

CITY COUNCIL
Lori Wilson, Mayor
Wanda Williams, Mayor Pro-Tem
Anthony Adams
Jane Day
Michael A. Segala



CITY COUNCIL MEETING

First and Third Tuesday
Every Month

A G E N D A

**SPECIAL MEETING OF THE
SUISUN CITY COUNCIL SUISUN CITY COUNCIL
TUESDAY, MARCH 17, 2020
6:30 P.M.
(or immediately following the regular City Council Meeting)**

SUISUN CITY COUNCIL CHAMBERS -- 701 CIVIC CENTER BOULEVARD -- SUISUN CITY, CALIFORNIA

NOTICE

Pursuant to Government Code Section 54953, Subdivision (b), and Executive Order released on March 12, 2020, the following Council/Successor Agency/Housing Authority meeting includes teleconference participation by: Council/Board Members Anthony Adams, Jane Day, Michael A. Segala, and Mayor Pro Tem Wanda Williams. Teleconference locations are on file at City Hall, 701 Civic Center Blvd., Suisun City, CA 94585.

*DUE TO CORONAVIRUS COVID-19 RESIDENTS ARE ENCOURAGED
TO ATTEND THE CITY COUNCIL MEETING VIA THE APPLICATION, ZOOM.*

ZOOM MEETING INFORMATION:

WEBSITE: <https://zoom.us/join>

MEETING ID: 744 576 1347

CALL IN PHONE NUMBER: (707) 438-1720

*TO VIEW TONIGHT'S MEETING ON SUISUN WEBSITE, LIVESTREAM
(URL: <https://www.suisun.com/government/meeting-video/>)*

*REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE CITY COUNCIL MEETING
BY EMAILING CLERK@SUISUN.COM (PRIOR TO 6pm) OR
VIA WEBSITE OR PHONE APPLICATION, ZOOM*

(Next Ord. No. – 769)
(Next City Council Res. No. 2020 – 25)

ROLL CALL

Council Members

PUBLIC COMMENT

(Request by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3. Comments are limited to no more than 3 minutes unless allowable by the Mayor/Chair. Speaker cards are available on the table near the entry of the meeting room and should be given to the City Clerk. By law, no prolonged discussion or action may be taken on any item raised during the public comment period, although informational answers to questions may be given and matters may be referred for placement on a future agenda.)

CONFLICT OF INTEREST NOTIFICATION

(Any items on this agenda that might be a conflict of interest to any Councilmembers should be identified at this time.)

DEPARTMENTS: AREA CODE (707)

ADMINISTRATION 421-7300 ■ PLANNING 421-7335 ■ BUILDING 421-7310 ■ FINANCE 421-7320
FIRE 425-9133 ■ RECREATION & COMMUNITY SERVICES 421-7200 ■ POLICE 421-7373 ■ PUBLIC WORKS 421-7340
SUCCESSOR AGENCY 421-7309 FAX 421-7366

GENERAL BUSINESSCity Council

1. Council Adoption of Resolution 2020-___: Ratifying the Director of Emergency Services' Proclamation of the Existence of a Local Emergency Within the City of Suisun City - (Folsom: gfolson@suisun.com)

ADJOURNMENT

A complete packet of information containing staff reports and exhibits related to each item for the open session of this meeting, and provided to the City Council, are available for public review at least 72 hours (24 hours for a Special Council Meeting) prior to a Council /Agency/Authority Meeting at Suisun City Hall 701 Civic Center Blvd., Suisun City. Agenda related writings or documents provided to a majority of the Council/Board/Commissioners less than 72 hours prior to a Council/Agency/Authority meeting related to an agenda item for the open session of this meeting will be made available for public inspection during normal business hours. An agenda packet is also located at the entrance to the Council Chambers during the meeting for public review. The City may charge photocopying charges for requested copies of such documents. Assistive listening devices may be obtained at the meeting

PLEASE NOTE:

