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**CITY OF CONCORD
DIRECTOR OF EMERGENCY SERVICES
PROCLAMATION OF LOCAL EMERGENCY**

WHEREAS, Concord Municipal Code Chapter 2.30 (Civil Emergencies) and California Government Code Section 8558 define “emergency” and “local emergency” (respectively) as “existence of conditions of disaster or of extreme peril to the safety of persons and property” within specified territorial limits, including those cause by epidemic, which “are or are likely to be beyond the control of the services, personnel, equipment, and facilities” of a particular political subdivision such as the City of Concord, and which require “the combined forces of other political subdivisions to combat...” Such conditions are referred to herein as “local emergency.”

WHEREAS, California Government Code Sections 8558 and 8630 empower the City of Concord to proclaim the existence of a local emergency when the City is affected or likely to be affected by conditions of disaster or of extreme peril to the safety of persons and property within the City's territorial limits; and

WHEREAS, Concord Municipal Code Chapter 2.30 (Civil Emergencies) empowers the City Manager in her capacity as Director of Emergency Services (“Director”), to proclaim a local emergency when the City Council is not in session and request City Council ratification thereof.

WHEREAS, the Director hereby makes the following findings:

1. The United States of America has confirmed cases of individuals who have a severe acute respiratory illness caused by a novel (new) corona virus ("COVID-19" or "the virus") first detected in Wuhan, Hubei Province, People's Republic of China ("China"). The virus was first reported in China on December 31, 2019. As of March 2, 2020, the World Health Organization ("WHO") has reported more than 3,000 deaths stemming from over 100,000 confirmed cases of COVID-19 and the virus is present in 100 countries. The number of confirmed cases has continued to escalate dramatically over a short period of time; and

2. WHO officials now report that sustained human-to-human transmission of the virus is occurring. Transmission from asymptomatic individuals has been documented. Suspected community transmission of the virus is occurring in the United States. Although the majority of individuals

1 infected with COVID-19 recover from the disease without special treatment, there is significant
2 potential for serious infection and death; and

3 3. On January 30, 2020, WHO declared the COVID-19 outbreak a public health
4 emergency of international concern, and on January 31, 2020, the U.S. Department of Health and
5 Human Services declared a Public Health Emergency for the United States of America; and

6 4. The United States Centers for Disease Control and Prevention (CDC) has determined
7 that the virus presents a serious public health threat, requiring coordination among state and local
8 health departments to ensure readiness for potential health threats associated with the virus; and

9 5. On March 7, 2020, the California Department of Public Health issued its "Mass
10 Gatherings Guidance on Novel Coronavirus or COVID-19" followed by a March 12, 2020
11 recommendation that certain gatherings in California be postponed or canceled for the remainder of
12 March; and

13 6. On March 10, 2020, due to the introduction of COVID-19, the Contra Costa County
14 Board of Supervisors proclaimed the existence of a local emergency throughout Contra Costa County
15 (County Resolution No. 2020/92); and

16 7. On March 10, 2020, the Contra Costa County Board of Supervisors requested that the
17 Governor proclaim Contra Costa County to be in a state of emergency (County Resolution No.
18 2020/91); and

19 8. On March 10, 2020, Contra Costa Health Services issued "Novel Coronavirus
20 (COVID-19) Interim Guidance for Social Distancing;" and

21 9. On March 4, 2020, the Governor of California proclaimed a state of emergency to exist
22 in California as a result of the threat of COVID-19; and

23 10. On March 12, the Governor of the State of California issued Executive Order N-25-20
24 which, among other things, orders that all California residents are to ". . . heed any orders and
25 guidance of state and local public health officials, including but not limited to the imposition of social
26 distancing measures, to control the spread of COVID-19; and

27 11. The City of Concord is located in Contra Costa County, in the State of California; and

28 12. Actual or threatened conditions of disaster or extreme peril to the safety of persons and

1 property have arisen within the City of Concord caused by the introduction COVID-19, as to which
2 there is no known natural immunity and for which there is currently no vaccine, which has become a
3 pandemic, and which is contributing to a shortage of essential health care supplies; and

4 13. These actual or threatened conditions of disaster or extreme peril will impact
5 significant City and community operations, including critical public infrastructure and services, and
6 which will require the provision of additional public safety and emergency services; and

7 14. The locally available resources are inadequate to cope with the actual or threatened
8 conditions of disaster or extreme peril because, by reason of its magnitude, it is or is likely to be
9 beyond the control of the services, personnel, equipment, and facilities of the City of Concord, and
10 will require the combined forces of a mutual aid region or regions to combat; these conditions satisfy
11 the circumstances described in Government Code section 8558; and

12 15. These actual or threatened conditions of disaster or extreme peril necessitate the
13 proclamation of a local emergency to enable the City of Concord and other government entities to
14 adequately plan, prepare and preposition resources to be able to effectively respond to the threat posed
15 by COVID-19, and to warn City of Concord residents and visitors of the threat posed by COVID-19
16 and to enable them sufficient time to plan and prepare; and

17 16. At the time of this “Director of Emergency Services Proclamation of Local
18 Emergency” the City Council is not in session and cannot immediately be called into session.

19 **NOW, THEREFORE, IT IS HEREBY PROCLAIMED:**

20 1. A local emergency exists throughout the City of Concord, commencing on or about the
21 time and date of the signature of the Director, below.

22 2. During the existence of the local emergency, the powers, functions, and duties of the
23 Director and City of Concord’s emergency organization shall be those prescribed by state law, by City
24 of Concord ordinances and resolutions, and by the City of Concord Emergency Operations Plan, as
25 approved by Concord City Council on March 22, 2016 (Resolution #16-19).

26 3. Concord Municipal Code Section 2.30.060(a)(6) provides as follows:

27 In the event of the proclamation of a “local emergency” as herein provided, the proclamation
28 of a “state of emergency” by the Governor or the Director of the state Office of Emergency Services,

1 or the existence of a “state of war emergency,” the Director is hereby empowered:

2 a. To make and issue rules and regulations on matters reasonably related to the
3 protection of life and property as affected by such emergency; provided, however, such rules and
4 regulations must be confirmed at the earliest practicable time by the City Council;

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

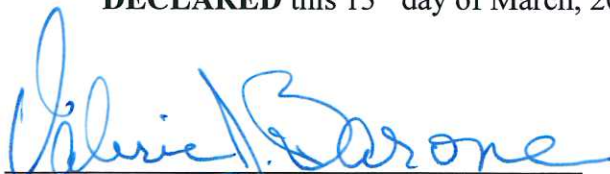
8 c. To require emergency services of any city officer or employee and, in the event
9 of the proclamation of a “state of emergency” in the county in which this city is located or the
10 existence of a “state of war emergency,” to command the aid of as many citizens of this community as
11 he deems necessary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

13 d. To requisition necessary personnel or material of any city department or
14 agency; and

15 e. To execute all of his [her] ordinary powers as City Manager; all of the special
16 powers conferred upon him [her] by this chapter or by resolution or emergency plan pursuant hereto
17 adopted by the City Council; and all powers conferred upon him [her] by any statute, by any
18 agreement approved by the City Council, and by any other lawful authority.

19 4. This “Director of Emergency Services Proclamation of Local Emergency” shall remain
20 in effect for the next seven (7) days, and thereafter by ratification of the City Council.

21 **DECLARED** this 13th day of March, 2020.

22 
23
24 Valerie J. Barone
City Manager



26 
27 Joelle Fockler, MMC
City Clerk