

RESOLUTION 2023 - 045

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINCOLN
TERMINATING THE LOCAL EMERGENCY AND RESCINDING ALL RULES AND
REGULATIONS ADOPTED THEREUNDER**

WHEREAS, Government Code section 8630 authorizes local governing bodies to proclaim local emergencies when such events occur as are defined by Government Code section 8558(c), provided further that the local governing body, under Government Code section 8630, must review the local emergency at least every sixty (60) days until the emergency is declared to be terminated and shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant; and

WHEREAS, on March 3, 2020, the Placer County Public Health Officer issued a Declaration of Local Health Emergency due to the presence of and threat posed by novel coronavirus (“COVID-19”); and

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a state of emergency existed in the State of California due to the presence of and threat posed by COVID-19 and suspended the requirement in Government Code section 8630 to review the local emergency at least every 60 days; and

WHEREAS, on On March 17, 2020, the City Council ratified Resolution 2020-053 pursuant to Government Code section 8630 and Lincoln Municipal Code section 2.36.060 due to the outbreak of COVID-19 and since then, the City has relied on the Governor’s suspension of the 60-day time period to review the local emergency to indefinitely extend the declared State of Emergency; and

WHEREAS, on October 17, 2022, the Governor announced that California’s COVID-19 state of emergency will end on February 28, 2023; and

WHEREAS, on February 28, 2023, the Governor’s proclaimed state of emergency will end, including the Governor’s Emergency Order and suspending the ratification of a proclamation of a local state of emergency every 60 days under Government Code section 8630; and

WHEREAS, although the COVID-19 pandemic continues to directly affect the safety of persons and property within the City of Lincoln, the conditions necessitating the local emergency due to COVID-19 are steadily improving and will be sufficiently abated by February 28, 2023, such that the local emergency will no longer be warranted; and

WHEREAS, the City Council wishes to end the local emergency and thereby rescind all rules and regulations issued thereunder.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lincoln, in consideration of the foregoing, does hereby resolve:

1. The Recitals above are true and correct and incorporated herein by reference.

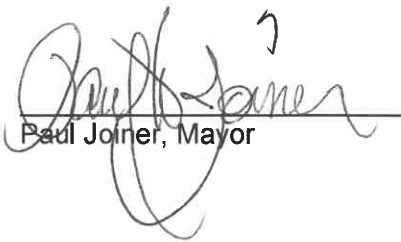
2. Based on the improving public health, safety, and welfare conditions related to the COVID-19 pandemic, and pursuant to the requirements of Government Code section 8630(d), the local emergency shall be terminated on February 28, 2023.
3. All rules and regulations adopted and ratified during the local emergency are hereby rescinded.
4. This Resolution is hereby adopted and becomes effective and in full force immediately.

PASSED AND ADOPTED this 14th day of March, 2023.

AYES: COUNCILMEMBERS: Andreatta, Karleskint, Brown, Lauritsen, Joiner

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:


Paul Joiner, Mayor

ATTEST:


Gwen Scanlon, City Clerk

Attachment 2

RESOLUTION 2020 - 53

RESOLUTION CONFIRMING AND RATIFYING THE PROCLAMATION OF A LOCAL EMERGENCY WITHIN THE CITY OF LINCOLN PROCLAIMED BY THE CITY MANAGER ON MARCH 17, 2020 PURSUANT TO LINCOLN MUNICIPAL CODE CHAPTER 2.36 AND GOVERNMENT CODE SECTION 8630

WHEREAS, the City Manager acting as the Director of the Emergency Services Operations Center (EOC) declared a local emergency with the City of Lincoln due to the outbreak of respiratory illness caused by the novel coronavirus (known as COVID-19) by issuing a City of Lincoln Proclamation of Local Emergency (Proclamation), see Attachment A; and

WHEREAS, the Proclamation shall have no further force or effect unless ratified by City Council by March 24, 2020; and

WHEREAS, Lincoln Municipal Section 2.36.060 (a) generally cites the powers granted to the City Manager during a local emergency; and

WHEREAS, this resolution specifically grants authority to the City Manager, if needed, to:

1. Reduce staffing levels, as necessary;
2. Compensate staff that are sent home with Paid Administrative Leave, as necessary;
3. Suspend water shutoffs, as necessary;
4. Waive all late fees, as necessary;
5. Order the closure of facilities, services, and buildings, as necessary;
6. Enter into contracts for the purchase of supplies, services, and/or equipment needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the spread of COVID-19, including those contracts with an estimated value equal to or greater than the contract and purchasing authority allowed by the Lincoln Municipal Code;
7. Suspend, as necessary, competitive bidding requirements for purchase of supplies, services, and/or equipment needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the spread of COVID-19;
8. Suspend City services and programs, including applicable deadlines, as necessary;
9. Suspend and reschedule public meetings of the City Council, Boards, Commissions, and Committees including applicable deadlines, as necessary;
10. Issue any order or regulation necessary to enforce Federal, State, County, and/or local requirements, orders, and/or regulations, including any orders and regulations necessary to provide for the protection of life and property, and the Council hereby ratifies any such action.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Lincoln hereby ratifies the City Manager's March 17, 2020 proclamation declaring the existence of a local emergency; and

BE IT FURTHER RESOLVED, the City Manager is empowered with those authorities as cited in the Lincoln Municipal Code as well as those specific powers as cited above.

