



City of Culver City

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Staff Report

File #: 20-1025, **Version:** 1

Item #: A-1.

CC - Adoption of a Resolution Confirming May 22, 2020 Fourteenth Supplement to Public Order (Road to Recovery: Interior Mall Stores May Open for Curbside Service; Car Parades Permitted); May 27, 2020 Fifteenth Supplement to Public Order (Safer at Work and in the Community; Continued Waiver of Outdoor Dining and Valet Parking License Fees); and June 1, 2020 Sixteenth Supplement to Public Order (Reopening Safer at Work and in the Community for Control of COVID-19: Restaurant In-person Dining and Hair Salons/Barber Shops), 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: June 8, 2020

Contact Person/Dept: Jesse Mays/City Manager's Office
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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 (06/04/2020);

Department Approval: John M. Nachbar, City Manager (06/04/2020)

RECOMMENDATION

Staff recommends the City Council adopt a Resolution confirming May 22, 2020 Fourteenth Supplement to Public Order (Road to Recovery: Interior Mall Stores May Open for Curbside Service; Car Parades Permitted); May 27, 2020 Fifteenth Supplement to Public Order (Safer at Work and in the Community; Continued Waiver of Outdoor Dining and Valet Parking License Fees) and June 1, 2020 Sixteenth Supplement to Public Order (Reopening Safer at Work and in the Community for Control of COVID-19: Restaurant In-person Dining and Hair Salons/Barber Shops), 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.

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, a number of supplemental orders have been issued, to follow the lead of the State of California and to be consistent with the Los Angeles County Department of Public Health, as well as a number of our neighboring communities, including the City of Los Angeles, while addressing Culver City specific issues where needed.

SAFER AT HOME Orders

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 Fourth 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).

Roadmap to Recovery Orders

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. In turn the City Manager issued the following reopening orders:

- On May 7, 2020, the City Manager issued a Tenth Supplement to Public Order (May 7 Order), permitting florists, toy stores, clothing stores, music stores, and sporting goods stores to open for curbside pick-up, and auto dealer showrooms were permitted to open, with strict physical distancing and infection control protocols in place.
- On May 14, 2020 the City Manager issues an Eleventh Supplement to Public Order (May 14 Order), extending all previous orders until further notice, except where noted, and permitting certain limited re-openings with curbside pick-up or walk-up service only. 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.

- On May 20, 2020, the City Manager issued a Thirteen Supplement to Public Order (May 20 Order), to address and allow conditional pet grooming, pet training and car washes that were previously prohibited under earlier *SAFER AT HOME* Orders.

All of the above Orders were subsequently confirmed by City Council at public City Council meetings.

New Orders for Confirmation

May 22 Fourteenth Supplement to Public Order

On May 22, 2020, Los Angeles County announced new openings in advance of the holiday weekend, allowing increased outdoor and retail activities for residents. Beach bike paths were opened, indoor malls were permitted to open for curbside service, and vehicle parades were allowed, all subject to certain conditions. The City Manager issued the Fourteenth Supplement to Public Order (May 22 Order) that same date, as follows:

- Lower risk retailers located within the interior of an indoor mall or shopping center are permitted to provide goods and services to the public via curbside, door-side, or other outdoor or outside pick-up, or via delivery. Businesses that are normally accessible by the public from the exterior of the indoor mall or shopping center may continue to provide curbside pick-up, as set forth in the May 14 Order.
- Individuals may leave their residences to participate in a vehicle-based parade. The host of the vehicle-based parade shall comply with all Culver City Municipal Code provisions, traffic control requirements, and state laws. The host of the vehicle-based parade shall also comply with the most recent version of the Los Angeles County Department of Public Health Protocol for Vehicle Based Parades.

