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10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN DIVISION**  
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13 CITY OF COSTA MESA, and  
14 KATRINA FOLEY,

15 Plaintiff,

16 vs.

17 UNITED STATES OF AMERICA,  
18 THE DEPARTMENT OF HEALTH  
19 AND HUMAN SERVICES, THE  
20 UNITED STATES DEPARTMENT OF  
21 DEFENSE, THE UNITED STATES  
22 AIR FORCE, THE CENTERS FOR  
23 DISEASE CONTROL AND  
24 PREVENTION, THE STATE OF  
25 CALIFORNIA, FAIRVIEW  
26 DEVELOPMENTAL CENTER  
27 (FAIRVIEW), THE CALIFORNIA  
28 GOVERNOR’S OFFICE OF  
EMERGENCY SERVICES, and THE  
CALIFORNIA DEPARTMENT OF  
GENERAL SERVICES,

Defendants.

Case No. 8:20-cv-00368-JLS-JDE

**DECLARATION OF BRYAN  
GLASS IN SUPPORT OF *EX  
PARTE* APPLICATION FOR  
TEMPORARY RESTRAINING  
ORDER AND ORDER TO SHOW  
CAUSE RE ISSUANCE OF  
PRELIMINARY INJUNCTION**

**DECLARATION OF BRYAN GLASS**

I, Bryan Glass, declare:

1. I am the Acting Chief of Police for the City of Costa Mesa Police Department (hereinafter "CMPD") and have been so employed with the City of Costa Mesa (hereinafter "the City") since October 1996. In the course of my 24-year career as a police officer with the City, I have received extensive training in both Federal and State emergency management systems, procedures, and protocols. Additionally, I hold two master's degrees from California State University, Long Beach. One in Public Administration and the other in Emergency Services Administration. I am also a graduate of the Peace Officer Standards and Training (POST) Command College. If called upon, I would and could competently testify to all of the facts contained within this declaration based upon my personal knowledge, except where stated upon information and belief.
  2. On February 20, 2020, in the early evening hours, I was contacted by Police Captain Keith Davis, who was participating in a conference call with Costa Mesa Emergency Services Administrator (ESA) Jason Dempsey. Captain Davis advised that he and ESA Dempsey were on a conference call with Cal OES and other Orange County agencies. During the conference call they were advised Fairview Developmental Center (FDC) was identified as a facility to quarantine California residence who were infected with the 2019-nCoV virus and between 30-50 individuals could begin to be quarantined at FDC as early as February 23, 2020. Immediately after receiving the notification from Captain Davis, I notified Costa Mesa City Manager Lori Ann Farrell Harrison of the information that was received during the conference call to alert City Officials.
  3. On February 21, 2020, at approximately 12 P.M., Costa Mesa Fire Chief Dan Stefano and I conducted a site visit of FDC to identify the location being considered by Federal and State officials for the quarantine. We contacted State officials (Cal OES, Social Services, and Department of General Services) at the eastside of FDC near residence buildings 11-16. We toured the buildings and observed multiple staff members at the location who appeared to be preparing the buildings to house individuals in the immediate future. An individual working in the buildings confirmed the individuals present were preparing the location to house individuals and the work was to be completed by the evening of February 23, 2020.
  4. On February 21, 2020, the CMPD Office of Emergency Management activated the City of Costa Mesa's Emergency Operation Center to Level 3. This was done in an abundance of caution for the safety of Costa Mesa residence and public safety preparedness based on the limited information that had been received and the actions being taken by Federal and State officials to prepare FDC to quarantine 2019-nCoV virus patients as early as February 23, 2020.
  5. As of February 23, 2020, information related to the potential use of FDC to quarantine 2019-nCoV virus patients has been limited and vague from both the Federal and State Governments, even after the temporary restraining order obtained by the City. They have
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not provided us with the information we would typically expect to be shared when a public health emergency has been declared. For example, we have not had incident commanders or points of contact at key agencies and stakeholders identified. We have not been asked to participate in planning and coordinating meetings. We have not been provided information to share with the community to help prevent alarm. We have not been included in planning for what should happen if the isolation of patients at the facility is breached. We have not been provided with information or training for our first responders who would be called on to help if people become seriously ill and need greater care than can be provided on site. We have not been included in contingency planning in the event another emergency, including loss of power or an earthquake, were to strike during the period of use of the facility for isolation.

6. It is routine for Federal or State authorities to include us in planning for security and emergency preparedness in response to all manner of significant events, from the visits of dignitaries to high profile sporting events to extreme weather incidents. It is unusual for the Federal and State Governments not to coordinate with us if they expect to be involved in a significant event or emergency response in our own community. If we are not involved in the planning stages for the response to a potential public emergency, we will not be as effective a partner to the Federal and State agencies when they call upon us for help.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 23 day of FEBRUARY, 2020 at Costa Mesa, California.

  
Bryan Glass REP