

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

1 RESOLUTION NO. RES-09-0043

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

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

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

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.

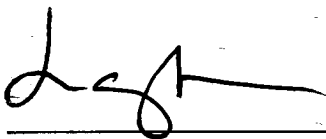
10 Section 5. This resolution shall take effect immediately upon its adoption
11 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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 May 5, 2009 by the
14 following vote:

15
16 Ayes: Councilmembers: Garcia, S. Lowenthal, O'Donnell,
17 Schipske, Andrews, Reyes Uranga,
18 Gabelich, Lerch.

19
20 Noes: Councilmembers: None.

21
22 Absent: Councilmembers: DeLong

23
24
25
26 
27 _____
28 City Clerk