

RESOLUTION NO. 2020-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA EXTENDING THE DECLARATION AND PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE EFFECTS OF THE COVID-19 VIRUS AND THE EFFECTS AND IMPACTS UPON THE OPERATIONS OF GOVERNMENT OF THE CITY OF HUNTINGTON PARK, AND THE DELAYING THE IMPLEMENTATION OF STAGE 2 OF THE COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC HEALTH'S REOPENING PROCESS

WHEREAS, the City Council of the City of Huntington Park is responding to the spread of coronavirus disease, and now hereby finds that international, national, state, and local health and governmental authorities are responding to an outbreak of said respiratory disease caused by a novel coronavirus, also known and abbreviated as COVID-19, ("COVID-19"); and

WHEREAS, the City Council of the City of Huntington Park is responding to the spread of coronavirus disease, and now hereby finds that international, national, state, and local health and governmental authorities are responding to an outbreak of said respiratory disease caused by a novel coronavirus, COVID-19; and

WHEREAS, Title 4, Chapter 4, et seq. of the Huntington Park Municipal Code authorizes the City Council to proclaim the existence or threatened existence of a local emergency, and further authorizes the City Manager with enumerated powers when the Governor or County has declared a state of emergency, which has been the case as discussed hereinabove as it relates to COVID-19; and

WHEREAS, the City of Huntington Park remains vigilant with federal, state, and county official updates related to COVID-19 because information, orders, and directives continue to change on a daily basis; and

WHEREAS, on March 17, 2020, the City Council of the City of Huntington Park declared and proclaimed the existence of a local emergency due to the COVID-19 virus; and

WHEREAS, on April 10, 2020, the County of Los Angeles Department of Public Health issued a Safer at Home Order For Control of the COVID-19 virus amending and superseding previous Orders and Addendums of the County of Los Angeles Health Officer; and

WHEREAS, on May 8, 2020, the County of Los Angeles Department of Public Health issued Addendum No. 2 to Safer at Home Order For Control of COVID-19 including the allowance of certain specified lower-risk retail businesses to reopen for sales and service transactions made via curbside pick-up or delivery only and the allowance of the reopening of new and used auto sales dealerships and operations; and

WHEREAS, the City Council of the City of Huntington Park hereby finds that conditions of extreme peril continue to exist to the safety of persons and property have arisen within the City caused by the COVID-19 virus, and;

WHEREAS, the City has determined that the delay the implementation of Addendum No. 2 until June 1, 2020 is necessary to allow City staff to work with the lower-risk retail businesses and new and used auto sales dealerships to ensure property social distancing protocols and procedures to protect the public's peace, health and safety;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that the local emergency continues to exist throughout the City of Huntington Park, and;

SECTION 1: IT IS FURTHER PROCLAIMED AND ORDERED the proclamation and declaration of a local emergency is extended.

SECTION 2: During the existence of said local emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, by local ordinances, and resolutions of this City; and the City seeks all services, financial assistance and other related aid provided for or made available by the County of Los Angeles, State of California or Federal Government.

SECTION 3: All individuals, organizations, and business entities are hereby required to comply and adhere to all federal, state, and local orders and directives within the City's jurisdiction and boundaries relating to COVID-19. Should subsequent federal, state, or county orders and directives be issued that promote various forms of social distancing to protect the most vulnerable from COVID-19, as well as to contain the spread of same, the more restrictive orders and directives shall apply.

SECTION 4: The City has determined that the delay the implementation of Addendum No. 2 until June 1, 2020 is necessary to allow City staff to work with the lower-risk retail businesses and new and used auto sales dealerships to ensure property social distancing protocols and procedures to protect the public's peace, health and safety. Therefore, all lower-risk retail businesses and new and used auto sales dealerships shall remain closed until June 1, 2020.

SECTION 5: Resolution No. 2020-41 shall remain in full force and effect and shall be read together with this Resolution.

SECTION 6: Pursuant to Section 4.10, of Chapter 4 of Title 4 of the Huntington Park Municipal Code, any person violating any of the provisions of this Resolution or failing to comply with mandatory requirements of the Huntington Park Municipal Code may be guilty of a misdemeanor, which is punishable by a fine or imprisonment.

SECTION 7: SEVERABILITY. If any section, subsection, paragraph, sentence, clause, phrase, or portion thereof, of this Resolution is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council declares that it would have adopted this Resolution, and each section, subsection, paragraph, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, phrases, or portions thereof, be declared invalid or unconstitutional. To this end, the provisions of this Resolution are declared to be severable.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, THIS 12TH DAY OF MAY, 2020.

/s/ Manuel Avila
Manuel "Manny" Avila, Mayor

ATTEST:

/s/ M. Susan Crum
M. Susan Crum, Acting City Clerk

APPROVED AS TO FORM

Arnold M. Alvarez-Glasman
City Attorney