



City of Culver City

Staff Report Details (With Text)

File #: 22-1060 **Version:** 1 **Name:**
Type: Minute Order **Status:** Consent Agenda
File created: 5/13/2022 **In control:** City Council Meeting Agenda
On agenda: 5/23/2022 **Final action:**
Title: CC - CONSENT ITEM: Twelfth Review and Approval of the Need for Continuing the Local Emergency Declared on March 14, 2020 by the City Manager, as Director of Emergency Services, under City of Culver City Emergency Authority, Due to the Coronavirus Respiratory Disease (COVID-19) Pandemic.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2022-05-23_ATT1_Proclamation of Local Emergency.pdf

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

CC - CONSENT ITEM: Twelfth Review and Approval of the Need for Continuing the Local Emergency Declared on March 14, 2020 by the City Manager, as Director of Emergency Services, under City of Culver City Emergency Authority, Due to the Coronavirus Respiratory Disease (COVID-19) Pandemic.

Meeting Date: May 23, 2022

Contact Person/Dept: Jesse Mays/City Manager's Office
Lisa Vidra/City Attorney's Office

Phone Number: (310) 253-6000
(310) 253-5660

Attachments: Yes No

Fiscal Impact: Yes No **General Fund:** Yes No

Commission Action Required: Yes No **Date:**

Public Notification: (E-Mail) Meetings and Agendas - City Council (05/18/2022)

Department Approval: John M. Nachbar, City Manager (05/18/2022)

RECOMMENDATION

Staff recommends the City Council conduct a twelfth review and approve the need for continuing the

local emergency declared on March 14, 2020 by the City Manager, as Director of Emergency Services, under City of Culver City Emergency Authority, due to the coronavirus respiratory disease (COVID-19) pandemic (“Local Emergency”), in accordance with Government Code Section 8630.

BACKGROUND

The Local Emergency due to the outbreak and spread of the coronavirus respiratory disease (“COVID-19”) pandemic has been in effect for over two years, since March 14, 2020. The Local Emergency was proclaimed pursuant to the authority granted by Culver City Municipal Code (“CCMC”) Section 3.09.020.B.1.a, to the City Manager, as the Director of Emergency Services. (Attachment 1).

The Local Emergency was ratified by City Council on March 18, 2020, as required by California Government Code Section 8630(b) [“Whenever a local emergency is proclaimed by an official designated by ordinance, the Local Emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the governing body.”]. Under Government Code Section 8630(c), “[t]he local governing body shall review the need for continuing the local emergency at least once every 60 days, until the governing body terminates the local emergency.” Further, under Government Code Section 8630(d), “[t]he governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.”

On May 26, 2020, July 27, 2020, September 29, 2020, November 9, 2020, January 25, 2021, April 12, 2021, June 28, 2021, September 13, 2021, November 18, 2021, January 10, 2022, and March 14, 2022, the City Council conducted reviews of the Local Emergency and determined there was an ongoing need for the Local Emergency to continue. On May 23, 2022, the City Council will conduct the twelfth periodic review of the ongoing Local Emergency due to the COVID-19 pandemic.

Public Orders Issued in Support of Local Emergency

After the City Manager declared a Local Emergency on March 16, 2020, under the authority of CCMC Section 3.09.020, the City Manager issued a Public Order enacting new City measures to protect members of the public and City workers from undue risk of COVID-19 (March 16 Order). The March 16 Order included, among other things, temporary restrictions on certain establishments throughout Culver City, in which large numbers of people tend to gather and remain in close proximity, and a moratorium on evictions of residential tenants (“Residential Tenant Eviction Moratorium”).

Since the issuance of the March 16 Order, 42 supplemental orders have been issued by the City Manager, consistent with and in addition to the State of California Executive Orders, and the Orders issued by the Los Angeles County Department of Public Health (LACDPH), as well as a number of our neighboring communities, including the City of Los Angeles. In Culver City, the following supplemental orders were issued:

- March 16, 2020 Public Order (March 16 Order): This initial temporary Public Order was in effect until March 31, 2020. It closed bars, lounges and nightclubs that did not serve foot, and limited restaurants and retail food facilities to delivery, pick-up or drive through only; no on-site dining was permitted. Movie theaters, performance venues, bowling alleys and arcades were closed, as well as gyms, fitness centers, and art, dance and music facilities, and cultural venues.

