

City Council Meeting: March 19, 2020

Santa Monica, California

RESOLUTION NUMBER 11240 (CCS)

(City Council Series)

AN EMERGENCY RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SANTA MONICA PURSUANT TO CHAPTER 2.16 OF THE SANTA
MONICA MUNICIPAL CODE RATIFYING THE PROCLAMATION OF EXISTENCE OF
LOCAL EMERGENCY AND SUPPLEMENTAL PROCLAMATIONS THERETO

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, the City of Santa Monica (the “City”) has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City’s borders; 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 broader spread of COVID-19; and

WHEREAS, on, before, and after March 4, 2020, the City actively planned and implemented measures to prevent the spread of COVID-19 and to prepare for any and all emergency actions in response to the spread of COVID-19; and

WHEREAS, on March 12, 2020, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the 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 of and addressing the effects of COVID-19; and

WHEREAS, on March 13, 2020, the City Manager, in his role as the Director of Emergency Services, (“Executive Director of Emergency Services”) issued an Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Executive Order”) (“Exhibit A”) declaring a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability of mutual aid and an effective response to the novel coronavirus (“COVID-19”); and

WHEREAS, on March 14, 2020, the City Manager, in his role as the Director of Emergency Services, issued a Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency

(“Revised Executive Order”) (“Exhibit B”) restating the declaration of local emergency in order to ensure compliance with all digital signature requirements; and

WHEREAS, on March 14, 2020, the Executive Director of Emergency Services issued a First Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“First Supplement to the Executive Order”) placing a temporary moratorium on evictions for non-payment of rent and temporarily suspending the discontinuation or shut off of water service for residents and businesses in the City for non-payment of water and sewer bills and the imposition of late payment penalties or fees for delinquent water and/or sewer bills and parking violations; and

WHEREAS, on March 15, 2020, the Executive Director of Emergency Services issued a Second Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Second Supplement to the Executive Order”) (“Exhibit D”) temporarily closing the Santa Monica Pier to the general public; and

WHEREAS, on March 16, 2020, the Executive Director of Emergency Services issued a Third Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Third Supplement to the Executive Order”) (“Exhibit E”) that ordered the temporary closure of bars and nightclubs that do not serve food, movie theaters and entertainment venues, bowling alleys and arcades, gyms and fitness centers, and non-medical physical health and beauty businesses; temporarily prohibited restaurants, bars, and retail food facilities from serving food on-premises; and strongly urged houses of worship to limit large

gatherings on their premises and to observe social distancing practices in their services;
and

WHEREAS, on March 16, 2020, the Executive Director of Emergency Services issued a Fourth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Fourth Supplement to the Executive Order”), which was expressly withdrawn and restated on March 17, 2020 in the Revised Fourth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Revised Fourth Supplement to the Executive Order”) (“Exhibit F”); and

WHEREAS, on March 17, 2020, the Executive Director of Emergency Services issued the Revised Fourth Supplement to the Executive Order to permit public safety facilities, hospitals, clinics, and emergency shelters in all zoning districts and allow the Director of the Department of Planning and Community Development or designee to waive development standards, design review, parking and access requirements, and sign standards related to such uses; to permit limited service and take-out restaurant uses in any zoning district that allows full-service restaurants; to allow drive-through facilities for clinics, convenience markets, farmers markets, general markets, hospitals, pharmacies, and restaurants; to suspend planning deadlines and automatic approvals; to extend interim zoning ordinances now in effect; to direct that street sweeping not be conducted unless essential for public health and safety and suspend parking citations related thereto; to suspend preferential parking rules; to suspend certain regulations relating to the operation of oversize vehicles; and to suspend Breeze bike share fees;
and

WHEREAS, on March 18, 2020, the Executive Director of Emergency Services issued a Revised First Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Revised First Supplement to the Executive Order”) (“Exhibit C”) prohibiting residential or commercial evictions for nonpayment of rent if the tenant demonstrates that the tenant is unable to pay rent due to financial impacts related to COVID-19 or for a no-fault eviction if any member of the household is sick, in isolation, or under quarantine, and prohibiting the removal of any residential rental unit from the rental market pursuant to the Ellis Act during the local emergency; and

WHEREAS, on March 18, 2020, the Executive Director of Emergency Services issued a Fifth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Fifth Supplement to the Executive Order”), which was expressly withdrawn and restated on March 18, 2020 in the Revised Fifth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Revised Fifth Supplement to the Executive Order”) (“Exhibit G”); and

WHEREAS, on March 18, 2020, the Executive Director of Emergency Services issued a Revised Fifth Supplement to the Executive Order implementing a rear-door boarding policy for all Big Blue Bus (BBB) customers, with the exception of Americans with Disabilities Act customers traveling in mobility devices; suspending all passenger fares on the BBB; suspending discontinuation or shut-off of water services for residents and businesses based on non-payment of water or sewer bills; suspending late

payment penalties for (a) water and/or sewer bills; (b) parking citations; (c) refuse and recycling collection bills; (d) Certified Unified Program Agency (CUPA) charges; (e) Fire Prevention inspection charges; (f) Transient Occupancy Taxes; (g) Utility Users Taxes; and (h) Parking Facility Taxes; suspending parking restrictions in green parking zones and suspending towing related to delinquent parking citations, abandoned vehicles, and expired registration; and suspending penalty assessments related to business licenses and business improvement district assessments; and

WHEREAS the findings included in each Executive Order and Supplement to the Executive Order referenced herein are included herein as if stated in full; and