1. The City Council/Agency/Authority hopes to conclude its public business by 10:00 P.M. Ordinarily, no new items will be taken up after the 10:00 P.M. cutoff and any items remaining will be agendaized for the next meeting. The agendas have been prepared with the hope that all items scheduled will be discussed within the time allowed.
2. Suisun City is committed to providing full access to these proceedings; individuals with special needs may call 421-7300.
3. Agendas are posted at least 72 hours in advance of regular meetings at Suisun City Hall, 701 Civic Center Boulevard, Suisun City, CA. Agendas may be posted at other Suisun City locations including the Suisun City Fire Station, 621 Pintail Drive, Suisun City, CA; Suisun City Senior Center, 318 Merganser Drive, Suisun City, CA; Joe Nelson Center, 611 Village Drive, Suisun City, CA; and the Harbor Master Office, 800 Kellogg Street, Suisun City, CA.

I, Donna Pock, Deputy City Clerk for the City of Suisun City, declare under penalty of perjury that the above agenda for the meeting of March 17, 2020 was posted and available for review, in compliance with the Brown Act.

AGENDA TRANSMITTAL

MEETING DATE: March 17, 2020

CITY AGENDA ITEM: Council Adoption of Resolution No. 2020-___: Ratifying the Director of Emergency Services' Proclamation of the Existence of a Local Emergency Within the City of Suisun City (COVID-19)

FISCAL IMPACT: The primary costs that would be incurred by the City are for administrative support staff in the coordination, surveillance, communication and management of the COVID-19 local emergency, as well as related services and supplies. Current City costs are being covered by existing department appropriations, but will be tracked separately in the City's Disaster Fund.

Staff will pursue Federal and State reimbursement for all City costs incurred.

STRATEGIC PLAN IMPACT: Ensure Fiscal Stability and Provide Good Governance

BACKGROUND/STAFF REPORT:

A novel coronavirus (COVID-19) was first detected in Wuhan City, Hubei Province in China in December 2019. Since then, on January 30, 2020, the World Health Organization declared COVID-19 a public health emergency of international concern. On January 31, 2020, The United States Health and Human Services Secretary Alex M. Azar II declared this global outbreak a public health emergency for the United States. The Centers for Disease Control and Prevention announced on February 25, 2020 that community spread of COVID-19 is likely to occur in the United States.

The State of California proclaimed a State of Emergency on March 4, 2020. And on that same day, the County of Los Angeles declared a Local Health Emergency. On March 12, 2020, Governor Newsom issued Executive Order N-25-20, declaring that state and local public health officials may, as they deem necessary in the interest of public health, issue guidance limiting or recommending limitations upon attendance at public assemblies, conferences, or other mass events, which could cause the cancellation of such gatherings through no fault or responsibility of the parties involved, thereby constituting a force majeure. On March 12, 2020 the Mayor of the City of South El Monte proclaimed a local emergency to protect public health and slow transmission of COVID-19. On March 13, 2020, President Trump Declared a National State of Emergency.

As of March 13, 2020, the World Health Organization reported that, to date, there were 132,536 confirmed cases of COVID-19, 4,947 of which resulted in death, across 123 countries. On March 13, 2020, the California Department of Public Health (CDPH) reported that, to date, California has 198 confirmed cases of COVID-19, four of which have resulted in death. CDPH also reported that approximately 11,100 Californians who returned to the United States after travel are self-

PREPARED BY:
REVIEWED BY:

Anthony R. Taylor, Esq., City Attorney
Greg Folsom, City Manager

monitoring. The CDC anticipates that widespread transmission of COVID-19 in the United States will occur.

The City's proposed actions will provide the City additional powers to coordinate local efforts and identify and procure resources needed to effectively address the emergency as needed. There is currently no vaccine to prevent COVID-19 or specific antiviral treatment that has been found to be effective. What is known at this time is that the virus is spread between people primarily via respiratory droplets produced when an infected person coughs or sneezes. Symptoms of the virus include fever, cough, and shortness of breath, and infected individuals have experienced a range of outcomes, from mild sickness to severe illness. Based on experience with other coronaviruses that cause severe respiratory illness, the U.S. Center for Disease Control and Prevention (CDC) currently believes that symptoms appear two to 14 days after exposure. While the vast majority of individuals (approximately 87 to 98 percent) will have mild to no symptoms, or will eventually recover if they do become significantly ill, a small portion of those infected of about two to three percent will become severely ill resulting in death.

