

EMERGENCY RESOLUTION NO. EM 2020 – 002

AN EMERGENCY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, DIRECTING THE EMERGENCY CORPS COMMANDER TO OVERSEE THE IMPLEMENTATION OF CALIFORNIA GOVERNOR EXECUTIVE ORDER N-33-20 (STAY AT HOME ORDER) IN THE CITY OF LA QUINTA

WHEREAS, Government Code Section 8630 and La Quinta Municipal Code Section 2.20.080 authorize the La Quinta City Council to proclaim the existence of a local emergency; and

WHEREAS, on March 17, 2020, at its regular meeting, the City Council adopted Emergency Resolution No. EM 2020-001, proclaiming a local emergency as defined in La Quinta Municipal Code Section 2.20.020, due to the threat of the existence and spread of novel coronavirus disease 2019 (COVID-19); and

WHEREAS, the Recitals in Emergency Resolution No. EM 2020-001 set forth facts and responses, guidelines, and orders of federal, state, and regional public health officials relating to limiting the spread of COVID-19, all of which Recitals are hereby incorporated by reference into this Resolution; and

WHEREAS, Emergency Resolution No. EM 2020-002 identified and enabled the emergency corps commander to use the full authority and power under La Quinta Municipal Code Chapter 2.20 to address and respond to the local emergency; and

WHEREAS, on March 19, 2020 the Governor of California issued Executive Order N-33-20 that, among other orders with the force and effect of law under Government Code Sections 8567, subdivision (a) and 8571, ordered all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, as identified therein; and

WHEREAS, the California Department of Public Health has provided via Internet Web site <https://covid19.ca.gov/stay-home-except-for-essential-needs/> "Question and Answer" guidance regarding stay at home exceptions to

Executive Order No. N-33-20, which includes among other guidance that:
(a) Essential state and local government functions are to remain open, including law enforcement and offices that provide government programs and services; and
(b) Essential services are to remain open such as:

- Gas stations;
- Pharmacies;
- Food: Grocery stores, farmers markets, food banks, convenience stores, take-out and delivery restaurants;
- Banks;
- Laundromats/laundry services; and

WHEREAS, the implementation of and order like the Governor’s Executive Order E-33-20 in the City of La Quinta, like in all cities and counties throughout the State of California, is unprecedented in modern times and will require oversight, information gathering, providing reports to and receiving reports from other public agencies, coordination of all city departments and resources, and periodic adjustments based upon future guidance from the County of Riverside, State of California, and United States public health agencies.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Quinta, California, as follows:

SECTION 1. Emergency Resolution No. EM-2020-001 remains in full force and effect, and the emergency corps commander and city manager shall continue to have the full authority and power granted to them therein.

SECTION 2. The City Council hereby directs the emergency corps commander to oversee the implementation of California Governor Executive Order N-33-20 in and throughout the city, and the city manager may promulgate and issue executive orders to facilitate the same pursuant to Section 8, Subsection (A), of Emergency Resolution No. EM 2020-001.

SECTION 3. This Resolution, and the powers, duties, response efforts, and immunities available by its adoption, shall remain in place for as long as the local emergency exists and until determined to be terminated by the City Council, unless otherwise this Resolution is terminated by operation of state law that is no longer waived or suspended by the Governor of California.

SECTION 4. This Resolution is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the City of La Quinta, or any of its boards, commissions, committees, departments, officers, officials, employees or any other person.

SECTION 5. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Resolution is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council hereby declares that it would have adopted this Resolution and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional.

SECTION 6. This Resolution shall go into effect immediately upon its adoption, and the City Clerk shall certify to its adoption.

PASSED, APPROVED, and ADOPTED at an emergency meeting of the La Quinta City Council held on this 20th day of March, 2020 by the following vote:

AYES: Councilmembers Fitzpatrick, Peña, Radi, Sanchez, Mayor Evans

NOES: None

ABSENT: None

ABSTAIN: None



LINDA EVANS, Mayor
City of La Quinta, California

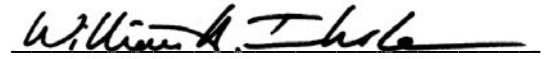
ATTEST:



MONIKA RADEVA, City Clerk
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:


WILLIAM H. IHRKE, City Attorney
City of La Quinta, California