WHEREAS the Centers for Disease Control and Prevention, the California Department of Public Health, and the Los Angeles County Department of Public Health have issued increasingly severe public health recommendations that include but are not limited to social distancing between non-family members, staying in one's home if sick, canceling or postponing group events and gatherings, isolation for senior and at-risk populations, and other precautions to protect public health and prevent transmission of this communicable virus; and

WHEREAS, as of March 17, 2020, the Los Angeles County of Public Health had confirmed 144 cases of COVID-19 in Los Angeles County; and

WHEREAS, the Los Angeles County Department of Public Health has advised that bold and aggressive measures be implemented to prevent the further spread of COVID-19 across the County; and

WHEREAS in the interest of public health and safety, as affected by the global, national, state, and local emergency caused by the spread of COVID-19, it is necessary

to exercise the City Council's authority pursuant to Section 2.16.060 of the Santa Monica Municipal Code to ratify the actions of the Executive Director of Emergency Services related to the protection of life and property.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES RESOLVE AS FOLLOWS:

SECTION 1. The Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency ("Executive Order") ("Exhibit A") is hereby ratified.

SECTION 2. The Revised Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency ("Exhibit B") is hereby ratified.

SECTION 3. The Revised First Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency ("Exhibit C") is hereby ratified.

SECTION 4. The Second Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency ("Exhibit D") is hereby ratified.

SECTION 5. The Third Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency ("Exhibit E") is hereby ratified.

SECTION 6. The Revised Fourth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Exhibit F”) is hereby ratified.

SECTION 7. The Revised Fifth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency is hereby ratified.

SECTION 8. It is hereby proclaimed that a local emergency now exists throughout the City. It is further proclaimed and ordered that during the existence of this local emergency the powers, functions, and duties of the Director of Emergency Services and the emergency organization of this City shall be those prescribed by State law and by the ordinances and resolutions of this City.

SECTION 9. The City Council authorizes the City Manager, in his capacity as the Director of Emergency Services, to take all actions related to the protection of life and property that are reasonably necessary to respond to the local emergency caused by the spread of COVID-19.

SECTION 10. The local emergency shall be deemed to continue and exist until its termination is proclaimed by the City Council. As required by law, the City Council shall review the need to continue the state of emergency every 60 days until this resolution is terminated.

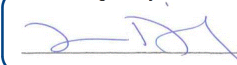
SECTION 11. The Revised First, Second, Third, Revised Fourth, and Fifth Supplements to the Executive Order of the Director of Emergency Services Declaring the

Existence of a Local Emergency shall remain in effect until April 30, 2020, at 11:59 p.m., at which time they shall automatically expire unless earlier extended or expressly superseded by an action of the City Council or by a further Executive Order of the Director of Emergency Services or Supplement thereto.

SECTION 12. If any section, subsection, sentence, clause, or phrase of this Resolution, the Executive Order, or any Supplement or Revised Supplement to the Executive Order ratified herein is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution the Executive Order, or any Supplement or Revised Supplement to the Executive Order. The City Council hereby declares that it would have passed this Resolution, the Executive Order, and any Supplement or Revised Supplement to the Executive Order and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 13. The City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:

DocuSigned by:

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LANE DILG
City Attorney

PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY

(by the Director of Emergency Services)

AN EXECUTIVE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF SANTA MONICA DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, Section 2.16.060 of the Santa Monica Municipal Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City of Santa Monica is affected or likely to be affected by a public calamity and the City Council is not in session, subject to ratification by the City Council within seven days; and

WHEREAS, the Director of Emergency Services of the City of Santa Monica does hereby find:

That 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

That while the complete clinical picture with regard to COVID-19 is not yet fully understood, reported symptoms and illnesses from COVID-19 range from mild to severe, including fever, coughing, shortness of breath, and illnesses resulting in death; and

That the Centers for Disease Control and Prevention has stated that certain populations face elevated risk and widespread transmission of COVID-19 would translate into large numbers of people needing medical care at the same time and other critical infrastructure may also be affected; and

That, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak a “public health emergency of international concern”; and

That, on January 31, 2020, the U.S. Department of Health and Human Services declared a public health emergency to aid the nation’s healthcare community in responding to COVID-19; and

That, 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

That, 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 broader spread of COVID-19; and

That, on March 11, 2020, the Director-General of the World Health Organization characterized COVID-19 as a pandemic; and

That, on March 13, 2020, the President of the United States of America declared a national emergency and that the federal government would make \$50 billion in emergency funding to assist state and local governments in preventing the spread of and addressing the effects of COVID-19; and

That, as of March 13, 2020, the Los Angeles County Department of Public Health reported 40 confirmed cases of COVID-19 within Los Angeles County, including six cases identified as likely due to community transmission; and

That the City of Santa Monica (the "City") has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

That, on or before March 4, 2020, the City actively planned and implemented measures to prevent the spread of COVID-19 and to prepare for any and all emergency actions in response to the spread of COVID-19; and

That, on March 12, 2020, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of COVID-19; and

That the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local, state, and national public health emergency; and


That the above described events are creating conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

That the City Council of the City of Santa Monica is not in session and cannot immediately be called into session.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City;

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of the City shall be as prescribed by federal and state law, and by City ordinances and resolutions of this City.

ADOPTED this 13th day of March 2020.

By: 

RICK COLE
City Manager
Director of Emergency Services

ATTEST:



DENISE ANDERSON-WARREN
City Clerk

This proclamation has been issued in accordance with applicable law and is in effect and carries the force of law until March 20, 2020, on which date it expires unless confirmed and ratified by the City Council.