- March 20, 2020 First Supplement to Public Order (March 20 Order): Incorporated by reference, any and all orders set forth in *Public Order Under City of Los Angeles Emergency Authority, Subject: SAFER AT HOME*, issued by Los Angeles Mayor Eric Garcetti on March 19, 2020; established a moratorium on evictions of commercial tenants who have an inability to pay their rent due to circumstances related to COVID-19 (“Commercial Tenant Eviction Moratorium” or “CTEM”); relaxed signage and parking restrictions and parking meter fees to facilitate food delivery and pickup; waived outdoor dining and valet parking license fees; and extended the business tax due date to June 1, 2020. Apart from the June 1, 2020 business tax payment extension, the March 20 Order was initially effective through April 19, 2020.
- March 27 Second Supplement to Public Order (March 27 Order): Expanded the scope of the Residential Tenant Eviction Moratorium to prohibit all evictions during the moratorium period, subject to certain limited exceptions (mostly related to public health and safety) and extended the duration of the Residential Tenant Eviction Moratorium through May 31, 2020.
- April 1, 2020 Third Supplement to Public Order (April 1 Order): Consistent with the U.S. Department of Homeland Security Cybersecurity & Infrastructure Security Agency (CISA) and the County of Los Angeles’ positions regarding the inclusion of firearms retailers as part of the essential critical infrastructure, the April 1 Order clarified the March 20 Order to allow firearms retailers in Culver City to conduct business during the COVID-19 local emergency (April 1 Order). The April 1 Order was initially effective through April 19, 2020.
- April 2, 2020 Fourth Supplement to Public Order (April 2 Order): Incorporated by reference all orders set forth in *Public Order Under City of Los Angeles Emergency Authority, Subject: SAFER AT HOME*, as revised and issued by Los Angeles Mayor Eric Garcetti on April 1, 2020, excepting those provisions of the City of Los Angeles *SAFER AT HOME* order that are specific to City of Los Angeles locations and services, and was initially effective through April 19, 2020.
- April 7, 2020 Fifth Supplement to Public Order (April 7 Order): Extended the Commercial Tenant Eviction Moratorium through May 31, 2020.
- April 8, 2020 Sixth Supplement to Public Order (April 8 Order): Incorporated by reference all orders set forth in *Public Order Under City of Los Angeles Emergency Authority, Subject: Worker Protection Order*, issued by Los Angeles Mayor Eric Garcetti on April 7, 2020, and was initially effective through April 19, 2020.
- April 11, 2020 Seventh Supplement to Public Order (April 11 Order): Incorporated by reference all orders set forth in (a) *Public Order Under City of Los Angeles Emergency Authority, Subject SAFER AT HOME*, as revised and issued by Los Angeles Mayor Eric Garcetti on April 10, 2020; and (b) *Public Order Under City of Los Angeles Emergency Authority, Subject: Worker Protection Order*, as revised and issued by Los Angeles Mayor Eric Garcetti on April 10, 2020, and extended all orders expiring on April 19th through May 15, 2020.
- April 28, 2020 Eighth Supplement to Public Order (April 28 Order): Extended the Eviction

Moratoria Payment Period for unpaid back rent to 12 Months.

- May 1, 2020 Ninth Supplement to Public Order (May 1 Order): Incorporated by reference all orders set forth in the *Public Order Under City of Los Angeles Emergency Authority, Subject: SAFER AT HOME*, as revised and issued by Los Angeles Mayor Eric Garcetti on April 27, 2020 and effective through May 15, 2020.
- May 7, 2020 Tenth Supplement to Public Order (May 7 Order): On May 6, 2020, the County of Los Angeles announced its Roadmap to Recovery-a Phased Approach to Re-opening Safely, which included allowing limited conditional re-openings of certain low-risk retail businesses. Effective May 8, 2020, florists, toy stores, clothing stores, music stores, and sporting goods stores were permitted to open for curbside pick-up, and auto dealer showrooms were permitted to open, with strict physical distancing and infection control protocols in place.

