

NB-31

August 9, 2022

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution to ratify the City Manager's Proclamation of Local Emergency regarding the serious and imminent threat of monkeypox virus (MPV). (Citywide)

DISCUSSION

Monkeypox is a virus that is typically reported in Central and West Africa, making this virus endemic to those areas. Cases that occur outside of these endemic areas are typically linked to international travel. However, on May 7, 2022, reports of monkeypox cases in Europe and other non-endemic countries began to surface. Since May 2022, there are now more than 6,300 confirmed cases in the United States. As of August 2, 2022, there are over 1,100 confirmed and probable cases in the state of California. On July 23, 2022 the World Health Organization declared the MPV outbreak a Public Health Emergency of International Concern. On August 1, 2022, Governor Gavin Newsom declared a State of Emergency in response to the MPV.

On August 2, 2022, the City Manager issued a Proclamation of Local Emergency (Proclamation) (Attachment A), in response to the international MPV outbreak and the ongoing risk and potential for widespread community transmission of MPV occurring among the general public in the State of California as well as the City of Long Beach (City).

As of August 2, 2022, there are 22 confirmed and probable cases of monkeypox in Long Beach. While the case counts in Long Beach remain low, today's recommended actions will provide the City with additional powers to coordinate local efforts, quickly distribute additional vaccine as it becomes available, and identify resources that may be necessary to fully address the response as cases continue to increase and the situation evolves.

MPV is similar to smallpox but causes less severe disease. Illness initially may include flu-like symptoms then progress to a rash that spreads over the body and can last two to four weeks. The virus can be spread person-to-person through prolonged face-to-face contact, direct contact with the lesions or body fluid, or sharing contaminated items such as bedding and clothes. The current cases being reported do not have a travel history to endemic areas and many cases have reported sexual contact, primarily among men who have sex with men. Vaccines and antivirals are available to help prevent disease for those most at risk, and treatment for those who develop severe illness.

State and local law require that any proclamation of local emergency (Proclamation) is ratified by the City Council within seven (7) days of issuance. If the Proclamation is ratified by the City Council today, the City Council must review the need for continuing the local emergency every fourteen (14) days pursuant to Long Beach Municipal Code Chapter 2.69. A local emergency must be terminated at the earliest possible date as the conditions warrant.

HONORABLE MAYOR AND CITY COUNCIL

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This action requests the City Council to ratify, and find that there is a continuing need for, the Proclamation. If approved, the City Council's ratification of the Proclamation will (1) further ensure legal immunities for emergency actions taken by the City; (2) facilitate requests by the City and other local governments for State and Federal assistance under the State and Federal Disaster Assistance Programs; and (3) allow the City Manager, or authorized official, to take preventive measures necessary to protect and preserve public health and safety.

This matter was reviewed by Deputy City Attorney Taylor M. Anderson on August 2, 2022 and by Budget Operations and Development Officer Rhutu Amin Gharib on August 3, 2022.

TIMING CONSIDERATIONS

City Council action is requested on August 9, 2022 to comply with State law.

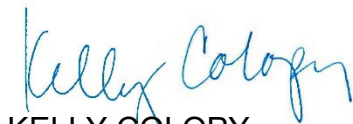
FISCAL IMPACT

The estimated costs in responding to MPV outbreak are currently unknown and will vary based on future outbreaks and coordination of local efforts. Current City costs are being covered by existing appropriations within the Health and Human Services Department. City staff will pursue federal and State reimbursement for all City costs incurred to the extent possible. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



KELLY COLOPY
DIRECTOR
HEALTH AND HUMAN SERVICES

APPROVED:



THOMAS B. MODICA
CITY MANAGER

ATTACHMENTS - Resolution
Attachment A – Local Emergency Proclamation

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RESOLUTION NO.

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

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

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

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

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

WHEREAS, a proclamation of a local emergency will allow the City to respond to MPV effectively, accelerate the procurement of vital supplies, seek and utilize mutual aid, and potentially obtain reimbursement and assistance from the State and 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.

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

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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 _____, 2022 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

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