APPROVED AS TO FORM:



LANE DILG
City Attorney



Rick Cole
City Manager

Office of the City Manager
1685 Main Street
PO Box 2200
Santa Monica, CA 90407-2200

REVISED PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY

(by the Director of Emergency Services)

AN EXECUTIVE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF SANTA MONICA DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, Section 2.16.060 of the Santa Monica Municipal Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City of Santa Monica is affected or likely to be affected by a public calamity and the City Council is not in session, subject to ratification by the City Council within seven days; and

WHEREAS, the Director of Emergency Services of the City of Santa Monica does hereby find:

That 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

That while the complete clinical picture with regard to COVID-19 is not yet fully understood, reported symptoms and illnesses from COVID-19 range from mild to severe, including fever, coughing, shortness of breath, and illnesses resulting in death; and

That the Centers for Disease Control and Prevention has stated that certain populations face elevated risk and widespread transmission of COVID-19 would translate into large numbers of people needing medical care at the same time and other critical infrastructure may also be affected; and

That, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak a "public health emergency of international concern"; and

That, on January 31, 2020, the U.S. Department of Health and Human Services declared a public health emergency to aid the nation's healthcare community in responding to COVID-19; and

That, 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

That, 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 broader spread of COVID-19; and

That, on March 11, 2020, the Director-General of the World Health Organization characterized COVID-19 as a pandemic; and

That, on March 13, 2020, the President of the United States of America declared a national emergency and that the federal government would make \$50 billion in emergency funding to assist state and local governments in preventing the spread of and addressing the effects of COVID-19; and

That, as of March 13, 2020, the Los Angeles County Department of Public Health reported 40 confirmed cases of COVID-19 within Los Angeles County, including six cases identified as likely due to community transmission; and

That the City of Santa Monica (the “City”) has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City’s borders; and

That, on or before March 4, 2020, the City actively planned and implemented measures to prevent the spread of COVID-19 and to prepare for any and all emergency actions in response to the spread of COVID-19; and

That, on March 12, 2020, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of COVID-19; and

That the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local, state, and national public health emergency; and

That the above described events are creating conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

That, on March 13, 2020, in my capacity as Director of Emergency Services, I issued a proclamation of local emergency to declare the existence of a local emergency; and

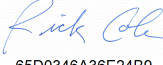
That this revised proclamation is issued as an additional precaution and out of an abundance of caution in accordance with laws related to use of digital signatures; and

That the City Council of the City of Santa Monica is not in session and cannot immediately be called into session.


NOW, THEREFORE, IT IS HEREBY PROCLAIMED and restated that a local emergency and now exists throughout the City;

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of the City shall be as prescribed by federal and state law, and by City ordinances and resolutions of this City.

ADOPTED this 14th day of March 2020.

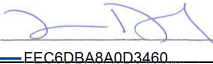
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By: _____
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RICK COLE
City Manager
Director of Emergency Services

ATTEST:

DocuSigned by:

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DENISE ANDERSON-WARREN
City Clerk

This proclamation has been issued in accordance with applicable law and is in effect and carries the force of law until March 20, 2020, on which date it expires unless confirmed and ratified by the City Council.

APPROVED AS TO FORM:

DocuSigned by:

FEC6DBA8A0D3460
LANE DILG
City Attorney



Rick Cole
City Manager

Office of the City Manager
1685 Main Street
PO Box 2200
Santa Monica, CA 90407-2200

**REVISED FIRST SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR
OF EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL
EMERGENCY**

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 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 of and addressing the effects of COVID-19; and

WHEREAS, on March 13, 2020, the City Manager, in his role as the Director of Emergency Services, proclaimed the existence of a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability of mutual aid and an effective the City’s response to the novel coronavirus (“COVID-19”) and this local emergency was restated on March 14, 2020, through a revised declaration of local emergency to ensure compliance with all digital signature requirements; and

WHEREAS the Centers for Disease Control and Prevention, the California Department of Health, and the Los Angeles County Department of Public Health have all issued recommendations including but not limited to 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, as a result of the public health emergency and the precautions recommended by health authorities, many residential and commercial tenants in Santa Monica have experienced or expect soon to experience sudden and unexpected income loss; and

WHEREAS the Governor of the State of California has stated that individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19 and individuals directly affected by COVID-19 may experience potential loss of income, health care and medical coverage, and ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources, including shelters and food banks; and

WHEREAS further economic impacts are anticipated, leaving residential and commercial tenants vulnerable to eviction; and

WHEREAS, during this local emergency, and in the interest of protecting the public health and preventing transmission of COVID-19, it is essential to avoid unnecessary housing displacement, to protect the City's affordable housing stock, to prevent housed individuals from falling into homelessness, and to prevent loss of local businesses; and

WHEREAS this local emergency includes an economic crisis that could only worsen the existing housing crisis in the City and in Los Angeles County; and

WHEREAS the City cannot mitigate in the emergency environment the instability that might occur when multi-family buildings are removed from the rental market under the Ellis Act; and

WHEREAS Ellis Act removals would displace residents from their homes during imposition of COVID-19 related social distancing, quarantine, and home isolation orders that make searching for new housing infeasible and potentially dangerous to one's health and safety; and

WHEREAS, on March 16, 2020, the Governor of the State of California, in further response to this emergency, suspended any and all provisions of state law that would preempt or otherwise restrict a local government's exercise of its police powers to impose substantive limitations on residential and commercial evictions with respect to COVID19-related rent payment issues;

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary to exercise my authority to issue this regulation related to the protection of life and property.

