

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
RATIFYING THE THIRD SUPPLEMENT TO DECLARATION OF LOCAL
EMERGENCY AUTHORIZING THE CITY MANAGER TO SUSPEND LIMITS OF
TIME IMPOSED BY THE PASADENA MUNICIPAL CODE**

WHEREAS, on March 25, 2020, the City Manager issued a Third Supplement to the Declaration of a Local Emergency, a signed version of which is attached to this resolution as Exhibit A, and the City Council has received a report on the conditions described therein; and

WHEREAS, Pasadena Municipal Code Section 2.370.080 requires the City Council to ratify the proclamation within seven days thereafter, or the proclamation shall have no further force or effect.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pasadena as follows:

1. That the Third Supplement to the Declaration of a Local Emergency is hereby ratified and confirmed by the City Council; and
2. That said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Pasadena.

Adopted at the special meeting of the City Council on the ____ day of
March, 2020, by the following vote:

AYES:


NOES:

ABSENT:

ABSTAIN:

Mark Jomsky, CMC
City Clerk

APPROVED AS TO FORM:



Javan N. Rad
Chief Assistant City Attorney

0000160708C031

Exhibit A

THIRD SUPPLEMENT TO DECLARATION OF LOCAL EMERGENCY
AUTHORIZING THE CITY MANAGER TO SUSPEND LIMITS OF TIME IMPOSED
BY THE PASADENA MUNICIPAL CODE

By virtue of the authority vested in me as Director of Disaster Emergency Services, and pursuant to Chapter 2.370 of the Pasadena Municipal Code, specifically Section 2.370.080, I hereby find that:

International, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named “SARS-CoV-2,” and the disease it causes has been named “coronavirus disease 2019,” abbreviated COVID-19, (“COVID-19”);

On March 4, 2020, the Health Officer declared the existence of a local health emergency in Pasadena, and on March 9, 2020, the City Council adopted a resolution ratifying the Health Officer’s declaration;

On March 4, 2020, the Los Angeles County Board of Supervisors and Department of Public Health declared a local emergency and local public health emergency to aid the regional healthcare and governmental community in responding to COVID-19;

On March 4, 2020, the Governor of the State of California 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;

On March 13, 2020, the President of the United States of America declared a national emergency and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread of and addressing the effects of COVID-19;

On March 17, 2020, the City Council ratified the declaration of a local emergency and a first and second supplement thereto, to allow the City of Pasadena to address the COVID-19 pandemic;

On March 19, 2020, the Governor issued Executive Order N-33-20, directing all California residents to stay at home indefinitely except for workings in the 16 critical infrastructure sectors identified by the Department of Homeland Security Cybersecurity and Infrastructure Security (CISA) who are required to maintain continuity of operations for these vital systems and facilities;

On March 19, 2020, the Health Officer issued a Safer at Home Order for Control of COVID-19, and on March 22, 2020, the Health Officer issued a Revised Order, which incorporates the Order of the State Public Health Officer set forth in the Governor's March 19, 2020 Executive Order N-33-20;

The Centers for Disease Control and Prevention, the California Department of Health, and the Los Angeles County Department of Public Health have all issued

recommendations including but not limited to social distancing, staying home if sick, canceling or postponing large group events, working from home, and other precautions to protect public health and prevent transmission of this communicable virus;

As a result of the impacts of the COVID-19 pandemic, many City staff have been working remotely, making it difficult or impossible to conduct even City business under certain time periods. In addition, given the restrictions on gatherings, it is difficult to conduct required meetings and hearings in a manner that allows for adequate public participation and input. Because of these restrictions, it may be necessary to toll certain limits of time, until City business can be restored at the conclusion of the local emergency.

In the interest of public health and safety, as affected by the emergency caused by the COVID-19 pandemic, it is necessary to exercise my authority to issue this regulation related to the protection of life and property;

NOW THEREFORE, I HEREBY ISSUE the following Third Supplement to the declaration of a local emergency to become effective immediately, subject to ratification as soon as practicable by the City Council.

IT IS HEREBY ORDERED THAT, FOR A PERIOD OF 60 DAYS FROM THE DATE OF THIS THIRD SUPPLEMENT:

1. The City Manager is authorized, in his sole discretion and considering the rights of all involved persons, to suspend, toll, extend, and otherwise grant relief from any limits of time imposed by the Pasadena Municipal Code, including, but not limited to, any (a) time within which to act; (b) deadlines or time schedules; (c) submittal requirements; (d) deemed complete, review, and approval deadlines, including appeal deadlines; (e) statute of limitation; and/or (f) expiration date.
2. This Third Supplement shall apply to any limits of time that were not yet expired as of the time of the adoption of this Third Supplement.
3. Each action by the City Manager to suspend, toll, extend, and otherwise grant relief from limits of time under this Third Supplement shall be in writing, shall specify the expiration of the limitation period (whether related to a date certain or a period of time after the termination of this local emergency), and shall become effective when filed with the City Clerk. Such actions shall be posted within five (5) business days on the City's webpage where all actions under this Third Supplement can be found, to the extent feasible.
4. This Third Supplement shall become effective immediately.
5. If any provision of this Third Supplement is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this chapter which can be implemented without the invalid provisions, and to this end, the provisions of this chapter are declared to be severable. This


declaration would have been adopted and each provision thereof irrespective of whether any one or more provisions are found invalid, unconstitutional or otherwise unenforceable.

6. This supplements and does not supersede any prior local emergencies or local public health emergencies related to COVID-19.

I FURTHER DIRECT that this Third Supplement shall take effect immediately and that widespread publicity and notice shall be given of said declaration through the most feasible and adequate means of disseminating such notice throughout the City.


Dated: March 25, 2020, at Pasadena, California.

By:



Steve Mermell
City Manager
Director of Disaster Emergency Services

Attest:

 3/25/2020

Mark Jomsky, CMC
City Clerk