

CITY OF LONG BEACH NB-21

DEPARTMENT OF HEALTH AND HUMAN SERVICES

2525 GRAND AVENUE • LONG BEACH, CALIFORNIA 90815 • (562) 570-4000 • FAX: (562) 570-4049

May 19, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to adopt a resolution proclaiming the termination of the local emergency and the local health emergency due to Swine Flu Influenza A (SWH1N1) under California Government Code Section 8630 and California Health and Safety Code Section 101080. (Citywide)

DISCUSSION

On May 5, 2009, City Council approved the recommendation to adopt a resolution proclaiming a local emergency under California Government code Section 8630 and authorizing the City Manager to execute any necessary agreements with the State of California for Swine Influenza A (swH1N1) control, and ratifying the declaration of a local health emergency issued by the City Health Officer under California Health and Safety Code Section 101080.

Under State law, the City Council must review the continuing need for the emergency at least every fourteen (14) days and proclaim the termination of the emergency at the earliest date that conditions warrant.

As there have not been large segment of the population affected by the virus, that the cases identified to date have been mild, and the need for resources to respond to this outbreak is now decreasing, Dr. Helene Calvet, in her capacity as City Health Officer for the City of Long Beach, has determined that there is no longer a need to continue the local emergency.

This matter was reviewed by Deputy City Attorney Linda Trang on May 13, 2009 and by Budget and Performance Management Bureau Manager David Wodynski on May 13, 2009.

TIMING CONSIDERATIONS

City Council action is requested on May 19, 2009, as California Government Code Section 8630 and California Health and Safety Code Section 101080 require that the necessity for continuing the local emergency and the local health emergency be reviewed at least every fourteen days until the City Council terminates said local emergency and local health emergency.

FISCAL IMPACT

There will be no fiscal impact associated with the requested action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



RONALD R. ARIAS
DIRECTOR
HEALTH AND HUMAN SERVICES

APPROVED:



PATRICK H. WEST
CITY MANAGER

Attachments: May 5, 2009 Council Letter
Resolution



CITY OF LONG BEACH

DEPARTMENT OF HEALTH AND HUMAN SERVICES

~~NB-33~~

2525 GRAND AVENUE • LONG BEACH, CALIFORNIA 90815 • (562) 570-4000 • FAX: (562) 570-4049

May 5, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to adopt the attached Resolution proclaiming a local emergency under California Government Code Section 8630 and authorizing the City Manager to execute any necessary agreements with the State of California for Swine Influenza A (swH1N1) control, and ratifying the declaration of a local health emergency issued by the City Health Officer under California Health and Safety Code Section 101080. (Citywide)

DISCUSSION

On April 29, 2009, Helene Calvet, M.D., in her capacity as City Health Officer for the City of Long Beach, declared a local health emergency as a consequence of confirmed cases of Swine Influenza A (swH1N1) in Mexico, California, and multiple areas of the United States (Attached). Dr. Calvet issued this declaration pursuant to the authority vested in her under California Health and Safety Code Section 101080, after consultation with public health officials and upon determining that a health emergency exists in Long Beach involving Swine Influenza A that affects, or has significant potential to negatively affect, the public's health.

Under State law, however, this declaration must be ratified by the City Council within seven (7) days. The attached Resolution ratifies the City Health Officer's declaration of local health emergency issued on April 29, 2009. In addition, the Resolution proclaims the existence of a local emergency under California Government Code Section 8630 and authorizes the City Manager to execute any necessary agreements with the State of California for Swine Influenza A (swH1N1) control. The City Council must review the continuing need for the emergency at least every fourteen (14) days and proclaim the termination of the emergency at the earliest date that conditions warrant. Since this strain of flu is new and there is no preventive based vaccine yet developed to prevent the spread in the community, a continuing state of emergency is necessary in order for the City Health Officer to take emergency measures to control the spread of this flu, such as requesting medical supplies from the Federal Strategic National Stockpile.

This matter was reviewed by Deputy City Attorney Linda Trang on April 30, 2009 and by Budget and Performance Management Bureau Manager David Wodynski on April 30, 2009.

TIMING CONSIDERATIONS

City Council action is requested on May 5, 2009 to adopt the Resolution declaring a local emergency, and ratifying the City Health Officer's declaration of local health emergency concerning Swine Influenza A control.

FISCAL IMPACT

There will be no fiscal impact associated with the requested action.

