

Agenda Report

March 30, 2020

TO: Honorable Mayor and City Council

FROM: City Manager

**SUBJECT: RATIFICATION OF THE CITY MANAGER'S THIRD SUPPLEMENT TO
DECLARATION OF LOCAL EMERGENCY IN RESPONSE TO COVID-
19 PANDEMIC**

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to state CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption); and
2. Adopt a Resolution ratifying the March 25, 2020, Third Supplement to Declaration of Local Emergency, and Authorize the City Manager to Suspend Limits of Time Imposed by the Pasadena Municipal Code in order to mitigate the interruption of business caused by the response to the COVID-19 Pandemic.

BACKGROUND:

An outbreak of pneumonia in Wuhan, China was reported to the World Health Organization ("WHO") on December 31, 2019, and an illness caused by a novel coronavirus called COVID-19 was soon identified as the cause. During the week of February 23, 2020, the Centers for Disease Control and Prevention ("CDC") reported evidence of community spread of the virus in cases located in California, Oregon, and Washington. There is currently no vaccine to prevent COVID-19.

CDC response guidance to local health departments, including the City of Pasadena Public Health Department ("PPHD"), requires extraordinary efforts to monitor and manage ongoing COVID-19 risk including monitoring individuals who may have been exposed to COVID-19.

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On March 4, 2020, Pasadena Public Health Director and Health Officer Dr. Ying-Ying Goh declared a local health emergency pursuant to California State Health and Safety Code recognizing COVID-19 as an imminent and proximate threat in the City of Pasadena. On the same day, the State of California and Los Angeles County Department of Public Health declared health emergencies. The City's Health Officer Declaration of March 4, 2020 action was ratified by the City Council at its regular meeting of March 9, 2020. On March 22, 2020, the Public Health Director and Health Officer issued a Revised – Safer at Home Order for Control of COVID-19 – Closure of Non-Essential Businesses and Areas.

On March 16, 2020, the City Manager, as Director of Disaster Emergency Services pursuant to Chapter 2.370 of the Pasadena Municipal Code, declared the existence of a local emergency. This was ratified by the City Council at its Special Meeting of March 17, 2020. Declaration of a local emergency empowers the City to more effectively respond to COVID-19, coordinate with partner agencies including Los Angeles County and City of Long Beach Health Departments, seek and utilize mutual aid, and pursue potential federal and state reimbursement for costs related to response efforts. A First Supplement was issued on March 16, 2020, pertaining to closure of Non-Essential Businesses (which has been superseded by the Order of the State Public Health Director in Executive Order N-33-20), and a Second Supplement which established a moratorium on eviction of tenants for non-payment of rents due to the COVID-19 Pandemic was ratified by the City Council on March 16, 2020.

The Third Supplement, presented today for City Council ratification, calls for tolling of deadlines and timelines as are necessary to mitigate the interruption of business caused by the response to the COVID-19 Pandemic. Such tolling would be effective when made by the City Manager, in writing, and filed with the City Clerk. In this way, there is a public notice of each and every such action. In addition, the actions would be posted to the City's webpage to ensure a broader public access and awareness.

There are a number of permitting activities with deadlines that cannot be met because of the direct and indirect effect of the various orders which have curtailed or ended non-essential activity. At this time not every need for such tolling can be identified, as facts and the needs of the public change daily. In this uncertain time, there are issues regarding funding, labor reliability and the supply of material, to name a few, all of which impact the timelines under which projects will be able to proceed despite even the best efforts to keep moving forward. Accordingly, it is appropriate that the City Manager is authorized to extend, toll or waive timelines otherwise specified in the Pasadena Municipal Code when they cannot be met in a timely fashion as a result of the response to the COVID-19 Pandemic.

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COUNCIL POLICY CONSIDERATION:

The proposed action is consistent with the City Council's strategic planning goal to ensure public safety by sustaining and enhancing the City's ongoing response to COVID-19 to protect the health and safety of all those who reside, visit or work within the City of Pasadena.

ENVIRONMENTAL ANALYSIS:

The actions proposed herein have been determined to be exempt from the CEQA pursuant to State CEQA Guidelines Section 15061(b)(3), the common sense exemption (formerly the "general rule") that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed resolution ratification does not involve any direct physical changes in the environment. Therefore, the actions proposed herein are exempt from CEQA per Section 15061(b)(3) (common sense exemption).

FISCAL IMPACT:

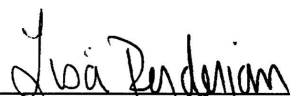
The future costs of responding to COVID-19 are unknown at this time due to evolving conditions. With the California state declaration of a health emergency, local COVID-19 response efforts may be eligible for state or federal reimbursement. Until there is a final determination on potential reimbursement, all expenditures will be recorded and tracked in the Health Fund and/or General Fund using existing appropriations.

Respectfully submitted,



STEVE MERMELL
City Manager

Prepared by:



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