") declared the virus outbreak a pandemic.

The first confirmed case of Coronavirus in the United States was made on January 21, 2020. Since then, there has been increased concern about the virus spreading across the Country. As of March 18, 2020, there have been a total of 7,636 confirmed cases of the virus with 117 deaths. The most affected areas to date include the greater Seattle area, New York City, and the San Francisco Bay area. On March 4, 2020, shortly after the State's first death was reported, Governor Gavin Newsom declared a State of Emergency for the entire state, a copy his

declaration is attached as Exhibit A. On March 13, 2020, President Trump declared a National State of Emergency in response to the continued spread of the disease. On March 16, 2020, the County of Los Angeles issued an order prohibiting group events and gatherings, requiring social distancing measures, ordered the closure of all gyms and bars, and requiring all restaurants to provide take out or delivery services only, a copy of which is attached as Exhibit B.

The virus has only recently been identified in Southern California, with most of the cases confirmed over the past fourteen (14) days. In response, Los Angeles County, the City of Los Angeles, City of Long Beach, City of Pasadena, City of El Monte, City of Bell Gardens, City of Adelanto, City of Thousand Oaks, City of Fresno, among others have all declared local emergencies under the California Emergency Services Act.

The potential for the virus to rapidly spread has caused government officials and private businesses to respond at near-unprecedented levels. Events and activities throughout the region have been canceled, closed, or postponed. The National Basketball Association (NBA) has suspended all games, the BNP Paribas Tennis Open in Indian Wells has been canceled, the Coachella Valley Music and Arts Festival has been postponed to October 2020, and the Disneyland theme park has closed its doors through the end of March 2020. Various cities throughout Southern California have closed their City Hall to members of the public, except for public meetings of the City Council, board and commission meetings will transition to accessible phone or video conference sessions that will allow constituents to make comments, ask questions, and engage with local leaders.

CITY OF CUDAHY EFFORTS

In response to the fast-moving series of events, staff recommends the City of Cudahy (the "City") also declare a local emergency, like many of our neighboring cities have. Although there are no confirmed cases in Cudahy, the declaration is out of an abundance to protect the health, safety, and welfare of our community members and City employees.

The City has already taken measures to reduce the spread of the virus. This includes canceling all events held at city-run centers, as well as cancellation of all senior citizen activities and community events. As of March 17, 2020, the City of Cudahy has closed City Hall to the public, employees are still entering the building, however, no members of the public will be allowed in. Employees are instructed to follow social distancing guidelines while working.

The City has also used its resources to remind individuals of the many steps they can take to reduce the risk of getting Coronavirus. This includes washing hands with soap and water for at least 20 seconds, covering a cough or sneeze, and staying home if sick. People should also prepare for a possible disruption to daily routines that could be caused by the virus. This includes having a supply of all essential needs (i.e. food and water), medications, making child-care plans if needed, and understanding an employer's policies regarding leave options or work from home opportunities.

The local emergency declaration will also give the City the ability to mobilize City resources, accelerate emergency planning, and streamline staffing. Additionally, it may allow the City to become eligible for future reimbursements by the state and/or federal government. The City will continue to work closely with the County of Los Angeles Public Health Department to stay up to date on the latest developments.

CITY OF CUDAHY MUNICIPAL CODE

Title 2 Chapter 44 of the Cudahy Municipal Code, attached as Exhibit C, sets forth the procedure for establishing a "Disaster Council" in the event of an emergency. Section 2.44.050 defines an "emergency" as the actual or threatened existence of conditions of disaster or 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. The Coronavirus has been declared a pandemic since March 11, 2020.

The Cudahy Disaster Council shall consist of the Mayor who will serve as the Chairman, the Director of Emergency Services who shall serve as Vice Chairman, the Assistant Director of Emergency Services, who shall be appointed by the Chairman, Chiefs of Emergency Services as are provided for in a current emergency plan of this City, representatives of civic business, labor, veterans, professional, or other organization having an official emergency responsibility, who may be appointed by the Director with the advice and consent of the City Council.

The Cudahy Disaster Council is hereby empowered, to develop and recommend for adoption by the City Council, emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. The Disaster Council shall meet upon the call of the Chairman, or upon the call of the Vice Chairman, should the Chairman be unable to call the meeting.

