

City Council Adjourned Regular Meeting

Wednesday, April 22, 2020

8:00 AM

City Council Chambers



Mayor Richard Montgomery
Mayor Pro Tem Suzanne Hadley
Councilmember Hildy Stern
Councilmember Steve Napolitano
Councilmember Nancy Hersman

Executive Team

Bruce Moe, City Manager
Quinn Barrow, City Attorney

Derrick Abell, Police Chief
Steve Charelian, Finance Director
Daryn Drum, Fire Chief
Patrick Griffin, Interim Information Technology Director
Lisa Jenkins, Human Resources Director

Stephanie Katsouleas, Public Works Director
Mark Leyman, Parks and Recreation Director
Carrie Tai, Community Development Director
Liza Tamura, City Clerk

MISSION STATEMENT:

**Our mission is to provide excellent municipal services,
preserve our small beach town character, and enhance the quality of life for our
residents, businesses and visitors.**

MANHATTAN BEACH'S CITY COUNCIL WELCOMES YOU!

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City's website at www.citymb.info, the Police Department located at 420 15th Street, and are also on file in the Office of the City Clerk for public inspection. Any person who has any question concerning any agenda item may call the City Clerk's office at (310) 802-5056.

Meetings are broadcast live through Manhattan Beach Local Community Cable, Channel 8 (Chapter Spectrum), Channel 35 (Frontier Communications), and live streaming via the City's website.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Office of the City Clerk at (310) 802-5056 (voice) or (310) 546-3501 (TDD). The City also provides closed captioning of all its Regular City Council Meetings for the hearing impaired.

CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

I, Liza Tamura, City Clerk of the City of Manhattan Beach, California, state under penalty of perjury that this notice/agenda was posted on Saturday, April 18, 2020, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

BELOW ARE THE AGENDA ITEMS TO BE CONSIDERED.

A. CALL MEETING TO ORDER

B. ROLL CALL

C. PUBLIC COMMENTS

Pursuant to Governor Newsom's Executive Order Nos. N-25-20 and N-29-20, City Council Chambers will not be open to the public.

In the interest of maintaining appropriate social distancing, the City Council encourages the public to participate by using one of the following options for public comments:

- eComment Online**, you can submit your eComments by 7:30 AM, the day of the meeting and have your comment available to City Council and the public.
- Email your public comment to cityclerk@citymb.info by 7:30 AM, the day of the meeting and have your comment available to City Council and the public.
- Call (310)802-5030 and leave a message by 7:30 AM, the day of the meeting.

D. GENERAL BUSINESS

1. City Manager Report on EOC (Emergency Operations Center).

2. City Council to Consider Additional Measures to Address COVID-19, Including Consideration of Required Facial Coverings.

Attachments: [City of Manhattan Beach Press Release \(April 15, 2020\)](#)
 [Los Angeles County Public Health Order \(April 10, 2020\)](#)
 [City of Beverly Hills Order \(April 9, 2020\)](#)

E. CLOSED SESSION (IF NECESSARY)

**1. CONFERENCE WITH LEGAL COUNSEL (EXISTING LITIGATION)
(Government Code Section 54956.9(d)(1))**

**Name of Case: Darby T. Keen (Trustee) v City of Manhattan Beach
 Los Angeles County Superior Court**

Case No: 19STCP02984

Number of Cases: 1

F. ADJOURNMENT



CITY OF MANHATTAN BEACH CITY HALL

1400 Highland Avenue, Manhattan Beach, CA 90266

WEBSITE: www.citymb.info • **PHONE:** (310) 802-5000

- AGENDA ITEM NO:** Agenda Item No. 2
- AGENDA ITEM NAME:** City Council to Consider Additional Measures to Address COVID-19, Including Consideration of Required Facial Coverings.
- ATTACHMENT NAME:** City of Manhattan Beach Press Release (April 15, 2020)
- LINK:** <https://www.citymb.info/Home/ShowDocument?id=42226>
- ATTACHMENT NAME:** Los Angeles County Public Health Order (April 10, 2020)
- LINK:** <https://www.citymb.info/Home/ShowDocument?id=42176>
- ATTACHMENT NAME:** City of Beverly Hills Order (April 9, 2020)
- LINK:** <https://www.citymb.info/Home/ShowDocument?id=42168>



CITY OF MANHATTAN BEACH

1400 Highland Avenue,
Manhattan Beach, CA 90266

BRUCE MOE, CITY MANAGER

www.citymb.info • (310) 802-5053

PRESS INQUIRIES:

GEORGE GABRIEL, SENIOR MANAGEMENT ANALYST

GGabriel@citymb.info • (310) 802-5054

PRESS RELEASE

FOR IMMEDIATE RELEASE

Face Coverings Required While in Close Contact with Others and in Essential Businesses Strongly Encouraged in Public and While Exercising

Manhattan Beach, CA (April 15, 2020) - Starting today, the Los Angeles County Department of Public Health requires that members of the public must wear face coverings: (1) if that person will be within six feet of another person for longer than 10 minutes except members of your household; or (2) while visiting any essential business such as a grocery store. Essential businesses' employees who interact with the public or one another are also required to wear face coverings. In addition, the City is strongly encouraging residents to wear face coverings at any time while in public, especially during exercise activities.

