

## RESOLUTION 2023-XXX

### A RESOLUTION OF THE SANTA ANA CITY COUNCIL DECLARING THE TERMINATION OF THE PROCLAMATION OF A LOCAL EMERGENCY REGARDING THE CORONAVIRUS (COVID-19) PANDEMIC

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19 beginning on January 27, 2020; and

WHEREAS, the World Health Organization declared the Coronavirus (COVID-19) outbreak a public health emergency of international concern on January 30, 2020, and a pandemic on March 11, 2020; and

WHEREAS, on February 26, 2020, the County of Orange declared a local emergency and a local health emergency to prepare for COVID-19 in the event of a COVID-19 outbreak in Orange County; and

WHEREAS, on March 4, 2020, Governor Newsom declared a state of emergency related to COVID-19; and

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

WHEREAS, a local emergency, as defined by section 2-643 of the Santa Ana Municipal Code and by California Emergency Services Act Section 8558(c), may be proclaimed upon conditions of disaster or extreme peril, existing or imminently likely, so as to threaten lives and property, and by reason of its magnitude is or is likely to be beyond the control of the available services, personnel, equipment and facilities of the city; and

WHEREAS, on March 17, 2020, the Santa Ana City Council adopted a resolution (Resolution No. 2020-016) proclaiming a local emergency due to the conditions or threatened conditions of COVID-19 in the City of Santa Ana, which constitutes an extreme peril of health and safety of persons within the territorial limits of the City and specified that the local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council; and

WHEREAS, during the local emergency, the City Manager, acting as the Director of Emergency Services, was delegated the authority to, among other responsibilities, promulgate ordinances, orders or regulations necessary to provide for the protection of life and property; and

WHEREAS, during the local emergency, the City Manager, acting as the Director of Emergency Services issued various orders associated with the local emergency declaration; and

WHEREAS, the City of Santa Ana's Finance and Management Services Agency submitted to the City Council at regularly scheduled meetings of the City Council quarterly reports of contracts executed by the City Manager; these quarterly reports included contracts entered

into by the City Manager, acting as the Director of Emergency Services, as delegated in the local emergency proclamation; and

WHEREAS, on May 21, 2021, the California Department of Public Health announced that the State of California will move beyond the Blueprint for a Safer Economy, whereby all sectors listed in the current Blueprint Activities and Business Tiers Chart may return to usual operations, with limited exceptions for mega events that include 5,000 or more attendees for indoor events and 10,000 or more attendees for outdoor events; and

WHEREAS, on June 15, 2021, the California Department of Public Health issued an order terminating the Stay-at-Home Order, replacing the Blueprint for a Safer Economy, and reopening the economy; and

WHEREAS, on February 28, 2023, Governor Gavin Newsom issued a proclamation terminating the State of California's emergency declaration; and

WHEREAS, President Biden has announced that the federal government will lift the national emergency and public health declarations on May 11, 2023; and

WHEREAS, pursuant to Section 2-646 of the Santa Ana Municipal Code, the City Council shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant; and

WHEREAS, upon termination of the local emergency, any such rules, regulations, orders and directives or suspensions thereof prepared under the proclamation of local emergency shall terminate and have no further force or effect; and

WHEREAS, the City Manager, acting as the Director of Emergency Services, recommends that the proclamation of local emergency be terminated due to the fact the circumstances necessitating the declaration of the local emergency no longer exist; and

WHEREAS, pursuant to Government Code section 8630, the City Council has reviewed the need for continuing the local emergency and has determined that conditions no longer support continuing the local emergency.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Santa Ana hereby finds, determines, and declares as follows:

Section 1. The above recitals are true and correct and incorporate herein.

Section 2. Pursuant to Santa Ana Municipal Code Section 2-646, the City Council declares the termination of the proclamation of local emergency relating to COVID-19.

Section 3. The Santa Ana City Council hereby repeals Resolution No. 2020-016.

Section 4. Any such rules, regulations, orders and directives or suspensions thereof prepared under the proclamation of local emergency shall terminate and have no further force or effect.

Section 5. This Resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall attest to and certify the vote adopting this Resolution.

ADOPTED this \_\_\_\_ day of April, 2023.

\_\_\_\_\_  
Valerie Amezcua  
Mayor

APPROVED AS TO FORM:  
Sonia R. Carvalho  
City Attorney

By: Laura A. Rossini  
Laura A. Rossini  
Chief Assistant City Attorney

AYES: Councilmembers \_\_\_\_\_  
NOES: Councilmembers \_\_\_\_\_  
ABSTAIN: Councilmembers \_\_\_\_\_  
NOT PRESENT: Councilmembers \_\_\_\_\_

#### **CERTIFICATE OF ATTESTATION AND ORIGINALITY**

I, Jennifer L. Hall, City Clerk, do hereby certify the attached Resolution No. 2023 -XXX to be the original resolution adopted by the City Council of the City of Santa Ana on \_\_\_\_\_, 2023.

Date: \_\_\_\_\_

\_\_\_\_\_  
Jennifer L. Hall  
City Clerk  
City of Santa Ana