NOW, THEREFORE, I, Rick Cole, the Director of Emergency Services for the City of Santa Monica, do hereby issue the following revised order to become effective immediately, subject to ratification as soon as practicable by the City Council:

IT IS HEREBY ORDERED THAT:

1. A temporary moratorium on eviction for non-payment of rent by residential tenants impacted by the COVID-19 crisis is imposed as follows:

a. During the period of local emergency declared in response to COVID-19, no landlord shall endeavor to evict a residential or commercial tenant in either of the following situations: (1) for nonpayment of rent if the tenant demonstrates that the tenant is unable to pay rent due to financial impacts related to COVID-19 or (2) for a no-fault eviction if any member of the household is sick, in isolation, or under quarantine. A landlord who knows that a tenant cannot pay some or all of the rent temporarily for the reasons set forth above shall not serve a notice pursuant to CCP 1161(2), file or prosecute an unlawful detainer action based on a 3-day pay or quit notice, or otherwise seek to evict for nonpayment of rent. A landlord knows of a tenant's inability to pay rent within the meaning of this Order and thus knows the tenant has a substantive defense to any eviction if the tenant, within 30 days after the date that rent is due, notifies the landlord in writing of lost income and inability to pay full rent due to financial impacts related to COVID-19, and provides documentation to support the claim. For purposes of this Order, "in writing" includes email or text communications to a landlord or the landlord's representative with whom the tenant has previously corresponded by email or text. Any medical or financial information provided to the landlord shall be held in confidence, and only used for evaluating the tenant's claim. Nothing in this Order shall relieve the tenant of liability for the unpaid rent, which the landlord may seek after expiration of the local emergency and the tenant must pay within six months of the expiration of the local emergency. A landlord may not charge or collect a late fee for rent that is delayed for the reasons stated in this Order; nor may a landlord seek rent that is delayed or the reasons stated in this Order through the eviction process. The protections in this paragraph shall remain in effect until May 31, 2020, unless extended.

b. For purposes of this Order, "financial impacts related to COVID-19" include, but are not limited to, residential tenant lost household income as a result of any of the following: (1) being sick with COVID-19, or caring for a household or family member who is sick with COVID-19; (2) lay-off, loss of hours, or other income reduction resulting from business closure or other economic or employer impacts of COVID-19; (3) compliance with a recommendation from a government health authority to stay home, self-quarantine, or avoid congregating with others during the state of emergency; (4) extraordinary out-of-pocket medical expenses; or (5) child care needs arising from school closures related to COVID-19.

c. For purposes of this Order, "financial impacts related to COVID-19" include, but are not limited to, commercial tenant substantial loss of income due to any of the following: (1) lost business income as a result of the commercial tenant or its employees, being sick with COVID-19, or caring for a household or family member who is sick with COVID-19; (2) lost business income as a result of reduction in or closure of hours of operation, increase in costs and labor, delays or interruptions or any other economic impacts of COVID-19; (3) lost business income due to compliance with a

recommendation from a government health authority to stay home, self-quarantine, or avoid congregating with others during the state of emergency.

d. For purposes of this Revised Order, “no-fault eviction” refers to any eviction for which the notice to terminate tenancy is not based on alleged fault by the tenant, including but not limited to eviction notices served pursuant to Code of Civil Procedure sections 1161(1), 1161(5), or 1161c.

e. This Revised Order applies to nonpayment eviction notices, no-fault eviction notices, and unlawful detainer actions based on such notices, served or filed on or after the date on which a local emergency was proclaimed.

f. This Revised Order shall be punishable as set forth in Section 2.16.100 of the Santa Monica Municipal Code. In addition, this Order grants a defense in the event that an unlawful detainer action is commenced in violation of this Order. In addition, the City’s Tenant Harassment Ordinance prohibits attempted evictions which are untenable based on facts known to the landlord, as set forth in Section 4.56.020(i)(1) of the Santa Monica Municipal Code.

g. This Revised Order shall be superseded by a duly enacted Ordinance of the City Council or a further Order by the Director of Emergency Services adopted during the local emergency that expressly supersedes this Revised Order.

2. As a result of the local emergency and to prevent disruption of residential housing during a period in which multiple health authorities have directed widespread social distancing, home quarantine, and home isolation, the City hereby prohibits the removal of any residential rental unit from the rental market pursuant to the Ellis Act. For any rental unit that has been removed from the rental market pursuant to the Ellis Act, the period of time before such a tenancy is terminated after notice shall not begin until sixty days after the expiration of this Revised Order.

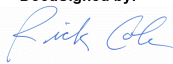
3. The First Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency is hereby retracted. This Revised First Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency expressly supersedes and replaces that prior Order.

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4. This Order shall take effect immediately and shall remain in effect until April 15, 2020, at 11:59 p.m, at which time it will automatically expire unless extended or expressly superseded by a duly enacted Ordinance of the City Council or by a further Order by the Director of Emergency Services.

ADOPTED this 18th day of March 2020.