Any expenditures made in connection with emergency activities shall be deemed conclusively

to be for the direct protection and benefit of the inhabitants and property of the City of Cudahy. The City Manager shall serve as the Director of Emergency Services, as such he is empowered to:

- Request the City Council to proclaim the existence of a "local emergency", if the City Council is in session, if not the Director may issue the proclamation. Should the proclamation be by the Director, the City Council shall take action to ratify the proclamation within seven (7) days thereafter, if not the proclamation has no further force or effect.
- Request the Governor to proclaim a "state of emergency."
- Control and direct the effort of the emergency organization of the City.
- Direct cooperation between and coordination of services and staff of the emergency organization of the City.
- Represent the City in all dealings with public or private agencies on matters pertaining to emergencies.
- Should there be a proclamation by the City Council or Disaster Council of a "local emergency" or "state of emergency" by the Governor or the Director of the State Office of Emergency Services, the Director of Emergency is empowered to:
 - o Make and issue rules and regulations on matters reasonably related to the protection of life and property, such rules and regulations must be confirmed at the earliest practicable time by the City Council;
 - o Obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property, and to bind the City for the fair value of said supplies or equipment;
 - o Require emergency services of any city officer or employee and, in the event of the proclamation of a "state of emergency" to command the aid of as many citizens of the community as is deemed necessary;
 - o To requisition necessary personnel or material of any city department or agency;
 - o To execute all of his ordinary power as City Manager, all of the special powers conferred upon him by this chapter.
- Designate the order of succession, in the event he is unable to attend a meeting.
- Assistant Director shall, under the supervision of the Director and with the assistance of emergency services chiefs, develop emergency plans and manage the emergency programs of the City, as well as have such powers and duties as may be assigned by the Director.

RECOMMENDATION

Accordingly, it is recommended that the City Council approve the attached Resolution.

ATTACHMENTS

- A. Resolution No. 20-07
- B. Exhibit "A"
- C. Exhibit "B"
- D. Exhibit "C"

RESOLUTION NO. 20-07

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CUDAHY, CALIFORNIA DECLARING A
LOCAL EMERGENCY DUE TO THE PUBLIC
THREAT CAUSED BY CORONAVIRUS (COVID-19)**

WHEREAS, Coronavirus, also known as COVID-19, was first reported in China in December 2019; and

WHEREAS, in less than three (3) months, COVID-19 has infected over 135,000 people in 120 cases and has caused nearly 5,000 deaths; and

WHEREAS, COVID-19 can take up to 14 days to exhibit symptoms, is highly contagious (even when not showing symptoms), and has no known vaccine; and

WHEREAS, COVID-19 was first identified in the United States on January 21, 2020, and since then, there has been a total of 19,393 confirmed cases and 256 deaths; and

WHEREAS, public facilities, schools, major events, and activities throughout Southern California have been cancelled, closed or postponed; and

WHEREAS, on February 26, 2020, the Centers for Disease Control and Prevention (“CDC”), confirmed the first possible case of community transmission of COVID-19 in the United States; and

WHEREAS, on March 4, 2020, California Governor Gavin Newsom declared a State of Emergency and the County of Los Angeles, City of Los Angeles, City of Long Beach and City of Pasadena all declared Local Emergencies; and

WHEREAS, on March 11, 2020, the World Health Organization (“WHO”) publicly characterized COVID-19 as a pandemic; and

WHEREAS, on March 12, 2020, Governor Newsom issued Executive Order N-25-20 in a further effort to confront and contain COVID-19, that among other things suspended certain provisions of the Ralph M. Brown Act providing local agencies with greater flexibility to hold meetings via teleconferencing; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency due to the continued spread and the effects of COVID-19; and

WHEREAS, on March 16, 2020 the County of Los Angeles ordered the closure of all gyms, bars, ordered all restaurants to close their sit-down areas, and offer take out or delivery services only; and

WHEREAS, on March 19, 2020, the County of Los Angeles issued a Mandatory Stay at Home Order, ordering the closure of all non-essential businesses until April 19, 2020; and

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order N-33-

20, ordering all individuals residing in the State of California to stay home, or at their place of residence, with the exception of the individuals working in the 16 critical infrastructures sectors identified in the order; and