May 14, 2020 Eleventh Supplement to Public Order (May 14 Order): On May 13, 2020, the County of Los Angeles' Health Officer issued a new *Safer at Home Order for Control of COVID-19*, which extended all previous County Health Officer orders issued, and announced that certain low-risk businesses and select recreational facilities and beaches were permitted to re-open subject to certain restrictions. Accordingly, the May 14 Order extended all previous orders until further notice, except where noted, and permitting certain limited re-openings with curbside pick-up or walk-up service only, and adherence to all City Guidelines and County directives and re-opening protocols. The Order also included wearing a cloth face covering whenever there is or can be contact with others who are non-household members, in both public and private places. In addition, the order extended relaxation of parking restrictions and signage restrictions to facilitate the curbside pickup; the Order also extended the fee waiver for outdoor dining fees and valet parking fees, until June 30, 2020.

- May 19, 2020 Twelfth Supplement to Public Order (May 19 Order). Consistent with the direction of City Council at the May 18, 2020 public meeting, the City Manager issued the May 19 Order which (1) extended the Residential Tenant and Commercial Tenant Eviction Moratoria to August 31, 2020 or the end of the Local Emergency, whichever occurs earlier; (2) excluded from the Commercial Tenant Eviction Moratorium multi-national companies, publicly traded companies, or companies that employ more than 200 employees; and (3) reduced the grace period for the repayment of back rent from 12 months to 6 months for commercial tenants that have 10 or more, but less than 200, employees.
- May 20, 2020 Thirteenth Supplement to Public Order (May 20 Order) to address and allow conditional pet grooming, pet training, and car washes.
- May 22, 2020 Fourteenth Supplement to Public Order (May 22 Order) to allow lower risk retailers in indoor malls to open for curbside, door side or other outdoor or outside pickup, and to allow for vehicle-based parades.
- May 27, 2020 Fifteenth Supplement to Public Order (May 27 Order), to align with the May 26, 2020 Order by the Los Angeles County Department of Public Health, entitled "Reopening Safer at Work and in the Community for Control of COVID 19: Moving the County of Los

Angeles through Stage 2 of California's Pandemic Resilience Roadmap". The May 27 Order permitted conditional indoor reopening of lower risk retail establishments; office-based businesses; faith-based organizations; pools, hot tubs and saunas in multi-residence locations; in person protests; and entertainment industry studios (upon State and County authorization). The May 27 Order also extended the waiver of outdoor dining license fees, and valet parking fees.