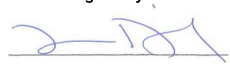
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By: _____
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RICK COLE
City Manager
Director of Emergency Services

ATTEST:

APPROVED AS TO FORM:

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DENISE ANDERSON-WARREN
City Clerk

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LANE DILG
City Attorney



Rick Cole
City Manager

Office of the City Manager
1685 Main Street
PO Box 2200
Santa Monica, CA 90407-2200

**SECOND SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR OF
EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL
EMERGENCY**

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 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 of and addressing the effects of COVID-19; and

WHEREAS, on March 13, 2020, the City Manager, in his role as the Director of Emergency Services, proclaimed the existence of a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability of mutual aid and an effective the City’s response to the novel coronavirus (“COVID-19”) and this local emergency was restated on March 14, 2020, through a revised declaration of local emergency to ensure compliance with all digital signature requirements; and

WHEREAS the Centers for Disease Control and Prevention, the California Department of Public Health, and the Los Angeles County Department of Public Health have all issued recommendations including but not limited to 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 the recommendations from the California Department of Public Health include that, in order to protect public health and slow the rate of transmission of COVID-19, large gatherings, including outdoor gatherings, that include 250 people or more should be postponed or canceled through at least the end of March unless essential; and

WHEREAS the recommendations from the California Department of Health include that businesses, employers, and event organizers should take steps to ensure that social distancing of six feet per person for non-family members is maintained; and

WHEREAS, on March 15, 2020, the Centers for Disease Control and Prevention announced guidance that events and gatherings, whether planned or spontaneous, that include 50 or more people should be cancelled for a period of eight weeks to prevent the spread of COVID-19 unless they can be carried out with adherence to guidelines for protecting vulnerable populations, hand hygiene, and social distancing; and

WHEREAS the Santa Monica Pier is an iconic destination and a City landmark that draws approximately eight million visitors annually; and

WHEREAS the Santa Monica Pier is a public street on which approximately 31 private merchants, 12 cart vendors, and up to 30 street performers provide food, services, and entertainment to the public; and

WHEREAS, despite public health guidance and despite reduced operations by private merchants on the Santa Monica Pier, members of the public continue to visit the Santa Monica Pier in large numbers; and

WHEREAS in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary to exercise my authority to issue this regulation related to the protection of life and property.

NOW, THEREFORE, I, Rick Cole, the Director of Emergency Services for the City of Santa Monica, do hereby issue the following order to become effective immediately, subject to ratification as soon as practicable by the City Council:

IT IS HEREBY ORDERED THAT:

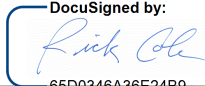
1. For purposes of this Order, the Santa Monica Pier shall mean the City property that comprises the Santa Monica Municipal Pier and the Newcomb Pier.
2. The Santa Monica Pier shall be closed to the public as of 0600 hours on March 16, 2020.
3. No person shall enter the Santa Monica Pier unless that person is (a) an employee of the City of Santa Monica or (b) an individual identified by an employee of the City of Santa Monica as either (1) an owner or employee of a business located on the Santa Monica Pier or (2) a third-party vendor of a business located on the Santa Monica Pier.

4. City staff are hereby directed to determine whether the Santa Monica Pier can be reopened on a limited basis during the local emergency in a manner that is consistent with the guidance issued by federal, state, and local public health authorities to prevent the spread of COVID-19 and with the operational capabilities of the City during the period of local emergency.

5. This Order shall be enforceable as set forth in Section 2.16.100 of the Santa Monica Municipal Code.

6. This order shall remain in effect during the period of local emergency unless and until superseded by a duly enacted Ordinance of the City Council or by a further Order by the Director of Emergency Services adopted during the local emergency that expressly supersedes this Order.

ADOPTED this 15th day of March 2020.

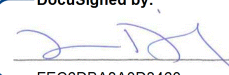
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By: _____
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RICK COLE
City Manager
Director of Emergency Services

ATTEST:

APPROVED AS TO FORM:

DocuSigned by:

E2F85B066A744C2
DENISE ANDERSON-WARREN
City Clerk

DocuSigned by:

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LANE DILG
City Attorney



Rick Cole
City Manager

Office of the City Manager
1685 Main Street
PO Box 2200
Santa Monica, CA 90407-2200

**THIRD SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR OF
EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL
EMERGENCY**

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 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 of and addressing the effects of COVID-19; and

WHEREAS, on March 13, 2020, the City Manager, in his role as the Director of Emergency Services, proclaimed the existence of a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability of mutual aid and an effective the City’s response to the novel coronavirus (“COVID-19”) and this local emergency was restated on March 14, 2020, through a revised declaration of local emergency to ensure compliance with all digital signature requirements; and

WHEREAS the Centers for Disease Control and Prevention, the California Department of Public Health, and the Los Angeles County Department of Public Health have all issued recommendations including but not limited to 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 the recommendations from the California Department of Public Health include that, in order to protect public health and slow the rate of transmission of COVID-19, large gatherings, including outdoor gatherings, that include 250 people or more should be postponed or canceled through at least the end of March unless essential; and

WHEREAS the recommendations from the California Department of Health include that businesses, employers, and event organizers should take steps to ensure that social distancing of six feet per person for non-family members is maintained; and

WHEREAS, on March 15, 2020, the Centers for Disease Control and Prevention announced guidance that events and gatherings, whether planned or spontaneous, that include 50 or more people should be cancelled for a period of eight weeks to prevent the spread of COVID-19 unless they can be carried out with adherence to guidelines for protecting vulnerable populations, hand hygiene, and social distancing; and

WHEREAS, on March 15, 2020, the Mayor of the City of Los Angeles issued a directive effective at 11:59 p.m. on March 15, 2020, that ordered the temporary closure of bars and nightclubs that do not serve food, movie theaters and entertainment venues, bowling alleys and arcades, and gyms and fitness centers; that temporarily prohibited restaurants, bars, and retail food facilities from serving food on-premises; and that strongly urged houses of worship to limit large gatherings on their premises and to observe social distancing practices in their services; and

WHEREAS, the Los Angeles County of Public Health has confirmed 69 cases of COVID-19 in the County and has advised that bold and aggressive measures to prevent the further spread of COVID-19; and

WHEREAS in the interest of 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 Section 2.16.060 of the Santa Monica Municipal Code to issue this regulation related to the protection of life and property.