SUGGESTED ACTION:

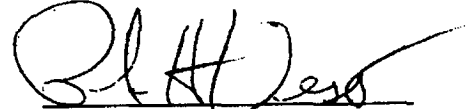
Approve recommendation.

Respectfully submitted,



RONALD R. ARIAS
DIRECTOR
HEALTH AND HUMAN SERVICES

APPROVED:



PATRICK H. WEST
CITY MANAGER

Attachments: Resolution
Declaration of Local Health Emergency by City Health Officer

RESOLUTION NO. RES-09-0043

1
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 SWINE INFLUENZA
6 A (SWH1N1) CASES, AND RATIFYING THE
7 DECLARATION BY THE CITY HEALTH OFFICER OF A
8 LOCAL HEALTH EMERGENCY
9

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

13 WHEREAS, the City Council finds that the current confirmed cases of
14 Swine Influenza A (swH1N1) in Mexico, California and multiple areas of the United
15 States, have prompted the federal government to determine that a public health
16 emergency exists nationwide which affects or has the significant potential to affect
17 national security; and

18 WHEREAS, the City Council finds that the increase of reported cases has
19 also prompted the Governor of the State of California to proclaim a state of emergency,
20 and the Los Angeles County Board of Supervisors to proclaim a local emergency; and

21 WHEREAS, as a consequence of this condition and a "probable positive"
22 test for Swine Influenza A on a resident in the City, the City Health Officer of the City of
23 Long Beach did declare a local health emergency within the City on April 29, 2009; and

24 WHEREAS, the City Council finds that that newly identified Swine Influenza
25 A virus is an infectious and communicable disease, which creates a condition of extreme
26 peril to the health and safety of persons within the City, and which is likely to be beyond
27 the ability and resources of the City to control; and

28 WHEREAS, a declaration of a local emergency will assist in a coordinated

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 public health response to reduce transmission and illness severity, provide assistance to
2 health care providers, and mitigate the effects of this potential pandemic on the citizens
3 of the City; and

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

6 WHEREAS, the City Council desires to declare a local emergency and to
7 ratify the declaration of a local health emergency by the City Health Officer, and to
8 authorize the City Manager to enter into any necessary agreements with the State of
9 California to obtain any emergency assistance to implement necessary intervention
10 activities to prevent a threatened epidemic of disease in the community;

11 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
12 follows:

13 Section 1. Pursuant to Section 8630 of the California Government Code,
14 the City Council hereby finds and proclaims the existence of a local emergency caused
15 by conditions or threatened conditions of Swine Influenza A (swH1N1) in Long Beach
16 which, if not corrected, constitutes a threatened epidemic with its resultant morbidity and
17 mortality to the extreme peril of health and safety of persons within the territorial limits of
18 the City.

19 Section 2. Pursuant to Section 101080 of the California Health and
20 Safety Code, the City Council hereby ratifies the declaration by the City Health Officer of
21 a local health emergency in the City of Long Beach resulting from the presence or
22 potential presence of individuals susceptible to Swine Influenza A (swH1N1) which, if
23 intervention measures are not instituted, pose a threat of an epidemic of said disease in
24 the community. The City Health Officer is authorized to take the necessary intervention
25 measures to protect and preserve the public health from said public health hazard.

26 Section 3. The City Manager is hereby authorized to furnish information,
27 to enter into agreements and to take all actions necessary to obtain State emergency
28 assistance to implement preventive measures to protect and preserve the public health of

1 the City from said public health hazard within the scope of the local emergency hereby
2 declared.

3 Section 4. The City Clerk shall certify to the passage of this resolution by
4 the City Council of the City of Long Beach and it shall thereupon take effect. In
5 accordance with the provisions of Section 8630 of the California Government Code and
6 Section 101080 of the California Health and Safety Code, the City Clerk shall include the
7 matter of the necessity for continuing the local emergency and the local health
8 emergency on the City Council agenda for review at least every fourteen (14) days until
9 the City Council terminates said local emergency and local health emergency.

