



Legislation Details (With Text)

File #: REPORT 20-0283 **Version:** 1 **Name:**
Type: Action Item **Status:** Consent Calendar
File created: 5/18/2020 **In control:** City Council
On agenda: 5/26/2020 **Final action:**
Title: CONFIRMATION OF CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES EXECUTIVE ORDERS NOS. 2020-03 AND 2020-04 IN RESPONSE TO THE COVID-19 PANDEMIC (Interim Emergency Management Coordinator Michael Edwards)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1. Executive Order No. 2020-04, 2. 2. Executive Order No. 2020-03, 3. 3. Executive Order No. 2020-02, 4. 4. Executive Order No. 2020-01, 5. 5. Resolution 20-7230 Confirming Existence of Local Emergency

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|--------|--------|
| 5/26/2020 | 1 | City Council | | |

**Honorable Mayor and Members of the Hermosa Beach City Council
Regular Meeting of May 26, 2020**

**CONFIRMATION OF CITY MANAGER/DIRECTOR OF EMERGENCY
SERVICES EXECUTIVE ORDERS NOS. 2020-03 AND 2020-04
IN RESPONSE TO THE COVID-19 PANDEMIC
(Interim Emergency Management Coordinator Michael Edwards)**

Recommended Action:

The City Manager/Director of Emergency Services issued Executive Order No. 2020-03 on May 14, 2020 (**Attachment 2**) and Executive Order No. 2020-04 on May 22, 2020 (**Attachment 1**), memorializing actions taken in response to the novel (new) coronavirus (COVID-19). Pursuant to HBMC section 2.56.060.A, staff recommends that the City Council confirm Executive Orders Nos. 2020-03 and 2020-04.

Background:

Coronavirus disease 2019 (COVID-19) is a respiratory illness that is caused by the novel coronavirus. It spreads through droplets produced when an infected person coughs or sneezes. Some people with COVID-19 virus do not have symptoms or have mild symptoms, which means that they can spread it to others without knowing that they are infected. It may also spread when a person touches a surface or object that has the virus from the infected person on it and then touches their mouth, nose, or eyes before washing their hands.

People who are infected with COVID-19 can have mild to severe respiratory illness, with fever and cough that can develop into difficulty breathing. It can lead to serious illness and has caused over 600 deaths in Los Angeles County. Everyone is at risk for becoming ill with COVID-19, but some people are more vulnerable to serious illness due to their age, physical state, and/or health status.

Antibody testing suggests that the number of persons infected or previously infected with COVID-19 may be 28 to 55 times the reported infection numbers in Los Angeles County.

On March 4, 2020, Governor Gavin Newsom issued a statewide Proclamation of a State of Emergency.

On March 15, 2020, Mayor Mary Campbell declared a local emergency in Hermosa Beach. At a special meeting on March 16, 2020, the City Council adopted Resolution No. 20-7230 (**Attachment 5**), approving and ratifying the declaration of emergency and ordering the following:

1. Closure of bars and onsite dining-in restaurants.
2. Closure of gyms and fitness facilities.
3. Prohibition of formal and informal group activities, sports and games.
4. Closure of outdoor play structures and exercise equipment.
5. Placement of signs in specified public places notifying the public of closures and social distancing requirements.

On March 24, 2020, the Council waived restaurant outdoor encroachment permit fees from March 17 to April 30, 2020. Also, on March 24, 2020, the Council adopted Urgency Ordinance No. 20-1406U, establishing a temporary moratorium on residential and commercial evictions and foreclosures. On April 14, 2020, the Council adopted Urgency Ordinance No. 20-1407U making certain modifications to the temporary moratorium.

On April 22, 2020, the City Manager issued Executive Order 2020-01 (**Attachment 4**) which memorialized 11 issues that warranted action during this time of local emergency. The Order was confirmed by the City Council at its regular meeting of April 28, 2020.

On April 27, 2020, the City Manager issued Executive Order 2020-02 (**Attachment 3**) which memorialized two issues that warranted action during this time of local emergency. The Order was confirmed by the City Council at its regular meeting of May 12, 2020.

On May 13, 2020, all of Los Angeles County's beaches reopened for active recreation uses. The County Health Officer closed all beaches in Los Angeles County on March 27, 2020 but the May 13 revised order limited activities at the beaches to active recreation that can be conducted individually including surfing, swimming, running and walking. The County's order doesn't permit beach chairs, umbrellas, picnicking and congregating in groups during this phase.