NOW, THEREFORE, I, Rick Cole, the Director of Emergency Services for the City of Santa Monica, do hereby issue the following order to become effective immediately, subject to ratification as soon as practicable by the City Council:

IT IS HEREBY ORDERED THAT:

1. All bars and nightclubs in the City of Santa Monica that do not serve food shall be closed to the public.
2. Any bars or nightclubs in the City of Santa Monica that serve food may remain open only for purposes of continuing to prepare and offer food to customers via delivery service or to be picked up. Dine-in food service is prohibited.
3. All restaurants and retail food facilities in the City of Santa Monica shall be prohibited from serving food for consumption on premises. Restaurants and retail food facilities may continue to operate for purposes of preparing and offering food to customers via delivery service, to be picked up or for drive-thru. For those establishments offering food pick-up options, proprietors are directed to establish social distancing practices for those patrons in the queue for pick-up.

4. The following are exempt from this Order: (i) cafeterias, commissaries, and restaurants located within hospitals, nursing homes, or similar facilities; (ii) grocery stores; (iii) pharmacies; and (iv) food banks.

5. Trucks and other vehicles engaged in the delivery of grocery items to grocery stores, when such items are to be made available for sale to the public, are hereby exempt from having to comply with any City rules and regulations that limit the hours for such deliveries, including, without limitation, Section 9.28.080 of the Santa Monica Municipal Code.

6. All movie theaters, live performance venues, bowling alleys and arcades shall be closed to the public.

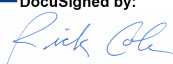
7. All gyms and fitness centers shall be closed to the public.

8. All businesses providing physical health and beauty services, including spas, hair salons, massage parlors, and nail salons, that do not provide medical care or services that supplement medical care as directed by medical professionals shall be closed to the public.

9. This Order shall be in effect beginning on March 16, 2020, at noon and extending through March 31, 2020, at 11:59 p.m. This Order may be extended or superseded during the period of local emergency by a duly enacted Ordinance of the City Council or by a further Order by the Director of Emergency Services.

10. This Order shall be enforceable as set forth in Section 2.16.100 of the Santa Monica Municipal Code.

ADOPTED this 16th day of March 2020.

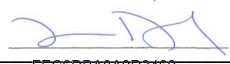
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By: _____
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RICK COLE
City Manager
Director of Emergency Services

ATTEST:

APPROVED AS TO FORM:

DocuSigned by:

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DENISE ANDERSON-WARREN
City Clerk

DocuSigned by:

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LANE DILG
City Attorney



Rick Cole
City Manager

Office of the City Manager
1685 Main Street
PO Box 2200
Santa Monica, CA 90407-2200

**REVISED FOURTH SUPPLEMENT TO THE EXECUTIVE ORDER OF THE
DIRECTOR OF EMERGENCY SERVICES DECLARING THE EXISTENCE OF A
LOCAL EMERGENCY**

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 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 of and addressing the effects of COVID-19; and

WHEREAS, on March 13, 2020, the City Manager, in his role as the Director of Emergency Services, (“Executive Director of Emergency Services”) proclaimed the existence of a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability of mutual aid and an effective the City’s response to the novel coronavirus (“COVID-19”) and this local emergency was restated on March 14, 2020, through a revised declaration of local emergency to ensure compliance with all digital signature requirements; and

WHEREAS, on March 14, 2020, the Executive Director of Emergency Services issued a first supplemental emergency order placing a temporary moratorium on evictions for non-payment of rent and temporarily suspending (a) the discontinuation or shut off of water service for residents and businesses in the City for non-payment of water and sewer bills; (b) the imposition of late payment penalties or fees for delinquent water and/or sewer bills; and (c) the imposition of late payment penalties or fees for parking violations; and

WHEREAS, on March 15, 2020, the Executive Director of Emergency Services issued a second supplemental emergency order temporarily closing the Santa Monica Pier to the general public; and

WHEREAS, on March 16, 2020, the Executive Director of Emergency Services issued a third supplemental emergency order that ordered the temporary closure of bars and nightclubs that do not serve food, movie theaters and entertainment venues, bowling alleys and arcades, gyms and fitness centers, and non-medical physical health and beauty businesses; temporarily prohibited restaurants, bars, and retail food facilities from serving food on-premises; and strongly urged houses of worship to limit large gatherings on their premises and to observe social distancing practices in their services; and

WHEREAS the Centers for Disease Control and Prevention, the California Department of Public Health, and the Los Angeles County Department of Public Health have all issued recommendations including but not limited to 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 the recommendations from the California Department of Public Health include that, in order to protect public health and slow the rate of transmission of COVID-19, large gatherings, including outdoor gatherings, that include 250 people or more should be postponed or canceled through at least the end of March unless essential; and

WHEREAS the recommendations from the California Department of Health include that businesses, employers, and event organizers should take steps to ensure that social distancing of six feet per person for non-family members is maintained; and

WHEREAS, on March 15, 2020, the Centers for Disease Control and Prevention announced guidance that events and gatherings, whether planned or spontaneous, that include 50 or more people should be cancelled for a period of eight weeks to prevent the spread of COVID-19 unless they can be carried out with adherence to guidelines for protecting vulnerable populations, hand hygiene, and social distancing; and

WHEREAS the Los Angeles County of Public Health has confirmed 69 cases of COVID-19 in the County and has advised that bold and aggressive measures to prevent the further spread of COVID-19; and

WHEREAS in the interest of 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 Section 2.16.060 of the Santa Monica Municipal Code to issue this regulation related to the protection of life and property.

