

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2021-042

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
CONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE RECENT
INCREASED SPREAD OF THE CORONAVIRUS (“COVID-19”) AND COVID-19 VARIANTS**

WHEREAS, the California Emergency Services Act (California Government Code sections 8639, 8550, et. seq.) defines a local emergency as the existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a city, caused by conditions such as an epidemic, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of a city, and require the combined forces of other political subdivisions to combat; and

WHEREAS, Chapter 2, section 2.64.020 of the City of Carmel-by-the-Sea (“City”) Municipal Code defines emergency as the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this City, including conditions such as an epidemic, which 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; and

WHEREAS, Chapter 2, section 2.64.060 empowers the City Council, to proclaim the existence or threatened existence of a local emergency when the City Council is in session; and

WHEREAS, Chapter 2, section 2.64.050 of the City Municipal Code designates the City Administrator as the Director of Emergency Services (“Director”) for the City; and

WHEREAS, The Director is empowered with certain duties outlined in Chapter section 2.64.060 of the City Municipal Code when the City Council proclaims a local emergency; and

WHEREAS, since December 2019, a flu-like virus has been spreading worldwide that is more deadly than the flu generally, known as the Coronavirus (“COVID-19”); and

WHEREAS, on March 12, 2020, the City Administrator signed a proclamation declaring a local emergency, which was transmitted to the City Council for ratification, and

WHEREAS, on March 13, 2020, the City Council adopted Resolution 2020-021 ratifying the City Administrator’s Proclamation of the existence of a local emergency, and

WHEREAS, between March and June, 2021, cases of new Covid-19 infections significantly decreased around the State of California; and

WHEREAS, on June 15, 2021, Governor Gavin Newsom removed his declaration of a State of Emergency, and associated restrictions on social distancing under the State’s Blueprint for a Safer Economy; and

WHEREAS, in the month of June, 2021, the number of new Covid-19 infections around the State has sharply increased based on Monterey County Health Department data due to more contagious variants such as the "Delta" strain; and

WHEREAS, on July 19, 2021, The Monterey County Health Department announced that Health Officer Edward Moreno joined the health officers of Napa, San Benito and Santa Cruz counties in recommending that people wear a mask inside public settings and in crowded outdoor situations, even for those who are fully vaccinated;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY, confirm the Existence of a Local Emergency due to the recent increased spread of the Coronavirus ("COVID-19") and COVID-19 Variants; and

BE IT FURTHER RESOLVED, that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Carmel-by-the-Sea per California Government Code section 8630; and

BE IT FURTHER RESOLVED, that the City Administrator or his designee is authorized to take whatever other action is authorized under the Carmel-by-the-Sea Municipal Code and state and federal law, subject to any required authorization from the City Council, consistent with this Resolution and its basic purposes.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 3rd day of August 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Britt Avrit, MMC
City Clerk