

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-036

Introduced by Council Member Mendall

RESOLUTION RATIFYING THE PROCLAMATION OF LOCAL EMERGENCY

WHEREAS, the Emergency Services Act, Government Code sections 8558(c) and 8630 authorize the proclamation of a local emergency when conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a city exist; and

WHEREAS, pursuant to Government Code section 8630 such an emergency may be proclaimed by the governing body or by an official designated by ordinance adopted by the governing body; and

WHEREAS, Hayward Municipal Code section 3-2.12 provides that the City Manager, serving as the Director of Emergency Services, may request the City Council to proclaim the existence of a local emergency; and

WHEREAS, under provision of local law, if the City Council cannot be convened and, in the judgment of the Director of Emergency Services, the circumstances warrant it, a proclamation of local emergency may be issued which must be ratified or nullified by the City Council within seven days of issuance; and

WHEREAS, the City Council does find that the City Council could not be convened at that time, and that these conditions did warrant and necessitate the proclamation of a local emergency.

WHEREAS, in accordance with authority granted under the above provisions of state and local law, the Director of Emergency Services beginning on March 11, 2020 did proclaim the existence of a local emergency caused by epidemic in the form of the global spread of a severe acute respiratory illness caused by a novel (new) coronavirus ("COVID-19"), including confirmed cases in the San Francisco Bay Area and Alameda County prompting the County to declare a local health emergency; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Hayward that it is hereby proclaimed and ordered that the Proclamation of Local Emergency, issued by the Director of Emergency Services, is hereby ratified and confirmed; and

BE IT FURTHER RESOLVED that during the existence of this local emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, and the Charter, ordinances, resolutions and approved plans of the City of Hayward. Consistent therewith, and as authorized by Government Code sections

8558(c) and 8630, and Municipal Code section 3-2.12(a)(6)(ii) and 3-2.12(a)(6)(iv), the Director of Emergency Services is hereby authorized to obtain necessary supplies and bind the City for the fair value thereof, to requisition necessary personnel or material, or to otherwise take such steps or incur such costs as may be required for the general health, welfare, and safety of the community, in a total amount not to exceed \$3 million, which amount is hereby authorized and appropriated from the General Fund, provided the Director of Emergency Services makes a written report to the City Council of such expenditures on a regular basis. Said appropriation shall be available for a period not to exceed 60 days after the expiration of the declaration of emergency, with a final accounting to be made to the City Council at said point.

IN COUNCIL, HAYWARD, CALIFORNIA March 17, 2020.

ADOPTED BY THE FOLLOWING VOTE:

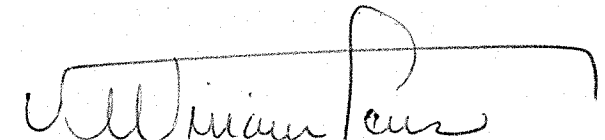
AYES: COUNCIL MEMBERS: Zermeno, Márquez, Mendall, Lamnin, Wahab, Salinas
MAYOR: Halliday

NOES: COUNCIL MEMBERS: None

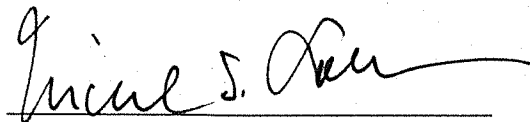
ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ATTEST:


City Clerk of the City of Hayward

APPROVED AS TO FORM:


City Attorney of the City of Hayward