NOW, THEREFORE, I, Rick Cole, the Director of Emergency Services for the City of Santa Monica, do hereby issue the following order to become effective immediately, subject to ratification as soon as practicable by the City Council:

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IT IS HEREBY ORDERED THAT:

1. The following uses shall be permitted in all zoning districts:

(a) A public safety facility, as defined by Section 9.51.030(A)(10) of the Santa Monica Municipal Code, shall be a permitted use in all zoning districts.

(b) A hospital or clinic, as defined by Section 9.51.030(A)(8) of the Santa Monica Municipal Code, shall be a permitted use in all zoning districts.

(c) An emergency shelter, as defined by Section 9.51.020(A)(4) of the Santa Monica Municipal Code, shall be a permitted use in all zoning districts.

Establishment of and development standards for all of the above-listed uses shall be approved by the Director of Emergency Services upon recommendation by the Director of the Department of Planning and Community Development or his designee. No conditional use permit or temporary use permit shall be required for any of the above-listed uses. Development standards, design review, parking and access requirements and sign standards related to any of the above-listed uses may be waived at the discretion of Director of the Department of Planning and Community Development or his designee.

2. Restaurant, Limited Service and Take-Out, as defined by Section 9.51.030(B)(8)(c) of the Santa Monica Municipal Code, and Restaurant, and Eating and Drinking Establishment, with Drive-Through Facility, as defined by Section 9.51.030(B)(8)(d) of the Santa Monica Municipal Code, shall be permitted uses in all zoning districts where Restaurant, Limited Service and Take-Out or Restaurant, Full-Service, as defined by Section 9.51.030(B)(8)(b) of the Santa Monica Municipal Code, is a permitted use.

4. Notwithstanding any provision in Article IX of the Santa Monica Municipal Code, drive-through facilities shall be permitted for clinics, convenience markets, farmers markets, general markets, hospitals, pharmacies, and restaurants.

5. All provisions of laws, ordinances, regulations, resolutions, rules and statues, including but not limited to provisions contained in the Housing Accountability Act, Permit Streamlining Act, California Environmental Quality Act, the Subdivision Map Act, and Article IX of the Santa Monica Municipal Code establishing review deadlines and authorizing automatic approvals are hereby suspended.

6. Interim Zoning Ordinances currently in effect are hereby extended and shall not expire during the term of this Order.

7. Street sweeping shall not be conducted unless essential for public health and safety. Accordingly, parking citations associated with street sweeping are hereby suspended.

8. Preferential parking rules are hereby suspended.


9. Section 3.12.680 of the Santa Monica Municipal Code related to regulation of operation of vehicles over a certain size is hereby suspended. Drivers of oversize vehicles are required to follow the truck route network specified in Section 3.12.680 of the Santa Monica Municipal Code unless and until they need to deviate to reach their destination.

10. All user fees related to Breeze bike share are hereby suspended.

11. The Fourth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency is hereby retracted. This Revised Fourth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency expressly supersedes and replaces that prior Order.

12. This Order shall take effect immediately and shall remain in effect until March 31, 2020, at 11:59 p.m, unless extended or expressly superseded by a duly enacted Ordinance of the City Council or by a further Order by the Director of Emergency Services.

ADOPTED this 17th day of March 2020.

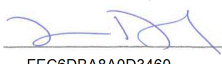
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By: 65D0346A36E24B9...
RICK COLE
City Manager
Director of Emergency Services

ATTEST:

APPROVED AS TO FORM:

DocuSigned by:

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DENISE ANDERSON-WARREN
City Clerk

DocuSigned by:

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LANE DILG
City Attorney



Rick Cole
City Manager

Office of the City Manager
1685 Main Street
PO Box 2200
Santa Monica, CA 90407-2200

**REVISED FIFTH SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR
OF EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL
EMERGENCY**

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 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 of and addressing the effects of COVID-19; and

WHEREAS, on March 13, 2020, the City Manager, in his role as the Director of Emergency Services, (“Executive Director of Emergency Services”) proclaimed the existence of a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability of mutual aid and an effective the City’s response to the novel coronavirus (“COVID-19”) and this local emergency was restated on March 14, 2020, through a revised declaration of local emergency to ensure compliance with all digital signature requirements; and

WHEREAS, on March 14, 2020, the Executive Director of Emergency Services issued a first supplemental emergency order placing a temporary moratorium on evictions for non-payment of rent and temporarily suspending (a) the discontinuation or shut off of water service for residents and businesses in the City for non-payment of water and sewer bills; (b) the imposition of late payment penalties or fees for delinquent water and/or sewer bills; and (c) the imposition of late payment penalties or fees for parking violations; and

WHEREAS, on March 15, 2020, the Executive Director of Emergency Services issued a second supplemental emergency order temporarily closing the Santa Monica Pier to the general public; and

