



City of Culver City

Staff Report

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Item #: A-1.

CC - Adoption of a Resolution Confirming the May 7, 2020 Tenth Supplement to Public Order (Allowing Certain Businesses to Re-Open on a Limited Basis, for Curbside Pick-up Only, and Auto Dealerships to Conduct Showroom Sales, With Strict Physical Distancing and Infection Control Protocols in Place), and the March 14, 2020 Eleventh Supplement to Public Order (Extending Previous Public Orders, and Allowing Additional Limited Re-Openings), Issued 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 18, 2020

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

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

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

Public Hearing: **Action Item:** **Attachments:**

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

Public Notification: (E-Mail) Meetings and Agendas - City Council (05/13/20);

Department Approval: John M. Nachbar, City Manager (05/13/20)

RECOMMENDATION

Staff recommends the City Council adopt a Resolution confirming the May 7, 2020 Tenth Supplement to Public Order (allowing certain businesses to re-open on a limited basis, for curbside pick-up only, and Auto Dealerships to conduct showroom sales, with strict physical distancing and infection control protocols in place), and the March 14, 2020 Eleventh Supplement to Public Order extending previous Public Orders, and allowing additional limited re-openings), issued 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.

BACKGROUND/DISCUSSION

On March 14, 2020, pursuant to the authority granted by Culver City Municipal Code (“CCMC”) Section 3.09.020.B.1.a, the City Manager, as the Director of Emergency Services, issued a Proclamation of Local Emergency due to the outbreak and spread of the coronavirus respiratory disease (“COVID-19”) pandemic.

During this unprecedented time, various orders have been issued by the State of California and the Los Angeles County Department of Public Health, as well as a number of our neighboring communities, designed to protect both residential and commercial tenants from eviction during the COVID-19 pandemic.

After the City Manager declared a Local Emergency on March 14, 2020, on March 16th, he 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.

Since the issuance of the March 16 Order, various supplemental orders have been issued by the State of California and the Los Angeles County Department of Public Health, as well as a number of our neighboring communities, including the City of Los Angeles.

On March 20, 2020, the City Manager issued a First Supplement to Public Order enacting further City measures to protect members of the public and City workers from undue risk of COVID-19 (“March 20 Order”). The March 20 Order issued, and 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 (“March 19 SAFER AT HOME Order”).

Since the March 19 SAFER AT HOME Order, Los Angeles Mayor Garcetti issued revised SAFER AT HOME Orders on April 1, April 10, and April 27, 2020. In step with the City of Los Angeles, on April 7, 2020, April 11, 2020, and May 1, 2020 respectively, the City Manager issued a Fifth Supplement to Public Order (incorporating the April 1 SAFER AT HOME Order), a Seventh Supplement to Public Order (incorporating the April 10 SAFER AT HOME Order), and a Ninth Supplement to Public Order (incorporating the April 27 SAFER AT HOME Order).

Tenth Supplement to Public Order-Roadmap to Recovery

On May 6, 2020, the County of Los Angeles announced its Roadmap to Recover-a Phased Approach to Reopening Safely, which included allowing certain non-essential businesses to open on May 8, 2020 for curbside pick-up only; these businesses must adhere to physical distancing and infection control protocols. In addition, auto dealership showrooms were permitted to open in Los Angeles County, while adhering to physical distancing and infection control protocols.

Consistent with the County of Los Angeles directives on the permitted limited re-openings, on May 7, 2020, the City Manager issued a Tenth Supplement to Public Order (May 7 Order), as follows:

1. Effective May 8, 2020, all florists, toy stores, bookstores, clothing stores, music stores and sporting goods stores may open for curbside pick-up only, with strict adherence to physical

distancing and infection control protocols at all times, including but not limited to the use of face coverings for employees and customers.

2. Effective May 8, 2020 auto dealership showrooms may open for sales with strict adherence to physical distancing and infection control protocols at all times, including but not limited to the use of face coverings for employees and customers.

In addition to the above, the May 7 Order included as an attachment Culver City's Guidelines for Curbside Pick-up and Auto Dealership Showrooms ("Guidelines"). To the extent the Guidelines conflict with any provision of the CCMC, such provision will not be enforced, and the Guidelines shall apply. The Guidelines may be modified administratively without the issuance of a new Public Order. The businesses that choose to re-open under the May 7 Order must also follow all County and State guidelines and protocols, in addition to those issued by the City.

Eleventh Supplement to Public Order - Extension of Public Orders and Additional Limited Re-Openings

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, in addition to the business already permitted to operate in some fashion, certain low-risk businesses and select recreational facilities and beaches are now permitted to reopen subject to certain restrictions. Before eligible businesses are permitted to reopen, they are required to prepare, implement and post their plan for adhering to County directives, including distancing and infection control practices that protect both employees and customers. The County's March 13 order further requires all persons to practice physical distancing of at least six feet apart and wear a clean cloth face covering that securely covers both nose and mouth when around people outside of their household. Public and private gatherings of any number of people occurring outside of a single household or living unit continue to be prohibited.

