

RESOLUTION NO. 9769

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA, CALIFORNIA  
RATIFYING THE CITY MANAGER’S DECLARATION OF LOCAL EMERGENCY–  
CORONAVIRUS (COVID-19) and FIRST SUPPLEMENT TO THE DECLARATION OF  
LOCAL EMERGENCY – CORONAVIRUS (COVID-19) ISSUED MARCH 16, 2020

WHEREAS, the federal Centers for Disease Control and Prevention (“CDC”) has confirmed widespread cases of individuals who have severe respiratory illness caused by a novel coronavirus, called COVID-19, as well as multiple deaths caused by this illness; and

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

WHEREAS, there are actual and threatened conditions of extreme peril to the health and safety of persons and property in the City of Pasadena caused by COVID-19; and

WHEREAS, the City of Pasadena’s departments and work force, utilizing their full resources, have responded to these conditions in a professional manner and have worked diligently to protect the public health, safety and welfare; and

WHEREAS, these 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

WHEREAS, the City Manager, as the Director of Emergency Services, issued a Declaration of Local Emergency – Coronavirus (COVID-19), on March 16, 2020, based on these facts and circumstances; and

WHEREAS, the City Manager, as the Director of Emergency Services, issued a First Supplement to the Declaration of Local Emergency – Coronavirus (COVID-19), on March 16, 2020, based on these facts and circumstances; and

WHEREAS, pursuant to Chapter 2.370 of the Pasadena Municipal Code, the City Manager is authorized to issue a Declaration of Local Emergency if the City Council is not in session, provided that the City Council takes action to ratify the Declaration within seven days thereafter; and

WHEREAS, a copy of the Declaration of Local Emergency issued on March 16, 2020, and the First Supplement to the Declaration of Local Emergency issued on the same date, are attached to this resolution and the City Council has received a report on the conditions described therein.

NOW, THEREFORE, the City Council of the City of Pasadena hereby resolves that the Declaration of Local Emergency issued by the Director of Disaster Emergency Services on March 16, 2020, and the First Supplement to the Declaration of Local Emergency – Coronavirus (COVID-19) issued on the same date, is hereby ratified and confirmed by the City Council; and

IT IS FURTHER RESOLVED AND ORDERED that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Pasadena.

ADOPTED at a Special Meeting of the City Council of the City of Pasadena on the 17<sup>th</sup>  
day of March, 2020, by the following vote:


AYES: Councilmembers Gordo, Kennedy, Madison, Masuda, McAustin,  
Wilson, Vice Mayor Hampton

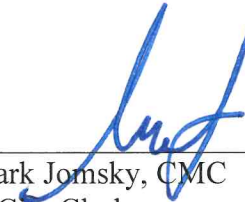
NOES: None

ABSENT: Mayor Tornek

ABSTAIN: None

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Lisa Hosey  
Assistant City Attorney

  
\_\_\_\_\_  
Mark Jomsky, CMC  
City Clerk

DECLARATION OF LOCAL EMERGENCY – CORONAVIRUS (COVID-19)  
CITY OF PASADENA, CALIFORNIA

By virtue of the authority vested in me as Director of Disaster Emergency Services, and pursuant to Chapter 2.370 of the Pasadena Municipal Code (“P.M.C.”), specifically Section 2.370.080, I hereby find that:

The federal Centers for Disease Control and Prevention (“CDC”) has confirmed multiple cases of individuals who have severe respiratory illness caused by a novel coronavirus, called COVID-19, as well as deaths caused by this illness.

On January 30, 2020, the World Health Organization declared the COVID-19 outbreak a “public health emergency of international concern,” and on January 31, 2020, the U.S. Department of Health and Human Services declared a “public health emergency” for the United States.

On March 4, 2020, the City of Pasadena Health Officer declared the existence of a local health emergency within the City of Pasadena.

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.

On March 11, 2020, the Director-General of the World Health Organization characterized COVID-19 as a pandemic.

On March 13, 2020, the President of the United States of America declared a national emergency and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread of and addressing the effects of COVID-19.

The City of Pasadena is experiencing an emergency in that there have been multiple confirmed cases of COVID-19 within the City of Pasadena, as well as surrounding areas.

The above circumstances constitute the existence of conditions of extreme peril to the safety of persons and property within the City of Pasadena, which conditions are likely to be beyond the control of the services, personnel, equipment and facilities of the City of Pasadena and require the combined forces of other political subdivisions to combat.

NOW THEREFORE, I HEREBY DECLARE the existence of a local emergency within the City of Pasadena.