Government Code section 8558 defines a local emergency as "the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city, caused by conditions such as air pollution, fire, flood, storm, **epidemic**, riot, drought, ... or other conditions, other than conditions resulting from a labor controversy, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of that political subdivision and require the combined forces of other political subdivisions to combat." (Emphasis added.) Section 2.32.020 of the Suisun City Municipal Code defines "Emergency" in a substantively similar manner.

Based on the threat to the health, safety and welfare of residents of Suisun City from COVID-19, on March 16, 2020, the Director of Emergency Services proclaimed a local emergency due to the public health threat triggered by the novel coronavirus (COVID-19), as authorized by Chapter 2.32 of the Suisun Municipal Code and Section 8630 of the Government Code. The City Council is required by the Suisun City Municipal Code to ratify a local emergency within seven (7) days of the proclamation or the proclamation shall have no further force or effect. The proclamation will enable the City to more effectively respond to the potential outbreak, put in place a framework that supports the continuity of essential public safety services, seek and utilize mutual aid, potentially obtain reimbursement for expenses incurred to address the pandemic, and ensure the City has all available tools at its disposal to keep the community safe.

RECOMMENDATION: It is recommended that the City Council Adopt Resolution No. 2020-__ entitled as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY RATIFYING THE DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY WITHIN THE CITY OF SUISUN CITY (COVID-19)

ATTACHMENTS:

1. Council Adoption of Resolution No. 2020-___: Ratifying the Director of Emergency Services' Proclamation of the Existence of a Local Emergency Within the City of Suisun City (COVID-19).
2. Local Emergency Declaration
3. Local Emergency Declaration Directives

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RESOLUTION NO. 2020-

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SUISUN CITY RATIFYING THE DIRECTOR
OF EMERGENCY SERVICES' PROCLAMATION OF
THE EXISTENCE OF A LOCAL EMERGENCY
WITHIN THE CITY OF SUISUN CITY (COVID-19)**

WHEREAS, in December, 2019, an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19) was first identified in Wuhan City, Hubei Province, China; and

WHEREAS, COVID-19 has since spread outside of China, impacting more than 100 countries, now including the United States; and

WHEREAS, the CDC activated its Emergency Response System to provide ongoing support for the response to COVID-19 across the country, and;

WHEREAS, the California Department of Public Health has activated its Medical and Health Coordination Center, and the Office of Emergency Services recently activated the State Operations Center to provide support and guide actions to preserve public health; and

WHEREAS, on March 3, 2020, Governor Newsom declared the existence of a state of emergency for the State of California; and,

WHEREAS, on March 11, 2020, the Director-General for the World Health Organization declared that COVID-19 can be characterized as a "pandemic"; and

WHEREAS, on March 13, 2020, the President of the United States declared that the outbreak of COVID-19 in the United States constitutes a national emergency; and

WHEREAS, as of March 13, 2020, COVID-19 has spread globally to over 122 countries and territories, has infected more than 130,000 individuals and killed more than 4,000 individuals per the World Health Organization; and

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases within the City, and to prepare to respond to an increasing number or individuals who may require medical care; and

WHEREAS, strict compliance with certain Municipal Code and other City regulations would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19, which issue cannot be timely addressed absent a declaration of emergency; and

WHEREAS, because the mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future reimbursement by the state and federal governments will be critical to successfully respond to COVID-19, the City may require additional assistance in the future, and proclamation of local emergency allows additional resources to flow to the City in a timely manner; and

WHEREAS, Chapter 2.32 of Title 2 of the Suisun Municipal Code establishes that the Director of Emergency Services may issue an emergency proclamation if the City Council is not in session; and