On May 14, 2020, the City Manager issued the following six emergency orders, as memorialized in Executive Order No. 2020-03:

1. Consistent with the provisions of the County Health Officer's May 13, 2020 Revised Order, the beach will be open from 6:00 a.m. to 9:00 p.m. subject to the following:
 - a. Only the following limited activities are allowed:
 - i. Individual or household ocean activities such as surfing, swimming, kayaking, paddle boarding, and body surfing.
 - ii. Individual or household active recreation and exercise such as walking and running where the participants do not remain in a stationary location.
 - b. The following activities are prohibited:
 - i. Sunbathing, sitting, lying on the sand and other stationary activities (such as yoga, calisthenics, or meditation).
 - ii. Picnicking.
 - iii. Use of chairs, canopies or coolers.
 - iv. Biking.
 - v. Group or organized sports such as volleyball.
 - vi. Gatherings or events.
 - vii. Fishing.
 - c. Individuals/households must exit the beach immediately after they recreate.
 - d. All beachgoers must follow the following safety requirements:
 - i. Maintain more than 6 feet physical distance from others at all times (except between members of same household).
 - ii. Wear face coverings, when out of the water and around others (except for children under age 2 and children with breathing problems).
2. All City parks and the beach are closed daily from 9:00 p.m. to 6:00 a.m.
3. The Strand and Pier remain closed.
4. City parking facilities are subject to the following regulations, subject to further modification by the City Manager/Director of Emergency Services as may be required to maintain public safety and order and to enforce the City's emergency orders:
 - a. All, or parts of, Lot A, Lot B, Lot C, and Lot D will be closed.
 - b. Temporary short-term parking spaces will be established in Lot A and Lot D.

- c. Monthly permit parking spaces will be provided in Lot D.
 - d. Temporary parking spaces will be designated at various locations on City streets.
5. Consistent with the provisions of the County Health Officer's May 13, 2020 Revised Order, all Lower Risk retail Businesses that sell goods and services to the public may only provide these goods and services to the public via curbside, doorside, or other outdoor or outside pickup, or via delivery. Members of the public are not permitted inside a retail Low-Risk Retail Business. Lower Risk Businesses may set up a table or shade structure in a manner to accommodate pickup, provided that patrons practice social distancing as provided in the May 13, 2020 Revised Order and provided that minimum 5-foot clearance is maintained along public walkways. Outdoor display of merchandise is prohibited.
6. In addition to enforcement remedies available to the City as provided in the Hermosa Beach Municipal Code, emergency executive orders issued by the City Manager/Director of Emergency Services and emergency resolutions adopted by the City Council shall be enforceable by way of:
- a. Imposing an administrative citation pursuant to HBMC Chapter 1.10.
 - b. Prosecuting a misdemeanor, punishable by a fine of not to exceed one thousand (\$1,000) dollars or by imprisonment for not to exceed six months, or both.

On May 21, 2020, City Council adopted a Resolution modifying Executive Orders Nos. 2020-01 and 2020-03 pertaining to re-opening the Strand. Under Section 2A of the Resolution, the Strand is re-open for public use effective 6:00 a.m. on Saturday, May 23, 2020; Section 2, paragraph 10 of Executive Order No. 2020-01 and Section 2, paragraph 3 of Executive Order No. 2020-03 were rescinded.

On May 22, 2020, the City Manager issued Executive Order No. 2020-04 which extends orders that were included in Council Resolution No. 20-7230 and which expired on March 28. Several of those orders are obsolete or superseded and have been accordingly modified in this order - namely, closure of the beach; closure of the Strand; closure of tennis and pickle ball courts. Also, the Order resumes street sweeping as of June 8, 2020.

The Los Angeles County Health Officer issued a "Safer at Home" Order to slow the spread of COVID-19 so that the healthcare delivery system would not be overwhelmed by extremely ill people who need high levels of care in our hospitals. The Safer at Home Order is in effect until further notice and applies to everyone in Los Angeles County, except the cities of Long Beach and Pasadena.

The Governor has also issued a shelter-in-place order. All County residents must comply with the stricter of the Governor's Orders, the County Health Officer's Orders, and City orders and ordinances, violations of which are subject to fines, imprisonment, or both.

Analysis:

In light of the foregoing and the continuing need to slow the spread of the disease caused by the novel (new) coronavirus (COVID-19) and provide relief to residents and businesses who find themselves unable to meet their obligations due to loss of income and revenue resulting therefrom, the Director of Emergency Services has issued Executive Orders Nos. 2020-01 through 2020-04.

City Council confirmed Executive Order No. 2020-01 on April 28, 2020. City Council confirmed Executive Order No. 2020-02 on May 12, 2020. Staff recommends that the City Council now confirm Executive Orders Nos. 2020-03 and 2020-04. Future orders promulgated by the Director of Emergency Services required to protect the public, preserve municipal government, assure disaster aid, and provide relief to residents and businesses will be similarly brought to the Council for confirmation.

Fiscal Implications:

The City of Hermosa Beach initially incurs all costs related to the City's response to the COVID-19 Pandemic, but will submit requests for cost recovery to the California Office of Emergency Services (CalOES), either directly, or through the Los Angeles County Office of Emergency Management, (LACoOEM), the local reporting agent.

Attachments:

1. Executive Order No. 2020-04
2. Executive Order No. 2020-03
3. Executive Order No. 2020-02
4. Executive Order No. 2020-01
5. Resolution 20-7230 Confirming Existence of Local Emergency

Respectfully Submitted by: Michael Edwards, Interim Emergency Management Coordinator

Noted for Fiscal Impact: Viki Copeland, Finance Director

Legal Review: Mike Jenkins, City Attorney

Approved: Suja Lowenthal, City Manager