

## PROCLAMATION

### A PROCLAMATION BY THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF SAN JUAN CAPISTRANO DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

**WHEREAS**, Section 4-1.104 of the San Juan Capistrano Municipal Code empowers the City Manager, as the Director of Emergency Services, to proclaim (subject to ratification by the City Council within seven days) the existence or threatened existence of a local emergency when said City is affected or likely to be affected by a public calamity and the City Council is not in session; and

**WHEREAS**, on February 26, 2020, the County of Orange Board of Supervisors and County Health Officer Dr. Nichole Quick declared a Local Health Emergency pursuant to Health and Safety Code Section 101080 due to the potential introduction of COVID-19 in Orange County; and

**WHEREAS**, on March 2, 2020, the County of Orange Board of Supervisors ratified the declaration of Local Health Emergency and proclamation pursuant to Health and Safety Code Section 101080; and

**WHEREAS**, on March 4, 2020, as part of the State of California's response to address the global COVID-19 outbreak, Governor Gavin Newsom 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

**WHEREAS**, on March 13, 2020, President of the United States Donald J. Trump proclaimed that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020; and

**WHEREAS**, on March 15, 2020, the County of Orange Department of Health Services (County DHS) confirmed 17 presumptive positives cases of novel coronavirus (COVID-19) in Orange County; and

**WHEREAS**, on March 15, 2020, the County DHS confirmed 3 community acquired cases in Orange County from non-travel, community transmission due to the increase of these cases in the country, combined with the worldwide uncontrolled spread of COVID-19; and

**WHEREAS**, as of March 15, 2020, across the globe, there are more than 153,517 confirmed cases of COVID-19, tragically resulting in more than 5,735 deaths worldwide; and

**WHEREAS**, as of March 16, 2020, there are 3,487 confirmed cases of COVID-19 in the United States, including 335 in California, and more than 11,700 Californians across 49 counties are in home monitoring based on possible travel-based exposure to the virus, and officials expect the number of cases in California, the United States, and worldwide to increase.

**NOW, THEREFORE**, the Director of Emergency Services finds that:

- A. The United States of America has confirmed cases of individuals who have a severe acute respiratory illness caused by a novel (new) coronavirus (“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, 2020. As of March 15, 2020, the World Health Organization (“WHO”) has reported more than 5,735 deaths stemming from approximately 153,517 confirmed cases of COVID-19 and the virus is present in 130 countries. The number of confirmed cases has continued to escalate dramatically over a short period of time; and
- B. 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; and
- C. Although the majority of individuals infected with COVID-19 recover from the disease without special treatment, there is significant potential for serious infection and death; and
- D. On January 30, 2020, WHO 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 of America; and
- E. The United States Centers of Disease Control and Prevention (CDC) has determined that the virus presents a serious public health threat, requiring coordination among state and local health departments to ensure readiness for potential health threats associated with the virus; and
- F. The County’s Health Care Agency has found that the conditions constituting a threat to community health, including a presumptive case of community infection, may be present in the County warranting a proclamation of a Local Health Emergency; and
- G. Conditions of extreme peril to the safety of persons and property have arisen within the city caused by the threat of COVID-19 that will impact significant City and community operations, including critical public infrastructure and services, and which will require the provision of additional public safety and emergency services; and

- H. As contemplated in the Emergency Service Act contained in Government Code Section 8550 et seq., including Section 8558 (c), a local emergency exists because of the existence of conditions of disaster or of extreme peril to the safety of persons and property within the City of San Juan Capistrano caused by the aforesaid conditions which are likely to be beyond the control of services, personnel and facilities of the City of San Juan Capistrano and require the combined forces of other political subdivisions to combat; and the proclamation of a Local Emergency is necessary to enable the City of San Juan Capistrano and other local government entities to adequately plan, prepare and preposition resources to be able to effectively respond to the threat posed by COVID-19, and to warn City of San Juan Capistrano residents and visitors of the threat posed by COVID-19 and to enable them sufficient time to plan and prepare; and
- I. At the time of this proclamation, the City Council is not in session (and cannot immediately be called into session).

**NOW, THEREFORE, IT IS HEREBY PROCLAIMED** that a local emergency exists in accordance with the findings set forth above, commencing on or about the time and date of the signature of the Director of Emergency Services below.

**IT IS FURTHER PROCLAIMED AND ORDERED** 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, by ordinances and resolutions of this City, and by the City's Emergency Operations Plan.

**IT IS FURTHER PROCLAIMED AND ORDERED** that this local emergency shall continue to exist not longer than seven days, unless this action is further ratified by the City Council. The City Council shall terminate the local emergency at the earliest possible date that conditions warrant.

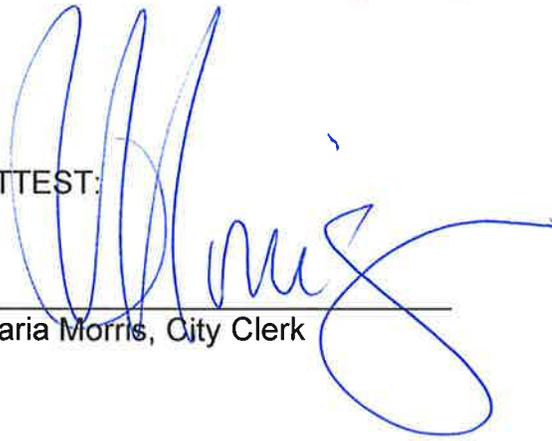
**IT IS FURTHER PROCLAIMED AND ORDERED** that the Director of Emergency Services of the City of San Juan Capistrano is hereby authorized to execute for and on behalf of the City of San Juan Capistrano, any agreement or application for, and to file the agreement with, the California Governor's Office of Emergency Services for the purposes of obtaining federal financial assistance.

**IT IS REQUESTED** that the Governor of the State of California include the City of San Juan Capistrano in any emergency declaration by the State; ensure the City of San Juan Capistrano is included in any emergency declaration that may be issued by the President of the United States of America; waive regulations that may hinder response and recovery efforts; and make available California Disaster Act and State Private Nonprofit Organizations Assistance Program Funding.

Date and time: March 16, 2020, 4:50 p.m.

By:   
Director of Emergency Services  
Benjamin Siegel

ATTEST:

  
Maria Morris, City Clerk