

**CITY OF FERNDALE – HUMBOLDT COUNTY CALIFORNIA – U.S.A.  
AGENDA - SPECIAL CITY COUNCIL MEETING**

Location:	City Hall	Date:	June 8, 2020
	834 Main Street	Time:	<b>2:00 pm</b>
	Ferndale CA 95536	Posted:	June 3, 2020

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor’s Emergency Declaration related to COVID-19, and the Governor’s Executive Order N-29-20 issued on March 17, 2020 that allows attendance by members of the City Council, City staff, and the public by teleconference, videoconference, or both.

We are strongly recommending that public comment for this meeting be submitted prior to the meeting. Public comment should be submitted to [cityclerk@ci.ferndale.ca.us](mailto:cityclerk@ci.ferndale.ca.us) by 12:00pm on Monday, June 8, 2020, please be sure to put “Public Comment “in the subject line, and include the agenda item if applicable. All public comments received by 12pm will be read into the record (limit to 5 minutes) during the special meeting.

To provide public comment during the meeting, you will need to join the Zoom meeting.

Join Zoom Meeting:

<https://us02web.zoom.us/j/83234250695?pwd=WjFuQ25lRG5uTVBsaTBIUjCM3J5dz09>

or go to Zoom.us and input the following information when prompted:

Meeting ID: 832 3425 0695

Password: 664682

Dial by your location

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

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Password: 664682

Find your local number: <https://us02web.zoom.us/j/83234250695?pwd=WjFuQ25lRG5uTVBsaTBIUjCM3J5dz09>  
number: <https://us02web.zoom.us/j/83234250695?pwd=WjFuQ25lRG5uTVBsaTBIUjCM3J5dz09>

1. CALL MEETING TO ORDER – Mayor
2. PLEDGE ALLEGIANCE TO THE FLAG
3. ROLL CALL –City Clerk: Mayor Sweeney; Councilman Avis; Councilman Smith; Councilwoman Fisk-Becker; and Councilwoman Bullard.
4. MODIFICATIONS TO THE AGENDA
5. BUSINESS
  - a. Reconfirm Existence of a Local Emergency
6. PUBLIC COMMENT ON CLOSED SESSION ITEM
7. ADJOURN INTO CLOSED SESSION
  - a. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (One case)
8. REPORT OUT OF CLOSED SESSION
9. ADJOURN

**This notice is posted in compliance with Government Code §54956.  
The next Regular Meeting of the Ferndale City Council will be held on  
June 17, 2020 at TBD at 7:00pm.**



PROCLAMATION  
*OF THE*  
CITY OF FERNDALE CONFIRMING THE EXISTENCE OF A  
LOCAL EMERGENCY

*MARCH 23, 2020*

(BY THE CITY MANAGER, DIRECTOR OF EMERGENCY SERVICES)

**WHEREAS**, Ordinance 267 of the City of Ferndale empowers the City Manager as Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when circumstances described therein exist; and

**WHEREAS**, the City of Ferndale Emergency Operations Plan adopted by Resolution 04-30, states that if conditions of extreme peril to the safety of persons and property within the territorial limits of the City of Ferndale exists, a local emergency can be declared; and

**WHEREAS**, International, State, and Local health and government authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named “SARSCoV-2” and the disease it causes has been named “coronavirus disease 2019” abbreviated COVID-19, (“COVID-19”), first detected in December 2019; and

**WHEREAS**, the State of California has worked in close collaboration with the national Centers for Disease Control and Prevention (CDC), the United States Health and Human Services Agency, and local health departments since December 2019 to monitor and plan for the potential spread of COVID-19 to the United States; and

**WHEREAS**, the CDC considers the COVID-19 virus to be a very serious public health threat with outcomes ranging from mild sickness to severe respiratory illness and death, and that certain populations face elevated risk with widespread transmission of COVID-19 translating into large numbers of people needing medical care at the same time thereby creating a public calamity in which other infrastructures may also be affected; and

**WHEREAS**, on January 31, 2020, the U.S. Department of Health and Human Services declared a Public Health Emergency to aid the nation's local healthcare communities in responding to COVID-19; and

**WHEREAS**, on March 11, 2020 with 114 countries reporting 118,000 individuals as having contracted the COVID-19 virus, the World Health Organization (WHO) officially declared COVID-19 a global pandemic; and

**WHEREAS**, on March 11, 2020, Humboldt County Health Officer declared a Local Health Emergency in response to the COVID-19 outbreak in California and beyond; and