10 Section 5. This resolution shall take effect immediately upon its adoption
11 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

12 I hereby certify that the foregoing resolution was adopted by the City
13 Council of the City of Long Beach at its meeting of _____, 20__ by the
14 following vote:

15
16 Ayes: Councilmembers: _____

17 _____

18 _____

19 _____

20 Noes: Councilmembers: _____

21 _____

22 Absent: Councilmembers: _____

23 _____

24
25
26 _____
City Clerk



CITY OF LONG BEACH

DEPARTMENT OF HEALTH AND HUMAN SERVICES
2525 Grand Avenue, Long Beach, California 90815 (562) 570-4047 FAX (562) 570-4049

DECLARATION OF LOCAL HEALTH EMERGENCY BY THE CITY HEALTH OFFICER FOR THE CITY OF LONG BEACH

WHEREAS, cases of Swine Influenza A (swH1N1) in Mexico, California, and multiple areas of the United States have been confirmed; and

WHEREAS, as a consequence of the reported outbreak of numerous cases of non-seasonal influenza, the United States Department of Health and Human Services has declared a public health emergency, the Governor of the State of California has proclaimed a state of emergency, and the Los Angeles County Board of Supervisors has proclaimed a local emergency; and

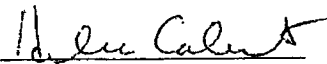
WHEREAS, the Department of Health and Human Services of the City of Long Beach has consulted with public health officials as necessary, and finds there is an imminent and proximate threat of the introduction of contagious, infectious and communicable disease into Long Beach;

NOW, THEREFORE, I, Helene Calvet, M.D., City Health Officer for the City of Long Beach, Department of Health and Human Services, pursuant to the authority vested in me by the Local Pandemic and Emergency Health Preparedness Act of 2006, and in particular California Health and Safety Code section 101080, determine that a health emergency exists in Long Beach involving Swine Influenza A that affects or has significant potential to negatively affect the public's health and **HEREBY DECLARE A LOCAL HEALTH EMERGENCY** in the City of Long Beach.

This Declaration shall take effect immediately and remain in effect for a period of seven (7) days from the date hereof, until ratified by the City Council of the City of Long Beach, or unless sooner terminated.

Signed,

Dated: April 29, 2009


Helene Calvet, M.D.
City Health Officer

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH PROCLAIMING THE
TERMINATION OF A LOCAL EMERGENCY AND A LOCAL
HEALTH EMERGENCY, ALL RELATING TO SWINE
INFLUENZA A (SWH1N1)

WHEREAS, Section 8630 of the California Government Code and Section
101080 of the California Health and Safety Code require the City Council to proclaim the
termination of a local emergency and the termination of a local health emergency at the
earliest possible date that conditions warrant; and

WHEREAS, the City Council adopted Resolution No. RES-09-0043 on May
5, 2009, declaring that a local emergency, as defined in Government Code Section 8630
existed, and ratifying the declaration by the City Health Officer of a local health
emergency, all with respect to the threat of a Swine Influenza A (SWH1N1) epidemic; and

WHEREAS, there has not been a large segment of the population affected
by the Swine Influenza A virus, that the cases identified to date have been mild, and the
need for resources to respond to the outbreak is decreasing; and

WHEREAS, pursuant to Government Code Section 8630 and Health and
Safety Code Section 101080, the City Council desires to proclaim the termination of such
local emergency and local health emergency;

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

Section 1. That the declarations of a local emergency (as defined in
Government Code Section 8630) and a local health emergency (as defined in Health and
Safety Code Section 101080), all relating to Swine Influenza A in the City of Long Beach
established by Resolution No. RES-09-0043 are hereby terminated.

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Section 2. Resolution No. RES-09-0043 is hereby rescinded.

Section 3. 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 _____, 2009 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

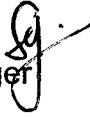
Absent: Councilmembers: _____

City Clerk



City of Long Beach Memorandum
Working Together to Serve

REQUEST TO ADD AGENDA ITEM

Date: May 12, 2009
To: Larry Herrera, City Clerk
From: Patrick H. West, City Manager 
Subject: Request to Add Agenda Item to Council Agenda of May 19, 2009

Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda under New Business via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

Recommendation to proclaim the termination of the local emergency and the local health emergency due to Swine Flu Influenza A (SWH1N1) under California Government Code Section 8630 and California Health and Safety Code Section 101080. (Citywide)

Council District	Authorizing Councilmember	Signed by
3	Gary DeLong	Gene Cramer
2	SUJA LOWENTHAL	Gene Cal
4	Patrick O' Donnell	Gene Swank

Attachment

cc: Office of the Mayor