"We have a highly active community that prides itself on physical fitness. During these times, everyone should take additional precautions where possible. The entire City Council and I encourage the community to go beyond the County's orders and wear face coverings while in public. Additionally, those engaging in vigorous activities, such as biking and running, are strongly encouraged to use face coverings to reduce the likelihood of spreading the virus through increased respiration levels. Finally, essential businesses are reminded that they play an important part in these public health orders, and are required to enforce social distancing and face covering requirements," said Mayor Richard Montgomery.

Effective today, all essential businesses must enforce the use of face coverings by public visitors and employees who interact with the public or one another. As required by the [City's Ordinance](#), essential businesses must also enforce social distancing requirements. These measures add a new layer of protection and will make our community safer and stronger as we continue to "flatten the curve."

Health professionals advise that simple cloth face coverings, fashioned from household items, can be used to slow the spread of the virus and can help people who may have the virus and do not know it from transmitting it to others.

Cloth face coverings should:

- fit snugly but comfortably against the side of the face;
- be secured with ties or ear loops;

- include multiple layers of fabric;
- allow for breathing without restriction; and
- be able to be laundered and machine dried without damage or change to shape.

Cloth face coverings should not be placed on young children under age two, anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the face covering without assistance.

As the COVID-19 pandemic evolves, the City of Manhattan Beach will continue to provide updates. Information regarding the coronavirus is changing frequently. For accurate and up to date information about COVID-19, please visit the [County Department of Public Health website](#), [sign up for eNotifications](#) and [Nixle](#) public safety alerts, and follow the City on [Facebook](#), [Twitter](#), [Nextdoor](#), and [Instagram](#).

For questions on the implementation of the County's Order and City measures related to addressing COVID-19, please send an email to covid-19questions@citymb.info.

SAFER AT HOME ORDER FOR CONTROL OF COVID-19
Temporary Prohibition of All Events and Gatherings
Closure of Non-Essential Businesses and Areas

Revised Order Issued: April 10, 2020

Please read this Order carefully. Violation of or failure to comply with this Order is a crime punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295; California Penal Code §§ 69, 148(a)(1); Los Angeles County Code § 11.02.080.)

SUMMARY OF THE ORDER: This County of Los Angeles Health Officer Revised Order (Order) amends and supersedes the Orders and Addendums of the County of Los Angeles Health Officer (Health Officer) issued on March 16, 19, 21, 27, and 31, 2020. This Order is issued to comply with Executive Order N-33-20 issued by Governor Gavin Newsom, wherein the State Public Health Officer ordered all individuals living in the State of California to stay home or at their place of residence, except as needed to maintain continuity of operations of the federal critical infrastructure sectors.

Due to the continued rapid spread of the Novel Coronavirus (COVID-19) and the need to protect the most vulnerable members of our community, this Order continues to prohibit all indoor and outdoor public and private gatherings and events. The Order specifically requires all businesses to cease in-person operations and remain closed to the public, unless the business is defined as an Essential Business by this Order. This Order is effective within the County of Los Angeles Public Health Jurisdiction, defined as, all unincorporated areas and cities within the County of Los Angeles with the exception of the cities of Long Beach and Pasadena, and continues through May 15, 2020.

The Health Officer now requires Essential Businesses to implement by no later than 11:59 p.m. on April 15, 2020, a Social Distancing Protocol, which includes a requirement to provide all of their employees whose duties require contact with other employees and/or the public with a cloth face covering to wear while performing duties that involve contact with others.

This Order does not prohibit any individual or members of a single household or living unit from engaging in outdoor activities, as an individual or household, such as jogging, walking, or biking. This Order continues to allow individuals to leave their homes to shop at Essential Businesses, including grocery stores and restaurants offering delivery, drive thru or carry out service, so long as all persons practice Social Distancing and wear a cloth face covering while visiting Essential Businesses.

