



Staff Report

Staff Report

REPORT 20-0504

Honorable Mayor and Members of the Hermosa Beach City Council
Regular Meeting of August 11, 2020

**RECEIVE REPORT ON EMERGENCY
ENFORCEMENT MEASURES TO ENSURE
COMPLIANCE WITH PANDEMIC-RELATED HEALTH
ORDERS FROM BOTH THE CITY AND THE COUNTY
OF LOS ANGELES HEALTH DEPARTMENT**

(City Manager Suja Lowenthal)

*(This report was published as a supplemental report
in order to deliver the most current information available)*

Recommended Action:

Staff recommends that the City Council receive the update on current enforcement efforts.

Executive Summary:

Staff provided verbal updates at previous City Council meetings regarding enforcement measures to ensure compliance with Health Officer Orders for restaurants and alcohol-servicing establishments. The following report broadens the update to include other enhanced monitoring and enforcement measures related to the pandemic that have proved challenging. The report includes an update on the enforcement actions taken by the additional Health Order Enforcement Officers, who started patrolling designated areas on August 8, 2020.

Background:

Compliance with the local and County orders for wearing face coverings outdoors and gatherings on the beach, the Strand, Pier Plaza area and all city parks

On June 18, 2020, Governor Newsom and the State Public Health Officer issued a state-wide mandatory order requiring Californians to wear cloth face coverings. The Los Angeles County Public Health Officer issued a revised order on the same date to require mandatory face coverings when individuals leave their residence, and/or when one can be in contact with members outside of their household or cannot practice six feet of social distancing. "Face coverings," as defined in the State and County orders are cloth masks, scarves, bandanas, tightly woven fabric such as cotton t-shirt, and some types of towels that cover the nose and mouth.

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There are a few exemptions to wearing the face coverings:

1. Children younger than 2 years of age;
2. Persons who have been instructed by a medical provider not to wear a face covering due to a medical condition, mental health condition, or disability that prevents wearing a face covering;
3. Persons who are swimming or engaged in other water-based activities; and
4. Healthcare workers, first responders, and others whose work requires close contact with people who are ill.

It is important to note that persons who are seated at a restaurant or other establishment that offers food or beverage service shall wear a cloth face covering over both the nose and mouth unless they are eating or drinking.

The State and County Health Orders remain in effect. There is no anticipated date as to when the mandatory order to wear face coverings will be lifted.

On July 28, 2020 the City Council implemented Urgency Ordinance 1415U requiring face coverings to be worn in designated areas within the city limits. The Police Department, Community Development Department, and Community Resources Department continue to focus on areas of high concentration to encourage compliance with the County health orders and City Urgency Ordinances. Staff efforts emphasize education through personal interaction, the use of a public education campaign, and distribution of masks to those who are not wearing one. Additionally, staff efforts have been supplemented with Health Order Enforcement Officers who are working under the direction of the Police Department to enforce the mandatory face covering ordinance passed by City Council at the council meeting on July 28, 2020.

Violations of City and County face covering ordinances continue to occur throughout Los Angeles County. Enforcement through citations was challenging for Police Department staff due to quality of life calls for service being reported that require staff attention. Over the past two weekends the Police Department responded to 580 calls for service, resulting in 64 police reports, 22 arrests and 14 citations. Additionally, Officers conducted 53 traffic stops.

Although the primary focus of the Police Department is public safety, the enforcement of COVID related orders was also emphasized. Officers issued 12 citations for alcohol related offenses, and most were connected to groups who failed to comply with social distancing orders. The Health Order Enforcement Officers assisted in this effort on Saturday and Sunday by contacting approximately 600 people, handing out approximately 150 masks and issuing 8 administrative citations for failure to wear face coverings in violation of Hermosa Beach Urgency Ordinance 1415U.

Compliance with restrictions on group sporting activities and gatherings on the beach and in parks

The Police Department, Community Development Department, and Community Resources

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Department have utilized various strategies to address the egregious violations of the City and County health order regarding compliance with permitting requirements for groups and sporting activities on the beach and in the parks. Staff met with key stakeholders to ensure understanding of the laws regarding group activities that are currently in place.

Community Resources staff is taking a proactive role and identifying and contacting groups that are unpermitted, specifically in Valley Park and Clark Field to inform of the need for obtaining a permit, and referring to the Code Enforcement Officer on duty, or the Police Department should they continue to congregate. Further, should any group display disregard for social-distancing they will be contacted, warned once, and subject to citation. Police Department staff issued six citations over the weekend for alcohol-related violations involving large groups of people on the beach. Code Enforcement Officers from Community Development also issued two warning citations for organized sports in parks.

Future enforcement strategies will include continued enforcement of egregious violations on the beach and any unpermitted groups and violations in the parks. Ongoing communication with neighboring jurisdictions to ensure best practices and consistency in messaging will also continue.

Compliance with City and County orders for safety and physical-distancing at restaurants and other businesses

The Police Department and Community Development Department, through field operations, continue to monitor activities of businesses in Hermosa Beach regarding compliance with City and County pandemic-related orders, in addition to monitoring compliance with all applicable laws. As verbally reported at the last two Council meetings, recent efforts have focused on restaurant and alcohol-serving establishments and included the multi-jurisdictional approach on July 4 weekend where the County Health inspectors teamed up with Code Enforcement Officers and visited over 100 establishments. Code Enforcement, on a typical weekend, averages 100 site visits.

Officers continue to emphasize education and assistance to ensure compliance with new and changing orders, with written warning notices as the next step. At this time, all warnings about compliance issues have been corrected in a timely manner, and no business has had multiple violations that have led to any citations being written. Officers are also tracking the number of contacts and warning citations, with the intent to issue a citation if a business has three or more violations.

The most recent amended County health order requires non-essential businesses to cease indoor operations. Staff is in direct contact with personal care and gym and fitness businesses to help educate and assist as they seek opportunities to conduct their business activities outdoors.

Fiscal Impact:

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Staff has contracted additional Health Order Enforcement Officers at \$65 per hour to assist with the enforcement of mask wearing. Deployment will be assessed on a weekly basis to ensure high visibility and community awareness is maintained. The City will be seeking reimbursement to cover pandemic-related enforcement costs including any additional contract enforcement costs.

Respectfully Submitted by: Paul LeBaron, Police Chief

Concur: Ken Robertson, Community Development Director

Concur: Brandy Villanueva, Emergency Management Coordinator

Noted for Fiscal Impact: Viki Copeland, Finance Director

Legal Review: Mike Jenkins, City Attorney

Approved: Suja Lowenthal, City Manager