WHEREAS, as of the date of this Resolution the City of Cudahy ("City") has taken the following measures to address the COVID-19 outbreak, cancellation of all events taking place at City run centers as well as cancellation of all senior citizen activities and community events; closure of City Hall to the public; and

WHEREAS, Title 2, Chapter 44, Section 30 of the Cudahy Municipal Code ("Code") creates the Cudahy Disaster Council and shall consist of: 1) The Mayor, who shall be Chairman; 2) the Director of Emergency Services, who shall be Vice Chairman; 3) the Assistant Director of Emergency Services; 4) such chiefs of emergency services as are provided for in a current emergency plan of this City, and 5) such representatives of civic business, labor, veterans, professional, or other organizations having an official emergency responsibility, and may be appointed by the director with the advice and consent of the City Council; and

WHEREAS, Title 2, Chapter 44, Section 50 of the Code designates the City Manager as Director of Emergency Services and Assistant Director of Emergency Services shall be appointed by the Director; and

WHEREAS, Title 2, Chapter 44, Section 60 of the Code establishes all powers and duties of the Director and Assistant Director of Emergency Services; and

WHEREAS, the City Council does hereby find the following:

1. That the above recitals are true and correct and based thereon, hereby finds that the spread and potential further spread of COVID-19 constitutes a situation that severely impairs the public health and safety within the City and constitutes conditions of extreme peril to the safety of persons and property within the City;
2. That these conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City; and
3. That the conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency.

BASED UPON THE ABOVE RECITALS, THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1. At the City Council Special meeting of March 23, 2020, the City Council declared a Local Emergency due to Coronavirus (COVID-19).

SECTION 2. That during the threatened existence and actual existence of the local emergency, the powers, functions, and duties of the City Manager, as the Director of Emergency Services, and the Cudahy Disaster Council are hereby authorized to

exercise their powers and duties as provided in §§ 2.44.040 and 2.44.060 of the Cudahy Municipal Code.

SECTION 3. To ensure that City vendors are paid in a timely manner, the City Manager and the City Treasurer are authorized and directed to approve the claims and demands, make payments thereon, and finally to bring those claims and demands to the City Council at future meetings for ratification of the payments made.

SECTION 4. That the City Council will utilize, to the extent reasonably feasible and appropriate, the ability to conduct its council meetings via teleconferencing and other electronic means to permit councilmembers and members of the public to adopt social distancing to the greatest extent possible while still proceeding with the efficient handling of the City's business, in compliance with California Executive Order N-25-20.

SECTION 5. That the City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at its special meeting on this 23rd day of March 2020.

Elizabeth Alcantar
Mayor

ATTEST:

Richard Iglesias
Assistant City Clerk

EXHIBIT A

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS in December 2019, an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19), was first identified in Wuhan City, Hubei Province, China, and has spread outside of China, impacting more than 75 countries, including the United States; and

WHEREAS the State of California has been working in close collaboration with the national Centers for Disease Control and Prevention (CDC), with the United States Health and Human Services Agency, and with local health departments since December 2019 to monitor and plan for the potential spread of COVID-19 to the United States; and

WHEREAS on January 23, 2020, the CDC activated its Emergency Response System to provide ongoing support for the response to COVID-19 across the country; and

WHEREAS on January 24, 2020, the California Department of Public Health activated its Medical and Health Coordination Center and on March 2, 2020, the Office of Emergency Services activated the State Operations Center to support and guide state and local actions to preserve public health; and

WHEREAS the California Department of Public Health has been in regular communication with hospitals, clinics and other health providers and has provided guidance to health facilities and providers regarding COVID-19; and

WHEREAS as of March 4, 2020, across the globe, there are more than 94,000 confirmed cases of COVID-19, tragically resulting in more than 3,000 deaths worldwide; and

WHEREAS as of March 4, 2020, there are 129 confirmed cases of COVID-19 in the United States, including 53 in California, and more than 9,400 Californians across 49 counties are in home monitoring based on possible travel-based exposure to the virus, and officials expect the number of cases in California, the United States, and worldwide to increase; and