Further, this Health Officer Order continues the closure of all indoor malls and shopping centers, all swap meets and flea markets, all indoor and outdoor playgrounds, beaches, trails and trailheads, and in-person operations of all non-essential businesses. This Order does not supersede any stricter limitation imposed by a local public entity.

The County Health Officer will continue to monitor the rate of COVID-19 disease spread, the severity of the resulting illnesses and deaths caused, California Department of Public Health (CDPH) and Centers for Disease Control and Prevention (CDC) recommendations, and the effect of this Order. If needed, this Order may be extended, expanded, or otherwise modified to protect the public's health.

UNDER THE AUTHORITY OF THE CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE COUNTY OF LOS ANGELES HEALTH OFFICER ORDERS:

- 1) Effective immediately on April 10, 2020 and continuing through May 15, 2020, all persons are to remain in their homes or at their place of residence, except to travel to and from Essential Businesses, to work at or provide service to a Healthcare Operation or Essential Infrastructure, to engage in Essential Activities, or to perform Minimum Basic Operations for non-essential businesses, while practicing Social Distancing, as defined in Section 14 of this Order.
 - a) All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited within the County of Los Angeles Public Health Jurisdiction, except for the limited purposes expressly permitted by this Order. Nothing in this Order prohibits members of a single household or living unit from engaging in Essential Activities together.
 - b) Essential Businesses are directed to continue to maximize the number of employees who work from home. Essential Businesses must follow industry-specific guidance issued by the Health Officer on the County of Los Angeles Department of Public Health website related to COVID-19: <http://publichealth.lacounty.gov/media/coronavirus/>.
- 2) For Essential Businesses open to any member of the public, excluding clinical settings within Healthcare Operations, the owner, manager, or operator of the Essential Business shall prepare and post by no later than 11:59 p.m. on April 15, 2020, a Social Distancing Protocol for each of their facilities within the County of Los Angeles Public Health Jurisdiction that are frequented by the public or employees. The Social Distancing Protocol must be substantially in the form attached to this Order as Appendix A. The Social Distancing Protocol must be posted at or near the entrance of the relevant facility and shall be easily viewable by the public and employees. A copy of the Social Distancing Protocol must also be provided to each employee performing work at the facility. All Essential Businesses shall implement the Social Distancing Protocol and provide evidence of its implementation to any authority enforcing this Order upon demand. The Social Distancing Protocol must explain how the Essential Business facility is achieving the following, as applicable:
 - a) Limiting the number of people who may enter into the facility at any one time to ensure that people in the facility can easily maintain, at all times, a minimum six (6) foot physical distance from others, except as required to complete an Essential Business activity. Persons who are family members or household contacts, may stand or move together, but must be separated from others by a physical distance of at least six (6) feet.
 - b) Where lines may form at a facility, marking six (6) foot increments at a minimum, establishing where individuals should stand to maintain adequate Social Distancing.
 - c) Providing hand sanitizer, soap and water, or effective disinfectant at or near the entrance of the facility and in other appropriate areas for use by the public and employees, and in locations where there is high-frequency employee interaction with members of the public (e.g. cashiers). Restrooms normally open to the public shall remain open to the public.
 - d) Posting a sign in a conspicuous place at all public entries that instructs members of the public not to enter if they are experiencing symptoms of respiratory illness, including fever or cough, and to maintain Social Distancing from one another.
 - e) Providing for the regular disinfection of high-touch surfaces, and disinfection of all payment portals, pens, and styluses after each use. Essential Businesses are encouraged to also offer touch-less payment mechanisms, if feasible.
 - f) Providing cloth face coverings to employees and contracted workers whose duties require close contact (within 6 feet for 10 minutes or more) with other employees and/or the public.