I FURTHER REQUEST appropriate financial assistance pursuant to the *California Disaster Assistance Act* (“CDAA”), and that the State expedite access to State and Federal resources and any other appropriate disaster relief programs.

I FURTHER DIRECT that this declaration of local emergency shall take effect immediately and that widespread publicity and notice shall be given of said declaration through the most feasible and adequate means of disseminating such notice throughout the City.

Dated: March 16, 2020, at Pasadena, California.

A handwritten signature in blue ink, appearing to read "S. M. L.", is positioned above the printed title.

City Manager  
Director of Disaster Emergency  
Services (P.M.C. Section 2.370.080)

FIRST SUPPLEMENT TO THE DECLARATION OF LOCAL EMERGENCY –  
CORONAVIRUS (COVID-19)  
CITY OF PASADENA, CALIFORNIA

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus called COVID -19; and

WHEREAS, on n March 4, 2020, the City of Pasadena Health Officer declared the existence of a local health emergency within the City of Pasadena; and

WHEREAS, on March 16, 2020, I declared a local emergency in relation to the arrival of COVID-19 in our community; and

WHEREAS, by virtue of authority vested in me as City Manager of the City of Pasadena, and Director of Disaster Emergency Services, pursuant to Pasadena Municipal Code Chapter 2.370 to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such local emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Council.

NOW, THEREFORE, I, Steve Mermell, the Director of Disaster Emergency Services for the City of Pasadena, do hereby issue the following orders to become effective immediately, subject to ratification as soon as practicable by the City Council:

IT IS HEREBY ORDERED THAT:

1. All bars and nightclubs in the City of Pasadena that do not serve food shall be closed to the public.
2. Any bars or nightclubs in the City of Pasadena that serve food may remain open only for purposes of continuing to prepare and offer food to customers via delivery service or to be picked up. Dine-in food service is prohibited.
3. All restaurants and retail food facilities in the City of Pasadena shall be prohibited from serving food for consumption on premises. Restaurants and retail food facilities may continue to operate for purposes of preparing and offering food to customers via delivery service, to be picked up, or for drive-thru. For those establishments offering food pick-up options, proprietors are directed to establish social distancing practices for those patrons in the queue for pick-up.
4. The following are exempt from this Order:
  - A. Cafeterias, commissaries, and restaurants located within hospitals, nursing homes, day care centers and publicly owned buildings or similar facilities
  - B. Grocery stores
  - C. Pharmacies
  - D. Food banks

5. Trucks and other vehicles engaged in the delivery of grocery items to grocery stores, when such items are to be made available for sale to the public, are hereby exempt from having to comply with any City rules and regulations that limit the hours for such deliveries.

6. All movie theaters, live performance venues, bowling alleys, arcades and private social clubs, shall be closed to the public.

7. All gyms and fitness centers shall be closed to the public.

Any violation of the above prohibitions may be referred to the Office of the City Attorney/City Prosecutor for prosecution under Pasadena Municipal Code Section 2.370.120, which provides for fines not to exceed \$500, or imprisonment not to exceed six months, or both. Each individual officer should use their discretion in enforcing this order and always keep the intent of the order in mind.

In addition, I hereby issue guidance to the leaders of the City's houses of worship and urge them, in the strongest possible terms, to limit gatherings on their premises and to explore and implement ways to practice their respective faiths while observing social distancing practices. Finally, those businesses and employers not covered by the closure order are encouraged to find ways to maximize social distancing including reducing hours and voluntary closure.

8. This Order shall become effective immediately.

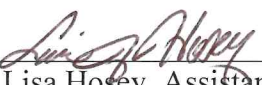
This order may be extended prior to March 31, 2020.

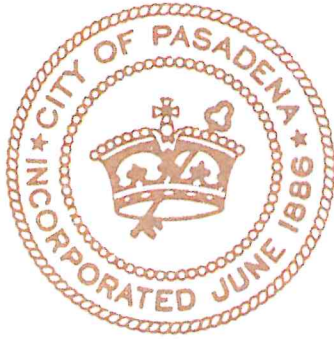
ADOPTED this 16th day of March 2020.