1 **WHEREAS**, the City Manager has been designated as the Director of Emergency
Services; and

2 **WHEREAS**, on March 16, 2020, the City’s Director of Emergency Services declared
3 a local emergency, finding that that conditions of extreme peril to the safety of persons and
property have arisen within the City of Suisun City and that these conditions are or are likely
4 to be beyond the control of the services, personnel, equipment, and facilities of the City of
Suisun City; and,

5 **WHEREAS**, per Government Code Section 8630 a local emergency declared by the
6 Director of Emergency Services shall not remain in effect for a period in excess of seven days
unless it has been ratified by the City Council of the City of Suisun City; and

7 **WHEREAS**, the Director of Civil of Emergency Services requests that the City
8 Council proclaim the existence of a local emergency; and,

9 **WHEREAS**, after consideration of all facts reasonably available presently for review
and all items, the City Council now desires to ratify the existence of a state of local
10 emergency to make additional resources available to address the effects of COVID-19.

11 **NOW, THEREFORE**, the City Council of the City of Suisun City does resolve as
follows:

12 1. The conditions of extreme peril to the safety of persons and property have arisen
13 within the City of Suisun City, caused by the effects of COVID-19.

14 2. The aforementioned conditions of extreme peril warrant and necessitate the
15 proclamation of the existence of a local emergency by the City’s Director of Emergency
Services.

16 3. The City Council does hereby ratify and confirm the declaration of a local
17 emergency by the Director of Emergency Services.

18 4. During the existence of said local emergency, the powers, functions and duties of
the Director of Emergency Services shall be those prescribed by State Law, City ordinances,
19 resolutions, and approved plans of the City in order to mitigate the effects of said local
emergency. In this regard, the Council desires to make clear the powers, functions, and duties
20 include:

21 (a) As necessary for the public health, life, and property, entering into contracts to
22 arrange for the procurement of materials, goods, and services needed to assist in
preparing for, containing, responding to, mitigating the effects of, and recovering
23 from the spread of COVID-19. Applicable provisions of the Government Code and
the Public Contract Code, including but not limited to travel, advertising, and
24 competitive bidding requirements, as well as any City procurement or related
policy, are suspended to the extent reasonably necessary to address the effects of
25 COVID-19.

26 (b) The Director of Emergency Services is expressly authorized to assist with any
lawful order, including the enforcement of an order of quarantine or curfew, as
27 well as ordering potentially ill City employees to leave the workplace, authorizing
certain City employees to work remotely, taking steps to limit non-essential
28 contact by City employees, etc., to address the effects of COVID-19.

1 (c) The Director of Emergency Services is expressly authorized at his discretion to
2 invoke force majeure on any City agreements or obligations, to the extent
3 reasonably necessary to address the effects of COVID-19.

4 5. During the existence of said local emergency, it shall be unlawful for any person or
5 entity to increase its prices for goods or services in violation of Section 396 of the California
6 Penal Code. The City Council hereby directs the City Attorney to prosecute any such
7 violations to the fullest extent permissible by law.

8 6. During the existence of the local emergency, and along with all State and County
9 resources, all City response resources, vehicles, and services shall be given first priority from
10 shopkeepers and businesses located within the City, including, but not limited to, water, fuel
11 and gasoline.

12 7. During the existence of the local emergency and in accordance with Suisun City
13 Municipal Code Section 2.32.130, violations of Chapter 2.32 shall be a misdemeanor,
14 punishable by a fine not to exceed one thousand dollars, or by imprisonment for not to exceed
15 six months, or both.

16 8. The local emergency shall be deemed to continue to exist until its termination is
17 proclaimed by the City Council.

18 9. The Government Code Section 8630 requirement that the Council review of the
19 need for continuing the local emergency at least once every 60 days until the City Council
20 terminates the local emergency has been waived for the duration of the statewide emergency
21 declared by Governor Newsom. If this declaration of local emergency extends for more than
22 the duration of the statewide emergency declared for COVID-19, City Staff are directed to
23 thereafter return this item for Council review of the need for continuing the local emergency
24 at least once every 60 days until the City Council terminates the local emergency.