- g) Requiring that members of the public who enter the facility wear a face covering during their time in the facility.
 - h) Adhere to communicable disease control recommendations provided by the Los Angeles County Department of Public Health, including guidance for cleaning and disinfecting the site. See guidance posted at www.publichealth.lacounty.gov/media/Coronavirus/.
- 3) The Health Officer orders the continued closure of the following types of commercial properties, recreational sites and businesses:
- a) Non-Essential Retail Businesses.
 - b) Indoor Malls and Indoor Shopping Centers, including all stores and vendors therein regardless whether they are an Essential or Non-Essential Retail Business. As an exception, permanent Essential Businesses that are part of an Indoor Mall or Indoor Shopping Center, but that are accessible by the public from the exterior of the Indoor Mall or Shopping Center may remain open. The interior of the Indoor Mall or Indoor Shopping Center shall remain closed to the public.
 - c) This Order does not require closure of Essential Businesses in Outdoor Malls and Shopping Centers. However, owners and operators of Outdoor Malls and Shopping Centers shall enforce Social Distancing measures among their visitors.
 - d) Indoor and Outdoor Playgrounds for Children, except for those located within childcare centers.
 - e) All public beaches, piers, public beach parking lots, and beach access points.
 - f) All public trails and trailheads.
 - g) Indoor and Outdoor Flea Markets and Swap Meets.
 - h) Additional types of commercial properties and businesses:
 - (i) Bars and Nightclubs that do not serve food;
 - (ii) Gyms and fitness centers;
 - (iii) Movie Theaters, Drive-In Theaters, Live Performance Theaters, Concert Halls, Arenas and Stadiums;
 - (iv) Bowling Alleys and Arcades; and
 - (v) The portions of wineries, breweries and tap rooms that provide tastings to the public.
- 4) This Order does not supersede any stricter limitation imposed by a local public entity within the Los Angeles County Public Health Jurisdiction.
- 5) This Order considers employees of government agencies working in the course and scope of their public service employment to be Essential Infrastructure.
- a) This Order declares that all government employees to be essential, including, but not limited to, health care providers and emergency responders. Health care providers and emergency responders include employees who serve in the following areas: law enforcement; emergency services and management; first responder; fire; search and rescue; juvenile detention; corrections; healthcare services and operations; public health; laboratory or medical testing; mental health; community health; public works; executive management employees serving in these fields; all employees assigned to serve in or support the foregoing fields; and all employees whose services are otherwise needed to assist in a declared emergency.
 - b) While all government employees are essential, the employees identified here and the others called to serve in their Disaster Service Worker capacity must be available to serve the public or assist in response or continuity of operations efforts during this health crisis to the maximum extent allowed under the law.

REASONS FOR THE ORDER

- 6) This Order is based upon scientific evidence and best practices, as currently known and available, to protect members of the public from avoidable risk of serious illness and death resulting from the spread of COVID-19. The intent of this Order is to ensure that the maximum number of people remain in their places of residence to the maximum extent feasible to stem the spread of COVID-19 and mitigate the impact on delivery of critical healthcare services to those in need, as well as to protect the healthcare system from a surge of cases into emergency rooms and hospitals. The Order supports the CDC's efforts to institute more stringent and necessary Social Distancing measures to reduce community transmission of COVID-19.
- 7) Existing community transmission of COVID-19 in Los Angeles County presents a substantial and significant risk of harm to the health of residents. Currently, there is no vaccine available to protect against and no specific treatment for COVID-19. As of April 9, 2020, there have been at least 7,995 cases of COVID-19 and 223 deaths reported in Los Angeles County. There remains a strong likelihood of a significant and increasing number of cases of community transmission. Making the community transmission problem worse, some individuals who contract the virus causing COVID-19 have no symptoms or have mild symptoms, which means they may not be aware they carry the virus and are transmitting it to others.
- 8) The virus that causes COVID-19 is easily spread through person-to-person contact. This risk of transmission is increased when people are in close proximity. All gatherings pose an increased risk for community transmission of COVID-19 and thus, are a substantial risk to public health. As such, scientific evidence shows that at this stage of the public health emergency, it remains essential to continue to slow the virus transmission as much as possible to protect the most vulnerable, to prevent the healthcare system from being overwhelmed, and to prevent deaths. The extension of this Order and the strengthening of its Social Distancing requirements are necessary to further reduce the spread of COVID-19, preserving critical and limited healthcare capacity in the County and advancing to a point in the pandemic where transmission can be controlled.
- 9) In the absence of a specific immunization or treatment for COVID-19, Social Distancing is essential to preventing the spread of this disease. Increasing the practice of Social Distancing and prohibiting events and gatherings is intended to slow transmission of COVID-19. Accordingly, to reduce the community transmission of COVID-19, the Health Officer is continuing the temporary prohibition of all events and gatherings, the closure of Indoor Malls and Shopping Centers as defined in Section 11, and the cessation of in-person operations of certain businesses, as described in Section 12.

DEFINITIONS

- 10) For purposes of this Order, Essential Activities, are defined as travel for purposes of:
 - a) Visiting a health or veterinary care professional;
 - b) Obtaining medical supplies or medication;
 - c) Obtaining grocery items or necessary supplies from Essential Businesses for one's household or for delivery to others;
 - d) Legally mandated governmental purposes, such as access to court, social and administrative services;
 - e) Providing care for minors, the elderly, dependents, persons with disabilities, or other vulnerable persons;
 - f) Complying with an order of law enforcement or court, and;
 - g) Engaging in outdoor recreation activity, in compliance with Social Distancing requirements.
- 11) For purposes of this Order, Indoor Malls and Shopping Centers are defined as: A building with seven (7) or more "sales or retail establishments" with adjoining indoor space. For purposes of this Order, Outdoor Malls and Shopping Centers are defined as: A series of buildings on a common site, either under common ownership or common control or developed together, with seven (7) or more "sales or retail establishments."