WHEREAS for more than a decade California has had a robust pandemic influenza plan, supported local governments in the development of local plans, and required that state and local plans be regularly updated and exercised; and

WHEREAS California has a strong federal, state and local public health and health care delivery system that has effectively responded to prior events including the H1N1 influenza virus in 2009, and most recently Ebola; and

WHEREAS experts anticipate that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require hospitalization, particularly individuals who are elderly or already have underlying chronic health conditions; and

WHEREAS it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases in California, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization; and

WHEREAS if COVID-19 spreads in California at a rate comparable to the rate of spread in other countries, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the people of California, and limits the spread of infection in our communities and within the healthcare delivery system; and

WHEREAS personal protective equipment (PPE) is not necessary for use by the general population but appropriate PPE is one of the most effective ways to preserve and protect California's healthcare workforce at this critical time and to prevent the spread of COVID-19 broadly; and

WHEREAS state and local health departments must use all available preventative measures to combat the spread of COVID-19, which will require access to services, personnel, equipment, facilities, and other resources, potentially including resources beyond those currently available, to prepare for and respond to any potential cases and the spread of the virus; and

WHEREAS I find that conditions of Government Code section 8558(b), relating to the declaration of a State of Emergency, have been met; and

WHEREAS I find that the conditions caused by COVID-19 are likely to require the combined forces of a mutual aid region or regions to appropriately respond; and

WHEREAS under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the threat posed by 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.

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, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in California.

IT IS HEREBY ORDERED THAT:

1. In preparing for and responding to COVID-19, all agencies of the state government use and employ state personnel, equipment, and facilities or perform any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan, as well as the California Department of Public Health and the Emergency Medical Services Authority. Also, all residents are to heed the advice of emergency officials with regard to this emergency in order to protect their safety.
2. As necessary to assist local governments and for the protection of public health, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the spread of COVID-19. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of COVID-19.
3. Any out-of-state personnel, including, but not limited to, medical personnel, entering California to assist in preparing for, responding to, mitigating the effects of, and recovering from COVID-19 shall be permitted to provide services in the same manner as prescribed in Government Code section 179.5, with respect to licensing and certification. Permission for any such individual rendering service is subject to the approval of the Director of the Emergency Medical Services Authority for medical personnel and the Director of the Office of Emergency Services for non-medical personnel and shall be in effect for a period of time not to exceed the duration of this emergency.
4. The time limitation set forth in Penal Code section 396, subdivision (b), prohibiting price gouging in time of emergency is hereby waived as it relates to emergency supplies and medical supplies. These price gouging protections shall be in effect through September 4, 2020.
5. Any state-owned properties that the Office of Emergency Services determines are suitable for use to assist in preparing for, responding to, mitigating the effects of, or recovering from COVID-19 shall be made available to the Office of Emergency Services for this purpose, notwithstanding any state or local law that would restrict, delay, or otherwise inhibit such use.
6. Any fairgrounds that the Office of Emergency Services determines are suitable to assist in preparing for, responding to, mitigating the effects of, or recovering from COVID-19 shall be made available to the Office of Emergency Services pursuant to the Emergency Services Act, Government Code section 8589. The Office of Emergency Services shall notify the fairgrounds of the intended use and can immediately use the fairgrounds without the fairground board of directors' approval, and

notwithstanding any state or local law that would restrict, delay, or otherwise inhibit such use.

