

RESOLUTION NO. 20-10

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, Health and Safety Code 101080 authorizes a local health officer to declare a local health emergency within the officer's jurisdiction, or any part thereof, whenever the health officer reasonably determines that there is an imminent and proximate threat of the introduction of any contagious, infectious or communicable disease, chemical agent, noncommunicable biological agent, toxin or radioactive agent; and

WHEREAS, conditions of extreme peril to the safety of persons or property have arisen within the Town of Mammoth Lakes as a result of the spread of the COVID-19 virus; and

WHEREAS, the Governor of California declared a Statewide state of emergency due to the COVID-19 virus on Wednesday, March 4; and

WHEREAS, the Mono County Health Officer on March 15, 2020 declared a local health emergency due to the imminent and proximate threat to public health of the introduction of a novel coronavirus (COVID-19) in Mono County; and

WHEREAS, conditions justifying the Mono County Health Officer's declaration of emergency continue in effect, and the Mono County Board of Supervisors ratified the County Health Officer's declaration of emergency on March 17, 2020; and

WHEREAS, the indefinite closure of Mammoth Mountain, significant reduction in leisure travel in the near term, mandated closure or limited operations of various businesses, and other measures taken in response to the emergency to close or limit business activities have been ordered and additional actions are expected to lead to massive economic disruption within Mammoth Lakes; and

WHEREAS, the Town Council wishes to declare a state of local emergency pursuant to its authority under the California Emergency Services Act (Article 14 of Title 2, Division 1, Chapter 7 of the California Government Code, commencing with section 8630); and

WHEREAS, Public Contract Code Sections 20168 and 22050 allow the Town to procure equipment, services, and supplies necessary to address an emergency, without engaging in competitive bidding to do so; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council as follows:

SECTION ONE. The findings set forth in the County Health Officer's declaration of emergency are hereby adopted by the Town Council as its findings in support of the actions taken through this resolution.

SECTION TWO. The Town Council hereby additionally finds and declares that conditions justifying the declaration of a local state of emergency as set forth in the California Emergency Services Act (Government Code section 8630 et seq.) currently exist within the entire jurisdictional boundaries of the Town of Mammoth Lakes and declares a state of local emergency. Under the Governor's State of Emergency Declaration issued March 4, 2020, the 60-day time period in Government Code section 8630, within which the governing body must renew a declaration of local emergency has been waived and the local emergency hereby declared shall remain in effect until terminated by the Town Council, at the earliest possible date that conditions warrant.

SECTION THREE. During the existence of the local emergency the powers, functions and duties of the emergency services organization of the Town of Mammoth Lakes shall be those prescribed by law, by ordinances and resolutions of this Town including without limitation Chapter 2.48 of the Mammoth Lakes Municipal Code, and by the Town of Mammoth Lakes Emergency Operations Plan.

SECTION FOUR. In addition to the duties set forth in Section 2.48.070 of the Mammoth Lakes Municipal Code regarding emergency powers, the Town Manager is directed to develop and consider and implement strategies for assisting the community to mitigate the economic impacts of the continuing emergency.

SECTION FIVE. Pursuant to Public Contract Code Section 22050 the Town Council shall review the need for continuing the local emergency at every regularly scheduled meeting until the emergency is declared to be concluded, and shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant, pursuant to Public Contract Code Section 22050.

SECTION SIX. Town staff shall forward a copy of this resolution to the California Office of Emergency Services and to Mono County officials.

SECTION SEVEN. The Town Council hereby requests any and all funding and recovery assistance that can be provided from the State of California and the government of the United States. Town staff shall take such actions as are necessary to formally convey this request to the appropriate agencies.

APPROVED AND ADOPTED THIS 18th day of March 2020.

A handwritten signature in blue ink, appearing to read "Bill Sauser", written over a horizontal line.

BILL SAUSER, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Jamie Gray", written over a horizontal line.

JAMIE GRAY, Town Clerk