- June 1, 2020 Sixteenth Supplement to Public Order (June 1 Order), to align with the May 29, 2020 Los Angeles County revised "Reopening Safer at Work and in the Community for Control of COVID 19: Moving the County of Los Angeles through Stage 2 of California's Pandemic Resilience Roadmap" (Revised County Order), to allow additional businesses to conditionally re-open. Those businesses permitted to conditionally re-open included hair salons, barbershops, restaurants, and food facilities for in-person dining. In addition, the June 1 Order gave the Public Works Director authority to approve the expansion of outdoor dining into the public right of way, and to allow the outdoor display of goods.
- June 10, 2020 Seventeenth Supplement to Public Order (June 10 Order), to modify certain Zoning Code provisions, consistent with the June 9th direction given by the City Council, including modifying the non-conforming use provisions, modifying parking requirements for businesses with expanded outdoor dining and outdoor retail displays in a private parking lot, pursuant to a Temporary Use Permit, and to allow the sale of takeaway alcoholic beverages.
- June 12, 2020 Eighteenth Supplement to Public Order (June 12 Order) to align with the June 11, 2020 Los Angeles County Department of Public Health "Moving the County of Los Angeles into Stage 3 of California's Pandemic Resilience Roadmap (June 11 Revised County Order), to allow additional activities to resume and to allow additional businesses to conditionally re-open. These additional re-openings included operations for music, film, and television production; day camps; fitness facilities, museums, galleries, zoos, botanical gardens, aquariums and other similar exhibition spaces; professional sports teams without audiences; campgrounds and RV parks; hotels, motels, shared rental units and similar facilities; in-person behavioral health or substance use disorder support in therapeutic small group meetings; swimming pools and splash pads; for-hire fishing and chartered boat trips; indoor and outdoor photography; and visiting a physician for well-child visits. The June 12 Order also listed the higher risk businesses and activities that must continue to be closed.
- June 19, 2020 Nineteenth Supplement to Public Order (June 19 Order), to align with the June 18th new County "Reopening Safer at Work and in the Community for Control of COVID 19: Moving the County of Los Angeles into Stage 3 of California's Pandemic Resilience Roadmap" (June 18 Revised County Order). This Order allowed for personal care establishments, bars, wineries and tasting rooms, to reopen, as well as clarify that there was no attendee limit on outdoor faith-based services and outdoor protests. The Order reiterated the higher risk businesses that were required to remain closed.
- July 7, 2020 Twentieth Supplement to Public Order (July 7 Order), was issued by the City Manager, conditionally waiving penalties and interest on any past due Transit Occupancy Taxes (TOT), providing any past due TOT is remitted to the City within 30 days from the date of the order, and further waiving outstanding penalties and interest that accrued between March 1 and July 7, 2020, if past due TOT was already paid. Additionally, the July 7 Order

reiterated the higher risk businesses, recreational sites, commercial properties, and activities that must continue to be closed.

- July 21, 2020 Twenty-First Supplement to Public Order (July 21 Order) was issued by the City Manager (July 21 Order), allowing the safe outdoor operation of gyms, fitness centers and personal care services, pursuant to a Temporary Use Permit, provided all operations were in compliance with State, County and local protocols, rules and regulations.
- August 4, 2020 Twenty-Second Supplement to Public Order (August 4 Order), extending the Residential Tenant Eviction Moratorium and the Commercial Tenant Eviction Moratorium to September 30, 2020.
- August 13, 2020 Twenty-Third Supplement to Public Order (August 13 Order) to allow the temporary use of outdoor City parks facilities and areas for the outdoor operations of gym and fitness establishments, consistent with the County's July 13th Public Order and the City Council's August 10, 2020 direction.
- August 21, 2020 Twenty-Fourth Supplement to Public Order (August 21 Order), to allow the safe outdoor operation of youth sports programs, the use of designated outdoor City park space for in-person faith based services and therapeutic small group meetings, and the continued waiver of outdoor dining and valet parking license fees.
- September 3, 2020 Twenty-Fifth Supplement to Public Order (September 3 Order), to allow for the reopening of indoor services for hair salons and barbershops, at 25% of maximum occupancy, and beginning on September 14, 2020, in-school services for students with individualized education programs (IEPs) or English Learners (ELs) at K-12 schools.
- September 17, 2020 Twenty-Sixth Supplement to Public Order (September 17 Order), consistent with City Council's direction, the Commercial Tenant Eviction Moratorium was extended through January 31, 2021. (Note-the Residential Tenant Eviction Moratorium has been preempted by AB 3088 through January 31, 2021, which was signed by the Governor on August 31, 2020).
- October 2, 2020 Twenty-Seventh Supplement to Public Order (October 2 Order). Consistent with the September 30, 2020 Order of the Los Angeles County Public Health Officer, nail salons were permitted to reopen at 25% occupancy indoors; cardrooms were permitted to reopen outdoors; indoor shopping malls were permitted at 25% of maximum occupancy; and outdoor playgrounds were permitted to open. Additionally, the waiver of outdoor dining and valet parking license fees was continued through December 31, 2020, and the Community Workforce Resources Poster was made mandatory by October 16, 2020.
- October 16, 2020 Twenty-Eighth Supplement to Public Order (October 16 Order). Outdoor private gatherings of persons from no more than three households are permitted, in compliance with the requirements set forth in the applicable Los Angeles County Public Health protocols.