Accordingly, on March 14, 2020, the City Manager issued an Eleventh Supplement to Public Order (May 14 Order), extending all previous orders, except where noted, and permitting certain additional limited re-openings. In addition, the May 14 Order extended certain fee waivers, parking restrictions, and signage restrictions. Specifically, the March 14 Order included the following:

1. Each of the following public orders, except as expressly provided, were extended until superseded or rescinded: March 16 Order, March 20 Order, April 1 Order, April 2 Order, April 8 Order, April 11 Order, and May 1 Order.
2. The Residential Tenant Eviction Moratorium, as set forth in the March 27 Order, shall remain in effect through May 31, 2020, unless extended by separate public order.
3. The Commercial Tenant Eviction Moratorium, as set forth in the March 20 Order and April 7 Order, shall remain in effect through May 31, 2020, unless extended by separate order.

4. All lower risk retail businesses, as defined by Los Angeles County in its May 13, 2020 Order, are permitted to open for curbside pick-up or walk-up service only, including those that are located in a mall or shopping center with an exterior entrance. No customers may enter the retail business. Those businesses with access only from the interior (inside) of a mall or shopping center must remain closed. Before a retail business may open, they are required to adhere to all City Guidelines, and prepare, implement and post their compliance with all County directives and reopening protocols, including physical distancing and infection control practices to protect employees and customers.
5. Manufacturers and logistic (warehouse) businesses that supply the lower risk retail businesses listed in Section 4 above may open. Before a manufacturer or logistic business may open, they are required to adhere to all City Guidelines, and prepare, implement and post their compliance with all County directives and reopening protocols, including physical distancing and infection control practices to protect employees and customers.
6. Beginning at 7:00 a.m. on May 15, 2020, tennis courts, paddle tennis courts, and hand ball courts may open, with strict compliance with all County directives. The community garden may remain open, with strict compliance with all County protocols.
7. Individuals leaving their residences for the limited purposes allowed by the Orders must strictly comply with all Social (Physical) Distancing requirements, including those specified in guidance or protocols established by the County of Los Angeles Dept of Public Health; this includes wearing a cloth face covering whenever there is contact or can be contact with others who are non-household members in both public and private places. Young children age 2 and under, and people with certain disabilities, are not required to wear a face covering, per the County of Los Angeles.
8. As set forth in the March 20 Order and April 11 Order, outdoor dining license fees and valet parking license fees will continue to be waived, through June 30, 2020.
9. As set forth in the March 20 Order and April 11 Order, in order to allow businesses to communicate they are open for curbside pick-up and/or delivery of food, applicable CCMC restrictions related to outdoor business signage (including “sandwich board” signs and temporary banners) are suspended for the duration of the Eleventh Supplement to Public Order and any extension thereto; provided, all signs must be placed in such a manner to allow for pedestrian access along the public right-of-way.
10. In order to facilitate retail curbside pick-up, food delivery and food pickup, the following shall apply for the duration of the Eleventh Supplement to Public Order and any extension thereto:
 - Temporary parking shall be permitted in loading zones and special rideshare pickup

zones solely for this purpose.

- Parking fees for all meters and pay machines for on-street parking spaces shall be waived for the first 15 minutes.

11. The June 1, 2020 extension for the payment of Culver City business taxes, as set forth in the March 20 Order and April 11 Order, shall remain in effect.

Pursuant to CCMC Section 3.09.020.B.1.h(2), staff recommends the City Council adopt the proposed Resolution confirming the May 7 and May 14 Order issued by the Director of Emergency Services (Attachment 1).

FISCAL ANALYSIS

There may be staff costs associated with the enforcement of the May 7 and May 14 Orders; however, it is not estimated to be material at this time. If staff incurs any overtime with the enforcement of the Orders, the overtime will be tracked and included with the FEMA reimbursement requests.

ATTACHMENTS

1. 2020-05-18_ATT_Proposed Resolution Confirming May 7, 2020 and May 14, 2020 Orders

MOTION

That the City Council:

Adopt a Resolution confirming the May 7, 2020 Tenth Supplement to Public Order (Allowing Certain Businesses to Re-Open on a Limited Basis, for Curbside Pick-up Only, and Auto Dealerships to Conduct Showroom Sales, With Strict Physical Distancing and Infection Control Protocols in Place), and the March 14, 2020 Eleventh Supplement to Public Order (Extending Previous Public Orders, and Allowing Additional Limited Re-openings), issued 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.