7. The 30-day time period in Health and Safety Code section 101080, within which a local governing authority must renew a local health emergency, is hereby waived for the duration of this statewide emergency. Any such local health emergency will remain in effect until each local governing authority terminates its respective local health emergency.
8. The 60-day time period in Government Code section 8630, within which local government authorities must renew a local emergency, is hereby waived for the duration of this statewide emergency. Any local emergency proclaimed will remain in effect until each local governing authority terminates its respective local emergency.
9. The Office of Emergency Services shall provide assistance to local governments that have demonstrated extraordinary or disproportionate impacts from COVID-19, if appropriate and necessary, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.
10. To ensure hospitals and other health facilities are able to adequately treat patients legally isolated as a result of COVID-19, the Director of the California Department of Public Health may waive any of the licensing requirements of Chapter 2 of Division 2 of the Health and Safety Code and accompanying regulations with respect to any hospital or health facility identified in Health and Safety Code section 1250. Any waiver shall include alternative measures that, under the circumstances, will allow the facilities to treat legally isolated patients while protecting public health and safety. Any facilities being granted a waiver shall be established and operated in accordance with the facility's required disaster and mass casualty plan. Any waivers granted pursuant to this paragraph shall be posted on the Department's website.
11. To support consistent practices across California, state departments, in coordination with the Office of Emergency Services, shall provide updated and specific guidance relating to preventing and mitigating COVID-19 to schools, employers, employees, first responders and community care facilities by no later than March 10, 2020.
12. To promptly respond for the protection of public health, state entities are, notwithstanding any other state or local law, authorized to share relevant medical information, limited to the patient's underlying health conditions, age, current condition, date of exposure, and possible contact tracing, as necessary to address the effect of the COVID-19 outbreak with state, local, federal, and nongovernmental partners, with such information to be used for the limited purposes of monitoring, investigation and control, and treatment and coordination of care. The

notification requirement of Civil Code section 1798.24, subdivision (i), is suspended.

13. Notwithstanding Health and Safety Code sections 1797.52 and 1797.218, during the course of this emergency, any EMT-P licensees shall have the authority to transport patients to medical facilities other than acute care hospitals when approved by the California EMS Authority. In order to carry out this order, to the extent that the provisions of Health and Safety Code sections 1797.52 and 1797.218 may prohibit EMT-P licensees from transporting patients to facilities other than acute care hospitals, those statutes are hereby suspended until the termination of this State of Emergency.
14. The Department of Social Services may, to the extent the Department deems necessary to respond to the threat of COVID-19, waive any provisions of the Health and Safety Code or Welfare and Institutions Code, and accompanying regulations, interim licensing standards, or other written policies or procedures with respect to the use, licensing, or approval of facilities or homes within the Department's jurisdiction set forth in the California Community Care Facilities Act (Health and Safety Code section 1500 et seq.), the California Child Day Care Facilities Act (Health and Safety Code section 1596.70 et seq.), and the California Residential Care Facilities for the Elderly Act (Health and Safety Code section 1569 et seq.). Any waivers granted pursuant to this paragraph shall be posted on the Department's website.

I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this proclamation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 4th day of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

EXHIBIT B



NEWS RELEASE

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For Immediate Release:

March 16, 2020

For more information contact:

Public Health Communications

(213) 240-8144

media@ph.lacounty.gov

LA County Public Health Issues Order to Prohibit Group Events and Gatherings, Require Social Distancing Measures and the Closure of Certain Businesses

LOS ANGELES – Today the Los Angeles County Health Officer (Health Officer) issued an order to prohibit all indoor and outdoor, public and private events and gatherings within a confined space, where 50 or more members of the public are expected to attend at the same time, to require social distancing measures and temporary closure of certain businesses. The decision for the Order is based on evidence of increasing community transmission requiring the immediate implementation of additional community mitigation efforts for organizations to help reduce the spread of COVID-19 within the county. This Order will remain in effect at least through March 31, 2020.

To further protect against the spread of COVID-19, the Health Officer's Order also requires persons in charge of events and gatherings attended by 10-49 persons to ensure that attendees follow specific social distancing measures, as well as, follow infection control guidelines for the duration of the event and prohibits dining in at restaurants. Restaurants may continue to serve food to customer via delivery, take-out or drive-thru. Furthermore, the Order requires the closing of businesses where it is common for patrons to be in close contact with each other for extended periods of time, such as, movie theaters, gyms and fitness centers, arcades, bowling alleys and bars and nightclubs that do not serve food.

"Chairwoman Kathryn Barger continues to take swift action to protect the more than 10 million individuals in Los Angeles County. I would like to thank all the local leaders who are working tirelessly to address what is a quickly changing situation here in Los Angeles County. Our goal is to slow the transmission of COVID-19, but we can't do it alone," said Barbara Ferrer, PhD, MPH, MEd, Director of Public Health. "Each and every one of us, both businesses and residents, must do our part by practicing social distancing and taking common sense infection control precautions. We urgently need to flatten the curve of COVID-19 in order to keep our hospitals and emergency rooms from becoming overwhelmed with COVID-19 patients. Flattening the curve requires conscientious social distancing efforts by all our LA County residents during this time of crisis. Our collective efforts during this pandemic can literally save the lives of our loved ones and most vulnerable residents."