- October 30, 2020 Twenty-Ninth Supplement to Public Order (October 30 Order). The October 30 Order addresses the reopening of various business sectors and recreational activities with modifications, in alignment with recent announcements by the County of Los Angeles Department of Public Health, as well as additional requirements regarding temporary Third-Party Food Delivery Service Fees.
- November 10, 2020 Thirtieth Supplement to Public Order (November 10 Order). This Order extended the Commercial Tenant Eviction Moratorium through March 31, 2021.
- November 23, 2020 Thirty-First Supplement to Public Order (November 23 Order). The November 23 Order addresses the Los Angeles County Surge Response orders and directives issued by Los Angeles County Public Health on November 19 and November 22. This Order also extended the outdoor dining license fee waiver and the valet parking license fee waiver to March 31, 2021.
- November 30, 2020 Thirty-Second Supplement to Public Order (November 30 Order). The November 30 Order addresses the Los Angeles County Public Health Officer's Temporary Targeted Safer at Home: Tier 1 Substantial Surge Response Order ("Temporary Surge Response Order") issued November 28, 2020 and effective November 30, 2020 through December 20, 2020. The Temporary Surge Response Order was issued as a response to the recent substantial rise in COVID-19 cases, hospitalizations, and deaths. The Temporary Surge Response Order was issued to ensure that County residents remain in their residences as much as practicable, and to limit close contact with others outside of their household in both indoor and outdoor spaces, to further reduce the risk of community transmission of COVID-19. This Order prohibits gatherings except for church services and protests, limits occupancy for permitted activities and businesses, and closes non-essential businesses and activities. This order supersedes any previous order where there is a conflict between the Orders.
- January 26, 2021 Thirty-Third Supplement to Public Order (January 26 Order). On January 25, 2021, the State of California lifted the Regional Stay at Home Order that was instituted in December 2020 due to a holiday surge, and a substantial rise in COVID-19 cases, hospitalizations, and deaths, and in turn, the County of Los Angeles lifted its Temporary Surge Response Orders and returned to its November 25, 2020 Blueprint for a Safer Economy-Tier 1 Surge Response Order, with modifications, and issued the County January 25 Order. Accordingly, the City Manager issued the January 26 Order, aligning the City with the County January 25 Order, and also any new subsequent County of Los Angeles Order, unless the City Manager issues a new City order with restrictions specific to Culver City, and also extended the City's limitations on Third Party Food Delivery Service fees, to March 31, 2021.
- February 25, 2021 Thirty-Fourth Supplement to Public Order (February 25 Order). On February 25th, the Commercial Tenant Eviction Moratorium (CTEM) was extended through the termination of the Local Emergency, after the City Council considered recommendations from the Economic Development Subcommittee on February 22, 2021 at a City Council public meeting. Certain modifications were made to the CTEM, including to the definition of commercial tenant, and to require commercial tenants to pay 25% of the current rent due each month to qualify for the CTEM protections, beginning April 1, 2021. The Order also referred landlords and tenants to mediation services at LA Represents.