WHEREAS, on March 16, 2020, the Executive Director of Emergency Services issued a third supplemental emergency order that ordered the temporary closure of bars and nightclubs that do not serve food, movie theaters and entertainment venues, bowling alleys and arcades, gyms and fitness centers, and non-medical physical health and beauty businesses; temporarily prohibited restaurants, bars, and retail food facilities from serving food on-premises; and strongly urged houses of worship to limit large gatherings on their premises and to observe social distancing practices in their services; and

WHEREAS, on March 17, 2020, the Executive Director of Emergency Services issued a Revised Fourth Supplement to the Executive Order” to permit public safety facilities, hospitals, clinics, and emergency shelters in all zoning districts and allow the Director of the Department of Planning and Community Development or designee to waive development standards, design review, parking and access requirements, and sign standards related to such uses; to permit limited service and take-out restaurant uses in any zoning district that allows full-service restaurants; to allow drive-through facilities for clinics, convenience markets, farmers markets, general markets, hospitals, pharmacies, and restaurants; to suspend planning deadlines and automatic approvals; to extend interim zoning ordinances now in effect; to direct that street sweeping not be conducted unless essential for public health and safety and suspend parking citations related thereto; to suspend preferential parking rules; to suspend certain regulations relating to the operation of oversize vehicles; and to suspend Breeze bike share fees; and

WHEREAS the Centers for Disease Control and Prevention, the California Department of Public Health, and the Los Angeles County Department of Public Health have all issued public health recommendations to the community including but not limited to staying home if sick, social distancing from non-family members, canceling or postponing events and gatherings, and taking other precautions to protect public health and prevent transmission of this communicable virus; and

WHEREAS these public health recommendations and City orders impact daily life in the community as well as the livelihood and economic wellbeing of residents and businesses; and

WHEREAS loss of income as a result of COVID-19 may inhibit City residents and businesses from fulfilling their financial obligations, including public utility payments such as water and sewage charges and parking penalties; and

WHEREAS, ensuring that all people in the City continue to have access to running water during this public health crisis will enable compliance with public health directives that people regularly wash their hands will help to prevent the further spread of COVID-19; and

WHEREAS the health and safety of the City’s Motor Coach Operators and the continued safe delivery of transit services to our customers and the community is of the utmost importance; and

WHEREAS the Los Angeles County of Public Health has confirmed 144 cases of COVID-19 in Los Angeles County and has advised that bold and aggressive measures to prevent the further spread of COVID-19; and

WHEREAS, in the interest of 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 Section 2.16.060 of the Santa Monica Municipal Code to issue this regulation related to the protection of life and property.


NOW, THEREFORE, I, Rick Cole, the Director of Emergency Services for the City of Santa Monica, do hereby issue the following order to become effective immediately, subject to ratification as soon as practicable by the City Council:

IT IS HEREBY ORDERED THAT:

1. The Big Blue Bus shall, on or before March 20, 2020, implement a rear-door boarding policy for all BBB customers with the exception of ADA customers traveling in mobility devices. In order to implement this policy, customer fare payment on the BBB is hereby suspended.
2. The discontinuation or shut off of water service for residents and businesses in the City for non-payment of water or sewer bills is hereby suspended.
3. The imposition of late payment penalties is hereby suspended for unpaid or delinquent:
 - a. Water and/or sewer bills;
 - b. Parking citations;
 - c. Refuse and recycling collection bills;
 - d. Certified Unified Program Agency (CUPA) charges;
 - e. Fire Prevention inspection charges;
 - f. Transient Occupancy Taxes;
 - g. Utility Users Taxes; and
 - h. Parking Facility Taxes.
4. The parking restrictions and limitations in Santa Monica Municipal Code Section 3.12.730, Green Parking Zones are hereby suspended.
5. Towing is suspended for violations of the California Vehicle Code related to delinquent parking citations (California Vehicle Code Section 22651i), abandoned vehicles (California Vehicle Code Section 22651k) and expired registration (California Vehicle Code Section CVC 22651o).

6. All penalty assessments related to business licenses and business improvement district assessments shall be frozen as of March 1, 2020, and suspended thereafter.
7. The Fifth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency is hereby retracted. This Revised Fifth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency expressly supersedes and replaces that prior Order.
8. This Order shall take effect immediately and shall remain in effect until April 15, 2020, at 11:59 p.m, at which time it will automatically expire unless extended or expressly superseded by a duly enacted Ordinance of the City Council or by a further Order by the Director of Emergency Services.

ADOPTED this 18th day of March 2020.

DocuSigned by:

By: _____
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RICK COLE
City Manager
Director of Emergency Services

ATTEST:

APPROVED AS TO FORM:

DocuSigned by:

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DENISE ANDERSON-WARREN
City Clerk

DocuSigned by:

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LANE DILG
City Attorney

Adopted and approved this 19th day of March 2020.

DocuSigned by:

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Kevin McKeown, Mayor

I, Denise Anderson-Warren, City Clerk of the City of Santa Monica, do hereby certify that Emergency Resolution No. 11240 (CCS) was duly adopted at a meeting of the Santa Monica City Council held on the 19th day of March 2020, by the following vote:

AYES: Councilmembers Davis, Himmelrich, Jara, Morena, Winterer,
Mayor Pro Tem O'Day, Mayor McKeown

NOES: None

ABSENT: None

ATTEST:

DocuSigned by:

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Denise Anderson-Warren, City Clerk