- 12) Non-Essential Retail Businesses are establishments that provide goods or services to the public that do not come within the definition of Essential Businesses set forth in Paragraph 13 of this Order.
- 13) For purposes of this Order, Essential Businesses are defined as the following:
- a) Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, warehouse stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruit and vegetables, pet supply, water, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning or personal care products). This includes stores that sell groceries and other non-grocery products, such as products necessary to maintaining the safety, sanitation, and essential operation of residences. This does not include businesses that sell only prepackaged non-potentially hazardous food which is incidental to the primary retail business;
 - b) Food processors, confectioners, food packagers, food testing labs that are not open to the public, and food cultivation, including farming, livestock, and fishing;
 - c) Organizations and Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals (including gang prevention and intervention, domestic violence, and homeless service agencies);
 - d) Newspapers, television, radio, magazine, podcast and journalism activities;
 - e) Gas stations, auto-supply, mobile auto repair operations, auto repair shops (including, without limitation, auto repair shops adjacent to or otherwise in connection with a retail or used auto dealership), and bicycle repair shops and related facilities. This subparagraph (e) does not restrict the on-line purchase of automobiles if they are delivered to a residence or Essential Business;
 - f) Banks, credit unions, financial institutions and insurance companies;
 - g) Hardware stores, nurseries; building supply stores;
 - h) Plumbers, electricians, exterminators, custodial/janitorial workers, handyman services, funeral home workers and morticians, moving services, HVAC installers, carpenters, vegetation services, tree maintenance, landscapers, gardeners, property managers, private security personnel and other service providers who provide services to maintain the safety, sanitation, and essential operation to properties and other Essential Businesses;
 - i) Businesses providing mailing and shipping services, including post office boxes;
 - j) Educational institutions (including public and private K-12 schools, colleges, and universities) for purposes of facilitating distance learning, providing meals for pick-up, or performing Minimum Basic Operations, provided that Social Distancing is practiced;
 - k) Laundromats, dry cleaners, laundry service providers;
 - l) Restaurants and other food facilities that prepare and serve food, but only for delivery, drive thru or carry out. Indoor and outdoor table dining is not permitted. Cafeterias, commissaries, and restaurants located within hospitals, nursing homes, or other licensed health care facilities may provide dine-in service, as long as Social Distancing is practiced;
 - m) Businesses that supply office or computer products needed by people who work from home;
 - n) Businesses that supply other Essential Businesses with the support or supplies necessary to operate. This exemption shall not be used as a basis for engaging in sales to the general public from retail storefronts;
 - o) Non-manufacturing, transportation or distribution businesses that ship, truck, transport, or provide logistical support to deliver groceries, food, goods or services directly to residences, Essential Businesses, Healthcare Operations, and Essential Infrastructure. This exemption shall not be used as a basis for engaging in sales to the general public from retail storefronts;

