



## Staff Report

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**Honorable Mayor and Members of the Hermosa Beach City Council  
Special Meeting of March 16, 2020**

**CITY COUNCIL DECLARATION OF AN EMERGENCY  
WITH ATTENDANT ORDERS**

**Recommended Action:**

Staff recommends that the City Council adopt the attached resolution (to be added as a supplemental item on Monday, March 16, 2020) ratifying the Proclamation of the existence of a local emergency by the Mayor and further declaring as follows:

- a. All restaurants, alcohol beverage establishments and snack shops in the City are hereby ordered closed to onsite patronage until March 28, 2020.
  - i. Take-out orders and delivery of meals are permitted, provided that take-out orders are picked up by a single person and the establishments maintain social distance in any necessary queuing of patrons.

[ALTERNATIVELY: All restaurants, alcohol beverage establishments and snack shops in the City are hereby ordered to reduce occupancies and remove or rearrange furniture as necessary to implement social distancing standards]

- b. Commercial landlords in the City are hereby prohibited from (i) charging rent or (ii) evicting commercial tenants for nonpayment of rent with respect to tenants whose businesses are subject to this Order or are otherwise closed (voluntarily or by mandate) to prevent or reduce the spread of COVID-19. A landlord knows of a tenant's closure within the meaning of this Order if the tenant, within 30 days after the date rent is due, notifies the landlord in writing of such closure, and provides appropriate documentation to support the claim. For purposes of this Order, "in writing" includes email or text communications to a landlord or the landlord's representative with whom the tenant has previously corresponded by email or text. Any financial information provided to the landlord shall be held in confidence, and only used for evaluating the tenant's claim.
- c. All formal and informal organized and group activities, games and sports, with the exception of family outings, are hereby prohibited in all City parks and the beach.
- d. The City shall post signs at all City parks advising that:
  - i. COVID-19 is known to survive on various surfaces such as children's play equipment, bathroom surfaces, tables, benches, railings, and other fixtures, for 72 or more hours;

- ii. Park users shall maintain social distance as prescribed by the Beach Cities Health District; and
  - iii. Park users with symptoms consistent with COVID-19 infection are encouraged to isolate themselves at home and contact their health care provider or, if they do not have a health care provider, the City of Hermosa Beach Police Department to receive prompt diagnosis and care.
- e. Any other orders determined necessary by the City Council based on circumstances as they exist at the time of the special meeting.

### **Discussion:**

The City has an emergency plan, including an emergency services organization that is activated in the event of emergency to coordinate functions of the City with all other public agencies, organizations and those people affected by the disaster. Title 2, Chapter 2.56 of the Hermosa Beach Municipal Code empowers the Mayor to proclaim the existence of a local emergency when the City is affected by a public calamity and the City Council is not in session. The Director of Emergency Service's declaration is subject to City Council ratification within seven days.

An emergency exists when conditions are beyond the control of the services, personnel, equipment, facilities, and existing laws of this City. The declaration is an acknowledgement of the need for the combined forces of other political subdivisions to combat.

A severe acute respiratory illness caused by a novel (new) coronavirus, known as COVID-19, has spread globally and rapidly, resulting in severe illness and death around the world. The World Health Organization has described COVID-19 as a global pandemic.

On March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in response to the increased spread of COVID-19. Additionally, on March 4, 2020, the Los Angeles County Board of Supervisors and the Los Angeles County Department of Public Health all declared a local and public health emergency in response to increased spread of COVID-19 across the country and in Los Angeles County. The President of the United States has declared a federal emergency as a result of the spread of the COVID-19.

On March 11, 2020, Los Angeles County announced the first death related to COVID-19.

On March 12, 2020, California Governor Gavin Newsom ordered cancellation of all gatherings of over 250 people anywhere in the State and further called for canceling or postponing smaller gatherings where those attending cannot keep six feet apart from each other and limiting gatherings of older or relatively unhealthy people more vulnerable to COVID-19 to no more than 10 people.

The City activated its Emergency Operations Center on March 16, 2020 and the City has cancelled or postponed all non-essential City-hosted and permitted programs and events to help prevent

further spread of COVID-19 and protect vulnerable populations, such as seniors and people with compromised immune systems, from infection.

Due to the increase of reported cases associated with COVID-19, there is an imminent and proximate threat of introduction of COVID-19 in the City, or the undetected presence of COVID-19 infections in the City, that threatens the safety, health, and welfare of City residents, businesses, and visitors and warrants a declaration of local emergency.

Before the City Council today is a resolution ratifying the Mayor's declaration and proclaiming a state of local emergency. If adopted, the City Council will review, and as needed renew, this action at least every 60 days. The declaration will enable City staff to take actions to respond to the conditions created by COVID-19 and will assist residents and the City in obtaining aid and other assistance.

**Fiscal Impact:**

There is a potentially positive fiscal impact associated with the recommended action because the existence of the local emergency will help qualify the City for reimbursement of certain expenditures associated with disaster response.

**Attachments:**

1. Resolution No. 20-XXXX
2. Proclamation of Existence of a Local Emergency

**Respectfully Submitted by:** Michael Jenkins, City Attorney

**Concur:** Suja Lowenthal, City Manager