PASSED AND ADOPTED this 24th day of March, 2020.

AYES: COUNCILMEMBERS: Gilbert, Andreatta, Joiner, Silhi, Karleskint

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:



Dan Karleskint, Mayor

ATTEST:



Gwen Scanlon, City Clerk



CITY OF LINCOLN PROCLAMATION OF LOCAL EMERGENCY

WHEREAS, Section 2.36.060 of the Lincoln Municipal Code empowers City Manager to serve as the Director of Emergency Services and to proclaim the existence or threatened existence of a local emergency when the City of Lincoln is affected or likely to be affected by a public calamity and the City Council is not in session, subject to ratification by the City Council within seven days; and

WHEREAS, the Director of Emergency Services of the City of Lincoln does hereby find:

That international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARS- CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

That while the complete clinical picture with regard to COVID-19 is not yet fully understood, reported symptoms and illnesses from COVID-19 range from mild to severe, including fever, coughing, shortness of breath, and illnesses resulting in death; and

That the Centers for Disease Control and Prevention has stated that certain populations face elevated risk and widespread transmission of COVID-19 would translate into large numbers of people needing medical care at the same time and other critical infrastructure may also be affected; and

That, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak a "public health emergency of international concern"; and

That, on January 31, 2020, the U.S. Department of Health and Human Services declared a public health emergency to aid the nation's healthcare community in responding to COVID-19; and

That, on March 2, 2020, the Placer County Public Health Department reported the first confirmed case of COVID-19 in the County, a health care worker who had close contact with a confirmed case in Solano County; and

That, on March 3, 2020, the Placer County Public Health Department declared a local public health emergency to aid the regional healthcare and governmental community in responding to a local health emergency after the second confirmed case of COVID-19 was reported in the County, an older adult whose exposure occurred during international travel on a Princess Cruise Ship from San Francisco to Mexico; and

That, on March 4, 2020, the Placer County Public Health Department reported the first death from the COVID-19 illness in the State of California, the older adult whose exposure occurred during international travel on a Princess Cruise Ship; and

That, on March 4, 2020, the Governor of the State of California declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and



That, on March 6, 2020, the Placer County Public Health Department reported three new cases associated with the international travel on a Princess Cruise Ship; and

That, on March 10, 2020, the Placer County and Yolo County Public Health officials recommend COVID-19 mitigation due to a rapid increase of cases from 1 to 8 in one week to include: workplace telecommuting for employees, postponing or cancelling large gatherings; school closures if any cases are reported; sick persons should stay home; risk to vulnerable populations; and lift of quarantines for exposed persons; and

That, on March 11, 2020, the Director-General of the World Health Organization characterized COVID-19 as a pandemic; and

That, on March 11, 2020, the Governor of the State of California announced updated guidance on public gatherings and social distancing; and

That, on March 12, 2020, the Governor of the State of California issued Executive Order N-25-20 suspending certain Brown Act requirements by holding meetings via teleconferencing and allowing comments telephonically or electronically and allowing local Managers to act quickly to protect public health; and

That, on March 13, 2020, the President of the United States of America declared a national emergency and that the federal government would make \$50 billion in emergency funding to assist state and local governments in preventing the spread of and addressing the effects of COVID-19; and

That the City of Lincoln (the "City") has a population of over 48,000 residents, including a large retirement population vulnerable to the COVID-19 illness; and

That, although no cases have been reported in the City, the above described events necessitate the City of Lincoln to adequately plan, prepare and preposition resources to be able to effectively respond to the threat posed by COVID-19 and allow the City to warn it's residents and visitors; and

That the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local, state, and national public health emergency; and

That the above described events are creating conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

That the City Council of the City of Lincoln is not in session and cannot immediately be called into session.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City;

IT IS FURTHER ORDERED AND PROCLAIMED that all City Departments shall review and revise their department emergency and contingency plans to address the risks of COVID-19 poses to their critical functions; and



IT IS DIRECTED that all City Departments shall track costs for staffing, supplies and equipment related to COVID-19 preparation and prevention and forward that information to the Finance Department; and

IT IS DIRECTED that Citywide planning, preparedness and response efforts regarding COVID-19 be coordinated with the Placer County Public Health Department and Office of Emergency Services (OES); and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of the City shall be as prescribed by federal and state law, and by City ordinances and resolutions of this City.

IT IS REQUESTED that a copy of this Proclamation be forwarded to the Placer County Office of Emergency Services to be forwarded to the Director of the California Governor's Office of Emergency Services requesting that the City of Lincoln be included in any emergency declaration that may be issued by Governor of California or the President of the United States of America; waiving regulations that may hinder response and recovery efforts related to COVID-19; and make available State and Federal funding.

ADOPTED this 17th day of March 2020.

Jennifer Hanson,
City Manager/Director of Emergency Services

This proclamation has been issued in accordance with applicable law and is in effect and carries the force of law until March 24, 2020, on which date it expires unless confirmed and ratified by the City Council.

ATTEST:

Gwen Scanlon, City Clerk

APPROVED AS TO FORM:

Kristine, Mollenkopf, City Attorney