- p) Airlines, taxis, ride sharing services and other private transportation providers providing transportation services necessary for activities of daily living and other purposes expressly authorized in this Order;
 - q) Businesses that manufacture parts and provide necessary service for Essential Infrastructure;
 - r) Home-based care for seniors, adults, disabled persons, or children;
 - s) Residential facilities and shelters for homeless residents, disabled persons, seniors, adults, children and animals;
 - t) Professional services, such as legal, payroll or accounting services, when necessary to assist in compliance with legally mandated activities, and the permitting, inspection, construction, transfer and recording of ownership of housing, including residential and commercial real estate and anything incidental thereto, provided that appointments and other residential viewings must only occur virtually or, if a virtual viewing is not feasible, by appointment with no more than two visitors at a time residing within the same household or living unit and one individual showing the unit (except that in-person visits are not allowed when the occupant is still residing in the residence);
 - u) Military/Defense Contractors/FFRDC (Federally Funded Research and Development Centers). For purposes of this Order, essential personnel may leave their residence to provide any service or perform any work deemed essential for national security including, but not limited to defense, intelligence and aerospace development and manufacturing for the Department of Defense, the Intelligence Community, and NASA and other federal government, and or United States Government departments and agencies. Essential personnel include prime, sub-primes, and supplier contractor employees, at both the prime contract level and any supplier levels at any tier, working on federal United States Government contracts such as contracts rated under the Defense Priorities and Allocations System (DPAS) and contracts for national intelligence and national security requirements;
 - v) Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions: (1) Childcare must be carried out in stable groups of 10 or fewer ("stable" means the same ten (10) or fewer children are in the same group each day); (2) Children shall not change from one group to another; (3) If more than one (1) group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other; (4) Childcare providers shall remain solely with one group of children;
 - w) Hotels, motels, shared rental units and similar facilities;
 - x) Construction, which includes the operation, inspection, and maintenance of construction sites and construction projects for construction of commercial, office and institutional buildings, residential and housing construction;
 - y) Manufacturers and retailers of fabric or cloth that is made into personal protective equipment, such as, face coverings. These businesses may provide their products to purchasers by delivery or pick-up but may not be open to the public;
- 14) For purposes of this Order, "Social Distancing" means: (1) Maintaining at least six-feet of physical distance from individuals who are not part of the same household; (2) Frequently washing hands with soap and water for at least 20 seconds or using hand sanitizer that contains at least 60% alcohol; (3) Wearing a cloth face covering while out in public when in contact with others, not including members of a single household or living unit; and (4) Avoiding all social interaction outside the household when sick with fever or cough.
- 15) This Order does not prohibit persons from leaving their residences to perform any work necessary or provide any services to or obtain services from the following Essential Infrastructure and Healthcare Operations:
- a) Healthcare Operations are hospitals, clinics, laboratories, dentists, pharmacies, physical therapists and chiropractors, pharmaceutical and biotechnology companies, other licensed healthcare facilities, healthcare suppliers, home healthcare service providers, mental or behavioral health providers, alcohol and drug treatment providers, cannabis dispensaries with a medicinal cannabis license and all other

required state and local licenses, medical or scientific research companies, or any related and/or ancillary healthcare services, manufacturers, distributors and servicers of medical devices, diagnostics, and equipment, veterinary care, and all healthcare provided to animals. This exemption shall be construed to avoid any impact to the delivery of healthcare, broadly defined. Healthcare Operations does not include fitness and exercise gyms and similar exercise or training facilities.

- b) Essential Infrastructure, for purposes of this Order, is defined as public health operations, public works construction, airport operations, port operations, food supply, water, sewer, gas, electrical, oil extraction and refining, roads and highways, public transportation, solid waste collection, removal and processing, flood control and watershed protection, cemeteries, mortuaries, crematoriums, and internet and telecommunications systems (including the provision of essential global, national, local infrastructure for computing services, business infrastructure, communications, and web-based services), and manufacturing and distribution companies deemed essential as part of the Essential Infrastructure supply chain, provided that they carry out those services or that work in compliance with Social Distancing requirements, to the extent practicable.

ADDITIONAL TERMS

- 16) This Order does not, in any way, restrict: (a) first responder access to the site(s) named in this Order during an emergency or (b) local, state or federal officers, investigators, or medical or law enforcement personnel from carrying out their lawful duties at the site(s) named in this Order.
- 17) Operators of non-essential businesses that are required to cease in-person operations, but may continue to work from home, may travel to those businesses for purposes of Minimum Basic Operations, which means:
- a) The minimum necessary activities to maintain and protect the value of the business's inventory and facilities; ensure security, safety, and sanitation; process payroll and employee benefits;
 - b) The minimum necessary activities to facilitate owners, employees, and contractors of the business being able to continue to work remotely from their residences, and to ensure that the business can deliver its services remotely.
- 18) The County shall promptly provide copies of this Order by: (a) posting it on the Los Angeles Department of Public Health's website (www.publichealth.lacounty.gov), (b) posting it at the Kenneth Hahn Hall of Administration located at 500 West Temple Street, Los Angeles, CA 90012, (c) providing it to any member of the public requesting a copy, and (d) issuing a press release to publicize the Order throughout the county).
- (a) The owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public requesting a copy.
 - (b) Because guidance may change, the owner, manager, or operator of any facility that is subject to this Order is ordered to consult the Los Angeles County Department of Public Health's website (www.publichealth.lacounty.gov) daily to identify any modifications to the Order and is required to comply with any updates until the Order is terminated.
- 19) If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
- 20) This Order incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom and the March 4, 2020 declarations of a local and public health emergency issued by the Los Angeles County Board of Supervisors and Los Angeles County Health Officer, respectively, and as they may be supplemented.