- March 25, 2021 Thirty-Fifth Supplement to Public Order (March 25 Order). The March 25 Order continued to align the City with the County of Los Angeles most recent (March 19, 2021) Public Health Order, and extended the waiver of outdoor dining license fees and valet parking license fees, to June 30, 2021, as well as extended the limitations established on October 30, 2020 pertaining to Third Party Food Delivery Service Fees, to the end of the Local Emergency.
- April 21, 2021 Thirty-Sixth Supplement to Public Order (April 21 Order). The April 21 Order continued to align the City with the County of Los Angeles, including its April 15th Orange Tier Risk Reduction measures, and stated that the City will automatically align with any subsequent County of Los Angeles Public Health Order or Directive unless a new City Order is issued with specific restrictions or requirements. The Order also granted authority to the Public Works Director and the Community Development Director to issue temporary Use Permits (TUPs) for outdoor bar operation in the public right of way or outdoors on private property. The Order also notes that live events and performances (indoor and outdoor) are permitted with all County protocols plus any required City special events permits.
- July 15, 2021 Thirty-Seventh Supplement to Public Order (July 15 Order): The July 15 Order temporarily extended the use of City sidewalks for expanded outdoor dining, through a Temporary Use Permit issued by the Public Works Director, to December 31, 2021, and also extends the waiver of Outdoor Dining License Fees and Valet Parking License Fees to December 31, 2021.
- October 26, 2021 Thirty-Eighth Supplement to Public Order (October 26 Order): The October 26 Order requires proof of COVID-19 vaccination to enter certain indoor businesses and indoor City facilities, effective November 29, 2021. This Order was confirmed by City Council on November 8th, with minor changes to the face mask requirement, allowing “well-fitted masks” rather than specifying surgical or N95 masks.
- December 7, 2021 Thirty-Ninth Supplement to Public Order (December 7 Order). The December 7 Order extends Temporary Use Permits (TUPs) to expand outdoor dining on City sidewalks and on certain City roadways, and also extends the waiver of outdoor dining license fees and valet parking license fees, to assist local businesses.
- March 16, 2022 Fortieth Supplement to Public Order (March 16 Order). The March 16 Order rescinded the requirements under the October 26 Order for proof of vaccination to enter certain indoor portions of business and indoor City facilities. Additionally, this Order requires that all persons wear masks at indoor City Council, Commission, Board and Committee meetings, due to the indoor setting, ventilation issues, and to protect those persons most vulnerable.
- March 29, 2022 Forty-First Supplement to Public Order (March 29 Order). This Order extended existing Temporary Use Permits (TUPs) to expand outdoor dining and other uses on private property, City sidewalks and certain roadways to August 31, 2022. The order also extended

the waiver of outdoor dining license fees and valet parking license fees to August 31, 2022.

- April 29, 2022 Forty-Second Supplement to Public Order (April 29 Order). The April 29 Order terminated the Commercial Tenant Eviction Moratorium (CTEM) on July 31, 2022, or the termination of the Local Emergency, whichever occurs earlier. The Order also provides for certain repayment measures regarding the payment of back rent.

DISCUSSION

Over the course of the past two years, the federal, state and local governments have taken measures in an attempt to keep pace with the evolving virus underlying the pandemic. There have been a number of “surges,” whether due to people contracting the virus after various holiday gatherings, or from mutated variants of the virus (Delta, Omicron, and the more recent BA.2 subvariant). During these surges, the number of positive cases reported, the positivity rate, hospitalizations and number of deaths have sometimes risen dramatically.

On June 15, 2021, the State of California discontinued the color-coded “Tier” system, and “re-opened” the California economy. LACDPH discontinued its “Blueprint for a Safer Economy” series of Public Health Orders and for the most part discontinued its program of issuing specific sector protocols. The County issued a new order effective June 15, 2021, entitled “A Safer Return Together at Work in the Community: Beyond the Blueprint for a Safer Economy.”

At the time of the County’s June 15, 2021 Order, there was a 7-day average of approximately 200 new reported COVID-19 positive cases in Los Angeles County. Since that date eleven months ago, positive case numbers have never again reached that low baseline. During the most recent winter surge of the Omicron variant in December 2021 and January 2022, there were days where positive cases reported were over 40,000. Hospitalizations also surged, with over 4000 County residents hospitalized with COVID complications at times. The number of deaths due to COVID complications also rose, lagging a few weeks behind the hospitalization and positive case rate.

In August 2021 and September 2021 LACDPH recommended a vaccination requirement for “indoor public settings that present a higher risk of transmission . . . because of exceptions to the universal indoor masking requirement, increased levels of physical exertion by customers, or large numbers of people at an establishment or the close proximity of employees and/or customers for long periods of time.” Additionally, LACDPH allowed for municipalities to require more stringent measures. LACDPH also applauded cities across the County for creating additional safeguards in spaces where people are intermingling with the use of targeted vaccination mandates.