**WHEREAS**, on March 12, 2020, California Governor Newsom issued Executive Order N-25-20 requiring all residents to heed any orders and guidance of state and local health officials, including the imposition of social distancing measures to control the spread of COVID-19; and

**WHEREAS**, on March 19, 2020, Humboldt County Health Officer issued an order directing all individuals living in Humboldt County to shelter in their residences except to provide or receive certain essential services or engage in essential activities, to cease all non-essential travel, and further ordering all non-essential businesses to cease operations at physical locations; and

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

**WHEREAS**, if COVID-19 spreads in California at a rate comparable to the rate of spread in other countries, the number of persons requiring medical care may exceed locally available resources; and

**WHEREAS**, controlling or slowing epidemic and disease outbreaks through implementation of the State and County COVID-19 response orders and through following CDC Guidelines will help to limit the spread of infection within our communities, and most importantly within local healthcare delivery systems; and

**WHEREAS**, State agencies and political sub-divisions have statutory authority to take numerous actions to protect the public health, safety and welfare, including: providing extraordinary services through mutual aid consistent with agreements (Govt. Code §§ 8631, 8632), the costs of which shall constitute a legal charge against the State when approved by the Governor (Govt. Code §8633); and promulgating orders and regulations necessary to provide for the protection of life and property, including the imposition of curfews within designated boundaries where necessary to preserve the public order and safety (Govt. Code §8634); and

**WHEREAS**, the purpose of a Local Emergency Proclamation is to provide extraordinary police powers, immunity from emergency actions, to authorize issuance of orders and regulations, and activate pre-established emergency provisions; and

**WHEREAS**, a Local Emergency Proclamation can be a prerequisite for requesting State or Federal assistance; and

**WHEREAS**, the City Manager as Director of Emergency Services of the City of Ferndale does hereby find:

That conditions of Local Emergency and extreme peril to the safety of persons and property have arisen within the City of Ferndale, caused by the COVID-19 pandemic and associated response and that the City Council of the City of Ferndale is not in session and cannot immediately be called into session; and

The Proclamation of a Local Emergency will allow the City of Ferndale to access extraordinary police powers and resources as may be necessary to best protect the public health, safety and welfare during the COVID-19 pandemic.

**NOW, THEREFORE, I HEREBY PROCLAIM** that effective immediately and until further notice, a Local Emergency now exists throughout Ferndale as a result of the circumstances described above; and

**IT IS FURTHER PROCLAIMED AND ORDERED** that all City Officers and employees shall take all steps requested by the City Manager to prevent the spread of COVID-19, to prevent or alleviate harmful impacts from the disease, and to qualify for Federal Emergency Management Agency and other state and federal relief as may be available to reimburse the City for the expenses it incurs in addressing this emergency; and

**BE IT FURTHER PROCLAIMED AND ORDERED** that during the existence of said Local Emergency the powers, functions, and duties of the emergency organization of this City as outlined in the Emergency Operations Plan shall be in place.

**BE IT FURTHER ORDERED** that this proclamation of a Local Emergency shall take effect immediately and shall be subject to ratification by the City Council within seven days of the date written below.

Dated: 3/23/2020

By: \_\_\_\_\_



Jay Parrish

City Manager/ Director of Emergency Services

City of Ferndale

**RESOLUTION NO. 2020-06**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FERNDALE RATIFYING THE CITY MANAGER'S PROCLAMATION CONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY**

WHEREAS, Ordinance 267 of the City of Ferndale empowers the City Manager as Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when circumstances described therein exist;

WHEREAS, on March 23, 2020, the City Manager, acting in his capacity as the Director of Emergency Services issued a Proclamation of the City of Ferndale Confirming the Existence of a Local Emergency, a copy of which is attached to this Resolution as Exhibit A and incorporated herein by this reference;

WHEREAS, the City Council of the City of Ferndale hereby ratifies the Proclamation in all respects.

NOW, THEREFORE, the City Council of the City of Ferndale, does resolve as follows:

1. The City Manager's Proclamation of the City of Ferndale Confirming the Existence of a Local Emergency, a copy of which is attached to this Resolution as Exhibit A, is hereby ratified in all respects;
2. The City Manager is instructed to take all necessary and advisable measures to protect and preserve public health and safety, and exercise all authority granted by City Ordinance No. 267, dated June 11, 1974;
3. The existence of a local emergency shall be reviewed by the City Council every fourteen days.

**Passed, Approved and Adopted by the City Council of the City of Ferndale** on this 30<sup>th</sup> Day of March, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Michael Sweeney, Mayor

ATTEST:

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Kristene Hall, City Clerk

## EXHIBIT A