"This Order is designed to implement both the Center for Disease Control's (CDC) Interim Guidance for Large Events and Mass Gatherings and the California Department of Public Health's Gathering Guidance to limit the spread of COVID-19," said County Health Officer, Muntu Davis, MD, MPH. "I know that it will significantly impact the lives of our residents and businesses. But, without a specific vaccine or treatment, these community mitigation strategies are the only and most readily available tools we

have to slow the spread of COVID-19 and protect the health and well-being of our communities in LA County."

Community mitigation efforts include social distancing and temporary closures. Social distancing strategies increase distance between people in specific settings where people commonly come into close contact with one another. Closures refer to the temporary closures of specific settings where people gather, and act to enhance efforts to implement social distancing.

The Health Officer's Order specifically requires that:

- Events and gatherings of 50 members or more are prohibited at least until April 1, 2020.
 - This order applies to conferences, arenas, stadiums, convention centers, and meeting spaces. These are places where persons, often strangers, sit and remain in close proximity of one another for extended periods of time.
- For all public and private events and gatherings of 10-49 persons, the Health Officer requires that event organizers and venue operators to do the following:
 - Enforce social distancing measures by requiring attendees or groups of attendees, such as a group of family members or household contacts, who remain at the event to be separated by a distance of at least six feet during the entirety of the event or gathering.
 - Provide access to hand washing facilities with soap and water or hand sanitizer that contains at least 60 percent alcohol.
 - Post a conspicuous sign at the entry of the event or gathering that instructs persons that have symptoms of respiratory illness to not attend.
 - Adhere to cleaning and infection control guidance provided by Public Health.
- The Order specifically requires the closure of bars and nightclubs that do not serve food, gyms, fitness centers, movie and performance theaters, bowling alleys and arcades.
- This Order does not supersede any stricter limitation imposed by a local public entity within the Los Angeles County. Certain activities are essential to the functioning of the County and the well-being of our residents and must continue. This Order does not apply to sites and situations where people obtain essential services and essential goods to meet their basic needs, such as:
 - Regular school classes, work, or essential services locations.
 - Grocery stores or retail stores.
 - Pharmacies.
 - Places of transit, like airports, metro stations, or bus stations.
 - Hospitals or health care facilities.
 - Schools and universities/ colleges.
 - Congregate living situations, including dormitories.

Both the State and County Public Health have provided infection control guidance to facilities and businesses not covered by this order.

Public Health has issued the following guidance during this time of increased spread:

- Avoid non-essential travel, public gatherings, and places where large groups of people congregate.
- Event organizers postpone or cancel non-essential gatherings of 50 or more until at least the end of March.
- Limit gatherings of individuals who are at higher risk for severe illness from COVID-19 (people older than 65, pregnant women, and those with chronic illness) to no more than 10 people.
- This guidance does not apply to activities such as attendance at regular school classes, work, or essential services, including public transportation, airport travel or shopping.
- If you are mildly sick with a fever, stay home and call your doctor if you are concerned and/or your symptoms worsen. Individuals who are elderly, have underlying health conditions or pregnant should consider contacting their providers earlier when they are sick.

- Exclude employees and visitors with any fever and/or respiratory infections symptoms and visitors with recent travel to any country or region with significant community transmission (including communities in the US) from all schools, businesses, and gatherings of any size.
- Follow all social distancing recommendations issued by Public Health.