May 27 Fifteenth Supplement to Public Order

On May 26, 2020, the Los Angeles County Department of Public Health announced its “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” (County Order). Under this County Order, the County of Los Angeles aligned with the State of California’s phased re-opening that progressively designates sectors, businesses, establishments or activities that may reopen or resume, with necessary modifications to protect the health and safety of the community, and to lower the risk of transmission of Novel Coronavirus Disease (COVID-19).

On May 27, 2020, the City Manager issued the Fifteenth Supplement to Public Order (May 27 Order), to allow certain activities to resume, and Culver City businesses to safely re-open as the County permits, as follows:

1. All lower risk retail establishments (defined in the County Order), including those located in indoor and outdoor malls and shopping centers, may open for business at 50% capacity;
2. Non-essential office-based businesses may re-open, although teleworking is strongly recommended and encouraged;
3. Faith-based organizations may resume in-person services, provided that the gathering of congregants is limited to 25% of the total maximum occupancy of occupant load (as assigned on its Certificate of Occupancy or as assigned by the Building Official under the Building Code), or a maximum of 100 people, whichever is lower;
4. Pools, hot tubs and saunas that are in a multi-unit residence or part of a Homeowners Association are permitted to re-open;
5. In-person protests are permitted as long as attendance is limited to 25% of the relevant area's maximum occupancy, as defined by the local permitting authority or other relevant authority, or a maximum of 100 attendees, whichever is lower. Physical distancing of at least six feet between persons or groups of persons from different households must be maintained at all times, and face coverings must be worn by participants.
6. As set forth in the March 20, April 11, and May 14 Order, outdoor dining license fees and valet parking license fees will continue to be waived, through August 31, 2020, or the termination of the Local Emergency, whichever occurs earlier.

June 1 Sixteenth Supplement to Public Order

On May 29, 2020, the Los Angeles County Department of Public Health revised its "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.

Consistent with the Revised County Order, on June 1, 2020, the City Manager issued the Sixteenth Supplement to Public Order (June 1 Order), as follows:

1. Hair salons and barbershops are permitted to conditionally re-open and must prepare, implement and post the most recent version of the Los Angeles County Public Health Reopening Protocol for Hair Salons and Barbershops (Appendix H);
2. Restaurants and other food facilities that prepare and serve food may re-open for in-person dining, at a capacity not to exceed 60% of maximum occupancy and shall prepare, implement and post the most recent version of the Los Angeles County Public Health Protocol for Restaurants Opening for On-site Dining (Appendix I);
3. Restaurants may temporarily expand in-person dining into the public right-of-way, or expand the existing outdoor dining areas further into the public right-of-way, and retail establishments may temporarily use the public right-of-way for the outdoor display of goods, all subject to the approval of the Public Works Director, who may establish procedures, standards, conditions,

rules and regulations to protect the public health, safety and welfare.

4. Outdoor dining permit fees will continue to be waived pursuant to existing public orders. In addition, temporary use permit fees, for the purposes and duration of the June 1 Order, shall be waived.

Pursuant to CCMC Section 3.09.020.B.1.h(2), staff recommends the City Council adopt the proposed Resolution confirming the May 22 Order, May 27 Order and June 1 Order, issued by the City Manager, in his role as the Director of Emergency Services (Attachment 1).

FISCAL ANALYSIS

There may be staff costs associated with the enforcement of the May 22 Order, May 27 Order and June 1 Order; however, it is not estimated 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. 2020-06-08_ATT_Proposed Resolution Confirming May 20, May 27 and June 1 Order

MOTION

That the City Council:

Adopt a Resolution Confirming May 22, 2020 Fourteenth Supplement to Public Order (Road to Recovery: Interior Mall Stores May Open for Curbside Service; Car Parades Permitted); May 27, 2020 Fifteenth Supplement to Public Order (Safer at Work and in the Community; Continued Waiver of Outdoor Dining and Valet Parking License Fees) and June 1, 2020 Sixteenth Supplement to Public Order (Reopening Safer at Work and in the Community for Control of COVID-19: Restaurant In-person Dining and Hair Salons/Barber Shops), 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.