

## RESOLUTION NO. 2020-10

### RESOLUTION OF THE TOWN OF APPLE VALLEY RATIFYING PROCLAMATION NO. 2020-01 AND PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY

**WHEREAS**, Chapter 2.40 of the Apple Valley Municipal Code empowers the Town Manager to proclaim a local emergency when the Town of Apple Valley is affected or likely to be affected by a public calamity; and

**WHEREAS**, on March 21, 2020, the Town Manager, in accordance with Section 2.40.060.A(1) of the Apple Valley Municipal Code, issued Proclamation No. 2020-01 proclaiming the existence of a local emergency relating to the worldwide spread of respiratory illness due to the novel coronavirus known as COVID-19; and

**WHEREAS**, the Town Council must ratify the proclamation of the existence of a local emergency within seven (7) days following the proclamation; and

**WHEREAS**, conditions of extreme peril to the safety of persons and property have arisen within the Town of Apple Valley caused by the worldwide spread of respiratory illness due to the novel coronavirus known as COVID-19; and

**WHEREAS**, both the State of California and the County of San Bernardino have declared emergencies as a result of the spread of COVID-19; and

**WHEREAS**, on March 21, 2020, the Town was aware of just nine cases of COVID-19 infection within the County of San Bernardino, many cases have been confirmed in neighboring counties and the disease is having a global impact; and

**WHEREAS**, on March 19, 2020, according to the World Health Organization's Situation Report – 59, COVID-19 has spread globally to over 100 countries, infecting more than 209,000 persons and killing more than 8,700 individuals worldwide; and

**WHEREAS**, COVID-19 has created conditions that are likely to be beyond the control of local resources and require the combined forces of other political subdivisions to combat; and

**WHEREAS**, the Town's ability to mobilize local resources, coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and seek future reimbursement by the State and Federal governments will be critical to successfully responding to COVID-19; and

**WHEREAS**, the conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Apple Valley as follows:

Section 1. Incorporation of Recitals and Staff Report. The Town Council finds that all of the foregoing recitals and the staff report presented herewith are true and correct and are hereby incorporated and adopted as findings of the Town Council as if fully set forth herein.

Section 2. Ratification of Proclamation 2020-01. The Town Council of the Town of Apple Valley hereby ratifies Proclamation No. 2020-01 issued by the Town Manager on March 21, 2020.

Section 3. Declaration of Emergency. The Town Council of the Town of Apple Valley hereby proclaims that a local emergency now exists throughout the Town.

Section 4. Powers of Director. During the existence of said local emergency, the powers, functions, and duties of the Director of Emergency Services and the Emergency Organization of this Town shall be those prescribed by state law, ordinances, and resolutions of this Town and by the Town of Apple Valley Emergency Plan. Without limiting the following, the Town Manager, acting as the Director of Emergency Services, is expressly authorized to: (1) establish a temporary moratorium on evictions and enact other protections in accordance with Executive Order N-28-20 issued by the Governor on March 16; and (2) suspend utility disconnections or shutoffs, including trash and sewer, during the pendency of the emergency.

Section 5. Cost Tracking. The Town Manager is hereby directed to ensure Town staff track costs associated with staffing, supplies, and equipment related to this emergency.

Section 6. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Resolution are declared to be severable.

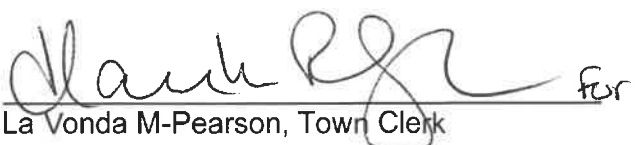
Section 7. Custodian of Records. The documents and materials that constitute the record of proceedings on which this Resolution and the above findings are based are located at the Town's offices at 14955 Dale Evans Parkway, Apple Valley, CA 92307, and the custodian of records for these documents is the Town Clerk.

Section 8. Effective Date. This Resolution shall take effect immediately upon adoption. The Mayor shall sign this Resolution and the Town Clerk shall attest and certify to the passage and adoption thereof. The local emergency shall be deemed to continue to exist until its termination is proclaimed by the Town Council of the Town of Apple Valley.

**PASSED AND ADOPTED** this 24th day of March, 2020.

  
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Mayor Scott Nassif

ATTEST:

  
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La Vonda M-Pearson, Town Clerk



STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF APPLE VALLEY

I, LA VONDA M-PEARSON, Town Clerk for the Town of Apple Valley, Apple Valley, California, do hereby certify that Resolution No. 2020-10, duly and regularly adopted by the Town Council at a meeting thereof held on the 24<sup>th</sup> day of March 2020 by the following vote:

AYES: Council members, Bishop, Cusack, Leon, Mayor Pro Tem Emick, Mayor Nassif.


NOES: None.

ABSTAIN: None.

ABSENT: None.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Apple Valley, California, this 24<sup>th</sup> day of March, 2020.

LA VONDA M-PEARSON, CMC  
TOWN CLERK

By:   
Hannah Raleigh, Deputy Town Clerk