A copy of the [Order](#) and additional things you can do to protect yourself, your family and your community can be found on the Public Health website, at: www.publichealth.lacounty.gov

Always check with trusted sources for the latest accurate information about novel coronavirus:

- Los Angeles County Department of Public Health <http://publichealth.lacounty.gov/media/Coronavirus/>
- California Department of Public Health <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/nCoV2019.aspx>
- Centers for Disease Control and Prevention (CDC) <https://www.cdc.gov/coronavirus/2019-ncov/index.html>
- World Health Organization <https://www.who.int/health-topics/coronavirus>
- LA County residents can also call 2-1-1

The Department of Public Health is committed to promoting health equity and ensuring optimal health and well-being for all 10 million residents of Los Angeles County. Through a variety of programs, community partnerships and services, Public Health oversees environmental health, disease control, and community and family health. Nationally accredited by the Public Health Accreditation Board, the Los Angeles County Department of Public Health comprises nearly 4,500 employees and has an annual budget of \$1.2 billion. To learn more about Los Angeles County Public Health, please visit www.publichealth.lacounty.gov, and follow LA County Public Health on social media at twitter.com/lacounty, and follow LA County Public Health on social media at twitter.com/lapublichealth, facebook.com/lapublichealth, instagram.com/lapublichealth and youtube.com/lapublichealth.

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EXHIBIT C

Chapter 2.44**DISASTER COUNCIL**

Sections:

- 2.44.010 Purposes.
- 2.44.020 Definition.
- 2.44.030 Disaster council membership.
- 2.44.040 Disaster council powers and duties.
- 2.44.050 Director and assistant director of emergency services.
- 2.44.060 Powers and duties of the director and assistant director of emergency services.
- 2.44.070 Emergency organization.
- 2.44.080 Emergency plan.
- 2.44.090 Expenditures.
- 2.44.100 Punishment of violations.

2.44.010 Purposes.

The declared purposes of this chapter are to provide for the preparation and carrying out of plans for the protection of persons and property within this city in the event of any emergency; the direction of the emergency organization; and the coordination of the emergency functions of this city with all other public agencies, corporations, organizations, and affected private persons. (Ord. 476 § 8; Ord. 329 § 1. 2002 Code § 2-9.1).

2.44.020 Definition.

As used in this chapter, "emergency" shall mean 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 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. (Ord. 476 § 8; Ord. 329 § 2. 2002 Code § 2-9.2).

2.44.030 Disaster council membership.

The city of Cudahy disaster council is hereby created and shall consist of the following:

- (1) The mayor, who shall be chairman.

(2) The director of emergency services, who shall be vice chairman.

(3) The assistant director of emergency services.

(4) Such chiefs of emergency services as are provided for in a current emergency plan of this city, adopted pursuant to this chapter.

(5) Such representatives of civic business, labor, veterans, professional, or other organizations having an official emergency responsibility, as may be appointed by the director with the advice and consent of the city council. (Ord. 329 § 3. 2002 Code § 2-9.3).

2.44.040 Disaster council powers and duties.

It shall be the duty of the city of Cudahy disaster council, and it is hereby empowered, to develop and recommend for adoption by the city council, emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. The disaster council shall meet upon call of the chairman or, in his absence from the city or inability to call such meeting, upon call of the vice chairman. (Ord. 476 § 8; Ord. 329 § 4. 2002 Code § 2-9.4).

2.44.050 Director and assistant director of emergency services.

(1) There is hereby created the office of director of emergency services. The city manager shall be the director of emergency services.

(2) There is hereby created the office of assistant director of emergency services, who shall be appointed by the director. (Ord. 476 § 8; Ord. 329 § 5. 2002 Code § 2-9.5).

2.44.060 Powers and duties of the director and assistant director of emergency services.

(1) The director is hereby empowered to:

(a) Request the city council to proclaim the existence or threatened existence of a "local emergency" if the city council is in session, or to issue such proclamation if the city council is not in session. Whenever a local emergency is proclaimed by the director, the city council shall take action to ratify the proclamation within seven days thereafter or the proclamation shall have no further force or effect.

(b) Request the Governor to proclaim a "state of emergency" when, in the opinion of the director, the locally available resources are inadequate to cope with the emergency.

(c) Control and direct the effort of the emergency organization of this city for the accomplishment of the purposes of this chapter.

(d) Direct cooperation between and coordination of services and staff of the emergency organization of this city; and resolve questions of authority and responsibility that may arise between them.

(e) Represent this city in all dealings with public or private agencies on matters pertaining to emergencies as defined herein.