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC HEALTH
ORDER OF THE HEALTH OFFICER



- 21) This Order is issued in light of the March 19, 2020 Order of the State Public Health Officer, (the "State Shelter Order") which set the baseline statewide restrictions on non-residential business activities, effective until further notice, as well as the Governor's March 19, 2020 Executive Order N-33-20 directing California residents to follow the State Shelter Order. This Order adopts in certain respects more stringent restrictions addressing the particular facts and circumstances in the County of Los Angeles Public Health Jurisdiction, which are necessary to control the public health emergency as it is evolving. Without this tailored set of restrictions that further reduce the number of interactions between persons, scientific evidence indicates that the public health crisis will worsen to the point at which it may overtake available healthcare resources within the County of Los Angeles and increase the death rate.
- 22) Where a conflict exists between this Order and any state public health order related to controlling the spread of COVID-19 during this pandemic, the most restrictive provision controls. Consistent with California Health and Safety Code section 131080, except where the State Health Officer may issue an order expressly directed at this Order or a provision of this Order and based upon a finding that a provision of this Order constitutes a menace to the public health, any more restrictive measures in this Order may continue to apply and control in the County of Los Angeles Public Health Jurisdiction.
- 23) Pursuant to Sections 26602 and 41601 of the California Government Code and Section 101029 of the California Health and Safety Code, the Health Officer requests that the Sheriff and all chiefs of police in all cities located in the Los Angeles County Public Health Jurisdiction ensure compliance with and enforcement of this Order. The violation of any provision of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment or both.
- 24) This Order shall become effective immediately on April 10, 2020 and will continue to be in effect until 11:59 p.m. on May 15, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Health Officer.

IT IS SO ORDERED:

Muntu Davis, M.D., M.P.H.

Health Officer,
County of Los Angeles

APRIL 10, 2020

Date

Appendix A: Social Distancing Protocol

Business name: _____

Facility Address: _____

Approximate gross square footage
of space open to the public: _____

Businesses must implement all applicable measures listed below and be prepared to explain why any measure that is not implemented is inapplicable to the business.

A. SIGNAGE

- Signage at each public entrance of the facility to inform all employees and customers that they should: avoid entering the facility if they have a cough or fever; maintain a minimum six-foot distance from one another.
- Signage posting a copy of the Social Distancing Protocol at each public entrance to the facility.

B. MEASURES TO PROTECT EMPLOYEE HEALTH (CHECK ALL THAT APPLY TO THE FACILITY)

- Everyone who can carry out their work duties from home has been directed to do so.
- All employees have been told not to come to work if sick.
- Symptom checks are being conducted before employees may enter the workspace.
- All employees that have contact during their shift(s) with the public or other employees are offered, at no-cost, a cloth face covering to be used at work when interacting with them.
- All desks or individual workstations are separated by at least six feet.
- Break rooms, restrooms, and other common areas are being disinfected frequently, on the following schedule:
 - Break rooms: _____
 - Restrooms: _____
 - Other: _____
- Disinfectant and related supplies are available to all employees at the following location(s): _____
- Hand sanitizer effective against COVID-19 is available to all employees at the following location(s): _____
- Soap and water are available to all employees at the following location(s): _____
- Employees are allowed frequent breaks to wash their hands.

Copies of this Protocol have been distributed to all employees.

Optional—Describe other measures:

**C. MEASURES TO PREVENT CROWDS FROM GATHERING
(CHECK ALL THAT APPLY TO THE FACILITY)**

Limit the number of customers in the store at any one time, which allows for customers and employees to easily maintain at least six-foot distance from one another at all practicable times.

Maximum number of customers in the facility:

Post an employee at the door to ensure the maximum number of customers in the facility is not exceeded.

Placing per-person limits on goods that are selling out quickly to reduce crowds and lines. Explain:

Optional—Describe other measures:

**D. MEASURES TO KEEP PEOPLE AT LEAST SIX FEET APART
(CHECK ALL THAT APPLY TO THE FACILITY)**

Placing signs outside the store reminding people to be at least six feet apart, including when in line.

Placing tape or other markings at least six feet apart in customer line areas inside the store and on walkways at public entrances with signs directing customers to use the markings to maintain distance.

Separate order areas from delivery areas to prevent customers from gathering.

All employees have been instructed to maintain at least six feet distance from customers and from each other, except employees may momentarily come closer when necessary to accept payment, deliver goods or services, or as otherwise necessary.

Optional—Institute one-way aisles to facilitate Social Distancing.

Optional—Describe other measures:

E. MEASURES TO PREVENT UNNECESSARY CONTACT (CHECK ALL THAT APPLY TO THE FACILITY)

Preventing people from self-serving any items that are food-related.

All items are pre-packaged in sealed containers by staff.