25 10. This Resolution shall take effect immediately. This Resolution and its contents
26 will be published and promulgated in as widespread a manner as is reasonable feasible under
27 the conditions prevailing during this local emergency.

28 The foregoing resolution was adopted by the City Council of the City of Suisun City at a
special meeting thereof held on the 17th day of March, 2020.

AYES: Councilmembers: _____
NOES: Councilmembers: _____
ABSENT: Councilmembers: _____
ABSTAIN: Councilmembers: _____

Lori Wilson, Mayor

ATTEST:

Donna Pock, CMC, Deputy City Clerk

1 APPROVED AS TO FORM:

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3 By: _____
4 Anthony R. Taylor, City Attorney
Aleshire & Wynder, LLP

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CITY COUNCIL

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CITY OF SUISUN CITY

701 Civic Center Blvd.
Suisun City, California 94585
Incorporated October 9, 1868

March 16, 2020,

LOCAL EMERGENCY DECLARATION

Honorable Mayor and Councilmembers,

Acting as the Director of Emergency Services, I hereby declare a local emergency for the City of Suisun City under Chapter 2.32 of the Suisun City Municipal Code and all applicable laws related to the rapidly evolving public health threat caused by Coronavirus (COVID-19). This declaration of a local emergency is subject to ratification by the City Council within seven days of today's date.

I hereby find that the threat caused by COVID-19 exceeds the public health resources of the City and that the City seeks all available federal, state and county funds to expand its capabilities to protect the residents of Suisun City.

By separate letter, I will issue specific directives under Section 2.32.070 of the municipal code and all applicable laws. These directives are mandatory and subject to ratification by the City Council.

Please direct all public health concerns related to the coronavirus to my attention. Should you have any questions, please contact me.

Greg Folsom, City Manager and Director of Emergency Services

DEPARTMENTS: AREA CODE (707)

ADMINISTRATION 421-7300 ■ DEVELOPMENT SERVICES 421-7335 ■ BUILDING 421-7310 ■ FINANCE 421-7320
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SUCCESSOR AGENCY 421-7309 FAX 421-7366

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CITY OF SUISUN CITY

701 Civic Center Blvd.
Suisun City, California 94585
Incorporated October 9, 1868

March 16, 2020,

LOCAL EMERGENCY DECLARATION - DIRECTIVES

Dear Suisun City Community,

Today I proclaimed a local emergency related to the rapidly evolving public health threat caused by Coronavirus (COVID-19). That action is under my authority as Director of Emergency Services under Chapter 2.32 of the Suisun City municipal code and is subject to ratification by the Suisun City Council within seven days.

Under Section 2.32.070 of the Suisun City municipal code and to the fullest extent permitted by law, I hereby issue the following emergency rules and regulations for the protection of public health and property. The following directives are mandatory for everyone in Suisun City and include:

1. All public access to city facilities is hereby suspended until further notice and is subject to allowing the public to make appointments at city hall for essential matters that cannot be handled by phone or on the City's web site. During this time, the public is urged to call or use the City's web site to the fullest extent possible. This directive does not apply to City Council meetings where the public can attend in person and address the City Council.
2. Subject to a case by case review, all municipal utilities are ordered to remain operational and not be shut off for all residents and businesses regardless of payment status.
3. I hereby direct that businesses do not engage in price gouging consistent with Penal Code Section 396 and the City Attorney is hereby authorized to prosecute any offenders.
4. All existing City moratoriums and other actions to protect public health and safety shall remain effective until further notice.
5. I hereby reserve the right to issue additional directives as needed.

I appreciate everyone's anticipated cooperation with these mandatory directives during this difficult time. Should you have any questions, please contact me.

Greg Folsom, City Manager and Director of Emergency Services

DEPARTMENTS: AREA CODE (707)

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