(f) In the event of the proclamation of a "local emergency" as herein provided, the proclamation of a "state of emergency" by the Governor or the Director of the State Office of Emergency Services, or the existence of a "state of war emergency," the director is hereby empowered:

(i) 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 city council;

(ii) To obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the city for the fair value thereof and, if required immediately, to commandeer the same for public use;

(iii) To require emergency services of any city officer or employee and, in the event of the proclamation of a "state of emergency" in the county in which this city is located or the existence of a "state of war emergency," to command the aid of as many citizens of this community as he deems necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered disaster service workers;

(iv) To requisition necessary personnel or material of any city department or agency; and

(v) To execute all of his ordinary power as city manager, all of the special powers conferred upon him by this chapter or by resolution or emergency plan pursuant hereto adopted by the city council, all powers conferred upon him by any stat-

ute, by any agreement approved by the city council, and by any other lawful authority.

(2) The director of emergency services shall designate the order of succession to that office, to take effect in the event the director is unavailable to attend meetings and otherwise perform his duties during an emergency. Such order of succession shall be approved by the city council.

(3) The assistant director shall, under the supervision of the director and with the assistance of emergency service chiefs, develop emergency plans and manage the emergency programs of this city; and shall have such powers and duties as may be assigned by the director. (Ord. 476 § 8; Ord. 329 § 6. 2002 Code § 2-9.6).

2.44.070 Emergency organization.

All officers and employees of this city, together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations, and persons who may by agreement or operation of law, including persons impressed into service under the provisions of CMC 2.44.060(1)(f)(iii), be charged with duties incident to the protection of life and property in this city during such emergency, shall constitute the emergency organization of the city of Cudahy. (Ord. 476 §§ 8, 16; Ord. 329 § 7. 2002 Code § 2-9.7).

2.44.080 Emergency plan.

The Cudahy disaster council shall be responsible for the development of the city of Cudahy emergency plan, which plan shall provide for the effective mobilization of all of the resources of this city, both public and private, to meet any condition constituting a local emergency, state of emergency, or state of war emergency; and shall provide for the organization, powers and duties, services and staff of the emergency organization. Such plan shall take effect upon adoption by resolution of the city council. (Ord. 476 § 8; Ord. 329 § 8. 2002 Code § 2-9.8).

2.44.090 Expenditures.

Any expenditures made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the city of Cudahy. (Ord. 476 § 8; Ord. 329 § 9. 2002 Code § 2-9.9).

2.44.100 Punishment of violations.

It shall be a misdemeanor, punishable by a fine of not to exceed \$500.00, or by imprisonment for not to exceed six months, or both, for any person, during an emergency, to:

(1) Willfully obstruct, hinder, or delay any member of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter, or in the performance of any duty imposed upon him by virtue of this chapter.

(2) Do any act forbidden by any lawful rule or regulation issued pursuant to this chapter, if such act is of such a nature as to give or be likely to give assistance to the enemy or to imperil the lives or property of inhabitants of this city, or to prevent, hinder, or delay the defense or protection thereof.

(3) Wear, carry, or display, without authority, any means of identification specified by the emergency agency of the state. (Ord. 476 § 8; Ord. 329 § 10. 2002 Code § 2-9.10).

Chapter 2.48

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Sections:

- 2.48.010 Amendment to contract.
- 2.48.020 Mayor to execute.

2.48.010 Amendment to contract.

The amendment to the contract between the city council of the city of Cudahy and the Board of Administration of the California Public Employees' Retirement System to provide a different level of benefit, pursuant to Government Code Section 20475, by implementing, pursuant to Government Code Section 21353, a two percent at 60 retirement plan which shall apply to new miscellaneous employees hired by the city of Cudahy on or after the effective date of the contract amendment contemplated herein. (Ord. 618 § 1, 2011; Ord. 474 § 1; Ord. 474-U § 1; Ord. 463 § 1; Ord. 463-U § 1; Ord. 420 § 1; Ord. 319 § 1; Ord. 254 § 1. 2002 Code § 10-1.1).

2.48.020 Mayor to execute.

The mayor of the city of Cudahy, or his designee, is hereby authorized, empowered, and directed to execute said amendment for and on behalf of the city of Cudahy. (Ord. 618 § 2, 2011; Ord. 474 § 2; Ord. 474-U § 2; Ord. 420 § 1; Ord. 319 § 2; Ord. 254 § 2. 2002 Code § 10-1.2).