In light of the LACDPH's guidance, the City Manager issued the 38th Supplement on October 26th. This Order, is similar to the LACDPH Order requiring vaccination of all eligible individuals who frequent recreational indoor businesses that allow groups of unassociated individuals to interact for long periods of time where patrons remove their masks to eat or drink, engage in heavy physical exertion, or do not adequately physically distance. Additionally, the City required proof of vaccination for individuals who enter City facilities, which will protect the health and safety of the City's workforce who themselves must be vaccinated and will protect the public health at large. These requirements

also offered an alternative approach to stringent public health measures such as complete business closures that have been implemented previously.

The City's vaccination requirements to enter certain businesses and City facilities were rescinded on March 16, 2022 by the 40th Supplement to Public Order, although vaccination and boosters are still highly recommended as part of the overall strategy to reduce community transmission of the virus. In addition, while universal indoor masking is no longer required except in certain settings, indoor masking is highly and strongly recommended. The 40th Supplement also issued an indoor mask requirement for all in-person meetings of City Council, Commissions, Boards and Committees.

Current State of the Pandemic

As the year progressed into February, the County entered what was called a "post-surge" phase, and the number of positive new cases and hospitalizations dropped. The County transmission rate decreased during the later part of February from High Transmission to Moderate, and even in early March to Low Transmission. Once the County entered the Low Transmission phase, the universal masking requirement was changed from mandatory to "strongly recommended".

However, the recent "BA.2" subvariant is causing a surge in Los Angeles County as well as in other areas around the country and the County is no longer in Low Transmission, and transmission rates are steadily increasing. On May 12, 2022, there were 3,407 new positive cases of COVID-19. The daily average from May 6-12 was 2,685 new cases per day. The case rate is more than 10 times what it was at the June 2021 baseline of 200 cases per day. Further, the County seven-day Daily Average Testing Positivity Rate is again rising and doesn't necessarily capture positive tests on at-home tests, which have become abundant and widely available. Hospitalizations are slowly rising, although the number of persons hospitalized County-wide due to COVID-19 remains below 300 daily, in part due to the County's vaccination rate. The vaccination and boosters help to prevent serious illness and death, but do not always completely shield someone from contracting the highly contagious variants.

Summary

As of its April 21, 2022 Public Order, LACDPH still strongly recommends wearing a well-fitted mask in indoor public settings, especially if a person or someone they live with is unvaccinated or is at elevated risk for serious illness from COVID-19. Masks continue to be required for indoor settings with higher risk of transmission (public transit, transportation hubs, healthcare settings, emergency shelters, homeless shelters, detention facilities). Employers are required to offer, for voluntary use, medical grade masks and respirators to employees working indoors in close contact with other workers, customers, and/or members of the public. Worksites are required to report clusters of three or more positive COVID cases without 14 days to Public Health.

The LACDPH Order also stresses that the Order refocuses the public health response in Los Angeles County to protect the most vulnerable among us, and to safeguard the functioning of hospital and healthcare systems, and to prepare for future challenges presented by the evolving virus. The County continues to strongly recommend that residents become fully vaccinated.

The above illustrates the importance of the keeping the Local Emergency in place, which allows the City to have City-specific orders. City-specific orders previously established local vaccination requirements, current indoor City meeting masking requirements, and also established the CTEM

(which is currently set to expire July 31, 2022), gave authority to management to issue Temporary Use Permits (TUPs), established limitations on third party food delivery fees, and waived certain fees, among other provisions. Under the City's Local Emergency, the City has the ability to craft orders that are specific to Culver City and the needs of its residents and businesses.

City staff recommends the Local Emergency continue during the time the State of California and Los Angeles County remain in a public health emergency.

FISCAL ANALYSIS

There is no cost associated with discussing the continued need for the Local Emergency.

ATTACHMENTS

1. 2022-05-23_ATT1_March 14, 2020 Proclamation of Local Emergency

MOTION

That the City Council:

Pursuant to Government Code Section 8630, conduct a twelfth review and confirm the need for continuing the Local Emergency declared on March 14, 2020 by the City Manager, as Director of Emergency Services, under City of Culver City Emergency Authority, due to the coronavirus respiratory disease (COVID-19) pandemic;