

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

1 RESOLUTION NO. RES-22-0135

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH PROCLAIMING THE EXISTENCE
5 OF A LOCAL EMERGENCY DUE TO IMMINENT AND
6 PROXIMATE THREAT TO PUBLIC HEALTH FROM THE
7 INTRODUCTION OF MONKEYPOX VIRUS (MPV) IN THE
8 CITY, AND RATIFYING THE PROCLAMATION OF LOCAL
9 EMERGENCY BY THE CITY MANAGER

10
11 WHEREAS, California Government Code Section 8630 and Long Beach
12 Municipal Code Section 2.69.060 empowers the City Council to proclaim the existence of
13 a local emergency to protect and preserve public welfare when the City is affected or
14 likely to be affected by a public calamity; and

15 WHEREAS, the City Council finds that the increase of reported cases
16 monkeypox virus (MPV) has also prompted the Governor of the State of California,
17 Illinois, and New York to proclaim a state emergency, and Counties of Los Angeles and
18 Orange, and the City of San Francisco to each proclaim a local emergency; and

19 WHEREAS, consequently, the City Manager of the City of Long Beach did
20 proclaim a local emergency within the City on August 2, 2022; and

21 WHEREAS, the City Council finds that that MPV is an infectious and
22 communicable disease, which creates a condition of extreme peril to the health and
23 safety of persons within the City, which is likely to be beyond the ability and resources of
24 the City to control; and

25 WHEREAS, a proclamation of a local emergency will allow the City to
26 respond to MPV effectively, accelerate the procurement of vital supplies, seek and utilize
27 mutual aid, and potentially obtain reimbursement and assistance from the State and
28 federal government; and

1 WHEREAS, the conditions and circumstances described above warrant and
2 necessitate that the City proclaim the existence of a local emergency; and

3 WHEREAS, the City Council desires to declare a local emergency and to
4 ratify the proclamation of local emergency by the City Manager, and to authorize the City
5 Manager to enter into any necessary agreements to obtain any emergency assistance to
6 implement necessary intervention activities to prevent the continued spread of MPV in
7 the community pursuant to Chapters 2.69 and 2.85 of the Long Beach Municipal Code;
8 and

9 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
10 follows:

11 Section 1. Pursuant to California Government Code Section 8630 and
12 Long Beach Municipal Code Section 2.69.060, the City Council hereby finds and
13 proclaims the existence of a local emergency caused by conditions, or threatened
14 conditions, of the monkeypox virus (MPV) in Long Beach of disaster or of extreme peril to
15 the safety of persons and property caused by MPV in the City, which are or are likely to
16 be beyond the control of the services, personnel, equipment, and facilities of the City, and
17 requires the combined forces of other political subdivisions to combat.

18 Section 2. The City Manager is hereby authorized to furnish information,
19 to enter into agreements, and to take all actions necessary to obtain State emergency
20 assistance to implement preventive measures to protect and preserve the public health of
21 the City from said public health hazard within the scope of the local emergency hereby
22 declared.

23 Section 3. The City Clerk shall certify to the passage of this resolution by
24 the City Council of the City of Long Beach and it shall thereupon take effect. In
25 accordance with the provisions of Long Beach Municipal Code Chapters 2.69 and 2.85,
26 the City Clerk shall include the matter of the necessity for continuing the local emergency
27 on the City Council agenda for review at least every fourteen (14) days until the City
28 Council terminates said local emergency.

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Section 4. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.


I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of August 9, 2022 by the following vote:

Ayes: Councilmembers: Zendejas, Allen, Price, Supernaw,
Mungo, Saro, Uranga, Austin,
Richardson.

Noes: Councilmembers: None.

Absent: Councilmembers: None.

Recusal(s): Councilmembers: None.


for Monique DeLaGarza
City Clerk

CITY OF LONG BEACH
STATE OF CALIFORNIA
PROCLAMATION OF A LOCAL EMERGENCY
BY THE LONG BEACH CITY MANAGER

WHEREAS, Chapter 2.69 of the Long Beach Municipal Code (LBMC) empowers the City Manager of the City of Long Beach ("City Manager") to proclaim the existence or threatened existence of a local emergency when said City is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, Chapter 2.69 of the LBMC defines "emergency" as "the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this City caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this City, requiring the combined forces of other political subdivisions to combat"; and

WHEREAS, the monkeypox virus (MPV) can lead to significant acute health impacts, including severe pain, hospitalization, long term symptoms, and, in rare instances, death; the World Health Organization determined that the multi-country outbreak of MPV constitutes a Public Health Emergency of International Concern; and, as of August 1, 2022, there are more than 20,000 cases of MPV globally and more than 4,000 confirmed probable cases in the United States, with California experiencing nearly 800 confirmed probable cases in 27 local health jurisdictions; and accordingly, on August 1, 2022, the Governor of the State of California proclaimed the existence of a state of emergency for MPV; and

WHEREAS, as of August 1, 2022, the case rate of MPV for Long Beach residents is 4.3 per 100,000; the Long Beach Department of Health and Human Services (Health Department) continues to respond to this MPV outbreak, redirecting staff for incident command response, conducting extensive contact tracing, community outreach and education, and implementing a vaccination strategy, working with community providers and impacted communities to administer JYNNEOS vaccines to those most at risk; and

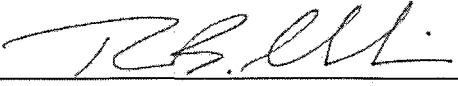
WHEREAS, as of August 2, 2022, the Health Department has administered 341 doses of JYNNEOS and 542 doses of JYNNEOS administered in the City; and

WHEREAS, these conditions, if fully manifested, are, or are likely to be, beyond the control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, the City Council is not in session and cannot immediately be called into session; and

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City of Long Beach, and that there is an imminent and proximate threat of introduction of monkeypox virus in the City of Long Beach which will cause extreme peril to the safety of person and property, and a threat to the public health, of City residents and/or visitors. These conditions, if fully manifested, are, or are likely to be, beyond the control of the services, personnel, equipment, and facilities of the City; and

IT IS FURTHER PROCLAIMED AND ORDERED that 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 regulations, including, but not limited to, Chapters 2.69 and 2.85 of the Long Beach Municipal Code, and any other applicable resolutions of this City; and that this emergency proclamation shall expire seven (7) days after issuance unless confirmed and ratified by the City Council in accordance with Long Beach Municipal Code section 2.69.060; and that the City Council shall review at least every fourteen (14) days the continuing need for this Proclamation of a local emergency.

Dated: 8/2/22 By: 
Thomas B. Modica, City Manager
City of Long Beach