Bulk-item food bins are not available for customer self-service use.

Food samples are prohibited.

Providing for contactless payment systems or, if not feasible, sanitizing payment systems regularly.
Describe:

Optional—Describe other measures (e.g. providing senior-only hours):

F. MEASURES TO INCREASE SANITIZATION (CHECK ALL THAT APPLY TO THE FACILITY)

- Restrooms normally open to the public shall remain open to the public.
- Disinfecting wipes that are effective against COVID-19 are available near shopping carts and shopping baskets.
- Employee(s) assigned to disinfect carts and baskets frequently, preferably after each use.
- Hand sanitizer, soap and water, or effective disinfectant is available to the public at or near the entrance of the facility, at checkout counters, and anywhere else inside the store or immediately outside where people have direct interactions.
- Disinfecting all payment portals, pens, and styluses after each use.
- Disinfecting all high-contact surfaces frequently.
- Optional- Describe other measures:

Any additional measures not included above should be listed on separate pages, which the business should attach to this document.

You may contact the following person with any questions or comments about this protocol:

Business

Contact Name: _____

Phone number: _____

**CITY OF BEVERLY HILLS
DIRECTOR OF EMERGENCY SERVICES ORDER NO. 1**

**ORDER REGARDING THE USE OF FACE MASKS AND
TEMPORARY CLOSURE OF ALL CITY PARKS**

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARS-CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, on March 4, 2020, the Los Angeles County Board of Supervisors and Department of Public Health declared a local emergency and local public health emergency to aid the regional healthcare and governmental community in responding to COVID-19; and

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for the broader spread of COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread and addressing the effects of COVID-19; and

WHEREAS, on March 15, 2020, the City Manager, in his role as the Director of Emergency Services, proclaimed the existence of a local emergency pursuant to Section 2-4-107 of the Beverly Hills Municipal Code to ensure the availability of mutual aid and an effective City response to the novel coronavirus ("COVID-19"); and

WHEREAS, on March 16, 2020, the City Council adopted a Resolution ratifying the Director of Emergency Services' proclamation of the existence of a local emergency; and

WHEREAS, the California Department of Public Health and the Los Angeles County Department of Public Health have all issued orders including, but not limited to, stay at home orders, social distancing, staying home if sick, canceling or postponing large group events, working from home, and other precautions to protect public health and prevent transmission of this communicable virus; and

WHEREAS, it is absolutely critical that the City does everything possible to slow the pace of community spread and avoid unnecessary strain on our medical system.

WHEREAS, in the interest of the public health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary to exercise my authority pursuant to Chapter 2-4-107 of the Beverly Hills Municipal Code and the California Emergency Services Act, Chapter 7 (commencing with Section 8550) of Title 2 of the Government Code, to issue this order.

WHEREAS, acting under the authority vested in me as the Director of Emergency Services, I am ordering the temporary closure of all City parks, fields, sports courts, and other recreational facilities, as more specifically described below;

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

Section 1. The recitals set forth above are true and correct and are incorporated into this Order by reference.

Section 2. For the period beginning Saturday, April 11, 2020 at 6:00 p.m. through Monday, April 13, 2020 at 6:00 am, all City parks, fields, sports courts, and other recreational facilities shall be closed; provided however, restrooms in parks shall remain open during normal hours.

Section 3. Beginning Friday, April 10, 2020, at 6:00 p.m., all persons, including Essential Workers, shall wear face coverings such as scarves (dense fabric, without holes), bandannas, neck gaiters, or other fabric face coverings, when they leave their homes or places of residence for essential activities such as taking a walk through their neighborhood. Provided, however, that drivers traveling alone or with members of their households do not need to wear face coverings unless they must lower their windows for any purpose such as to interact with first responders, food service workers or others who are not members of their households. All persons, including non-medical Essential Workers are discouraged from using Personal Protective Equipment (PPE), such as N95 masks, for non-medical reasons.

Section 4. Any violation of this Order is a misdemeanor and punishable by a fine of \$1000 or imprisonment, or both, pursuant to Government Code Section 8665 and Beverly Hills Municipal Code Section 2-4-111, and any other state or city law as may be applicable. In accordance with Title 1, Chapter 3 of the Beverly Hills Municipal Code, the City Manager, in his capacity as Director of Emergency Services, hereby designates the City's police officers, the City's code enforcement officers and park rangers with authority to prosecute any violation of this Order through the administrative process as set forth in Title 1, Chapter 3 of the Beverly Hills Municipal Code.

Executed on April 9, 2020.



City Manager George Chavez
Director of Emergency Services