By:   
STEVE MERMELL  
City Manager  
Director of Disaster Emergency Services

ATTEST:   
MARK JOMSKY, CMC  
City Clerk

APPROVED AS TO FORM:

 3/16/2020  
Lisa Hosey, Assistant  
City Attorney



# R-9769 Agenda Report

March 17, 2020

**TO:** Honorable Mayor and City Council

**FROM:** City Manager

**SUBJECT: ADOPTION OF A RESOLUTION RATIFYING THE CITY MANAGER'S  
DECLARATION OF LOCAL EMERGENCY IN RESPONSE TO  
COVID-19 PANDEMIC**

**RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to state CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption); and
2. Adopt a Resolution ratifying the March 16, 2020, City Manager Declaration of a Local Emergency – Coronavirus (COVID-19) and First Supplement to the Declaration of Local Emergency

**BACKGROUND:**

An outbreak of pneumonia in Wuhan, China was reported to the World Health Organization ("WHO") on December 31, 2019, and an illness caused by a novel coronavirus called COVID-19 was soon identified as the cause. During the week of February 23, 2020, the Centers for Disease Control and Prevention ("CDC") reported evidence of community spread of the virus in cases located in California, Oregon, and Washington. There is currently no vaccine to prevent COVID-19.

CDC response guidance to local health departments, including the City of Pasadena Public Health Department ("PPHD"), requires extraordinary efforts to monitor and manage ongoing COVID-19 risk including monitoring individuals who may have been exposed to COVID-19.



## **RESOLUTION RATIFYING DECLARATION OF LOCAL EMERGENCY**

March 17, 2020

Page 2 of 3

On March 4, 2020, Pasadena Public Health Director and Health Officer Dr. Ying-Ying Goh declared a local health emergency pursuant to California State Health and Safety Code recognizing COVID-19 as an imminent and proximate threat in the City of Pasadena. On the same day, the State of California and Los Angeles County Department of Public Health declared health emergencies. This action was ratified by the City Council at its regular meeting of March 9, 2020.

On March 16, 2020, the City Manager, as Director of Disaster Emergency Services pursuant to Chapter 2.370 of the Pasadena Municipal Code, declared the existence of a local emergency. A copy of the Declaration of Local Emergency ("Declaration") is attached to this agenda report. The Declaration takes effect immediately and empowers the City to more effectively respond to COVID-19, coordinate with partner agencies including Los Angeles County and City of Long Beach Health Departments, seek and utilize mutual aid, and pursue potential federal and state reimbursement for costs related to response efforts. If the local emergency is to remain in effect longer than seven days, City Council ratification of the local emergency is required.

The Director of Emergency Services has set forth the following objectives to guide the specific response of the City as this proceeds:

- Maximizing social distancing and limiting group activity that might allow spread of COVID-19;
- Maintaining a unified response consistent with actions taken by state and regional government;
- Maintaining continuity of essential governmental services while keeping City employees working, and in as safe an environment as possible, and
- Working with other governmental agencies, non-profit, private groups and others to minimize the daily impact caused by the COVID-19 related emergency.

Consistent with those objectives, the First Supplement to the Declaration of Local Emergency, a copy of which is attached to this Agenda Report, takes a number of actions, consistent with actions of the State, Los Angeles County, Los Angeles City, and other jurisdictions, including, closing bars, limiting restaurants to take out and delivery service and closing gyms, fitness centers, movie theaters, live performance venues, bowling alleys, arcades, and private social clubs. There are some narrow exemptions provided.

It is recommended that the City Council adopt a resolution ratifying the City Manager's declaration of a local emergency in response to COVID-19 and review the need for continuing the local emergency at least every 30 days until the local emergency is terminated.

# **RESOLUTION RATIFYING DECLARATION OF LOCAL EMERGENCY**

March 17, 2020

Page 3 of 3

## **COUNCIL POLICY CONSIDERATION:**

The proposed action is consistent with the City Council's strategic planning goal to ensure public safety by sustaining and enhancing the City's ongoing response to COVID-19 to protect the health and safety of all those who reside, visit, or work within the City of Pasadena.

## **ENVIRONMENTAL ANALYSIS:**

The actions proposed herein have been determined to be exempt from the CEQA pursuant to State CEQA Guidelines Section 15061(b)(3), the common sense exemption (formerly the "general rule") that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed resolution ratification does not involve any direct physical changes in the environment. Therefore, the actions proposed herein are exempt from CEQA per Section 15061(b)(3) (common sense exemption).

## **FISCAL IMPACT:**

The future costs of responding to COVID-19 are unknown at this time due to evolving conditions. With the California state declaration of a health emergency, local COVID-19 response efforts may be eligible for state or federal reimbursement. Until there is a final determination on potential reimbursement, all expenditures will be recorded and tracked in the Health Fund and/or General Fund using existing appropriations.

Respectfully submitted,



STEVE MERMELL  
City Manager

Prepared by:



LISA DERDERIAN  
Emergency Management  
Coordinator/PIO

Attachments: City Council Resolution  
Declaration of Local Emergency – Coronavirus (COVID-19)  
First Supplement to the Declaration of Local Emergency – Coronavirus  
(COVID-19)