

TO: Andrew P. Powers, City Manager

FROM: Ingrid Hardy, Assistant City Manager

DATE: February 28, 2023

SUBJECT: **Termination of Local Emergency Executive Orders Pertaining to COVID-19**

RECOMMENDATION:

1. Adopt resolution terminating proclamation of local emergency made March 12, 2020, and ratified on March 17, 2020, and all related executive orders and resolutions still in effect.
2. Find that this action is not a project as defined under the California Environmental Quality Act.

FINANCIAL IMPACT:

No Additional Funding Requested. Minimal staff time to prepare report and resolution is included in the Adopted FY 2022-23 General Fund Budget.

BACKGROUND:

In December 2019, an outbreak of respiratory illness known as COVID-19 was discovered in China and eventually spread, impacting over 75 countries, including the United States. In response, the National Centers for Disease Control and Prevention (CDC), State of California, and local health departments, including Ventura County Public Health, worked with cities to monitor, plan, and reduce the spread of COVID-19.

On March 4, 2020, the Governor proclaimed a State of Emergency followed by several Executive Orders and guidance issued by the state and public health officials, including a “Stay at Home Order.” On March 12, 2020, the Ventura County Public Health Officer proclaimed a local public health emergency and the City’s Director of Emergency Services did the same. On March 17, 2020, City Council ratified the proclamation of a state of local emergency to reduce the spread of COVID-19 on the residents, businesses, and organizations of Thousand Oaks.

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Over the past year, California has reopened, lifting the state's "Stay at Home Order", pandemic-related suspensions, and public gathering protocols. A summary of the City's COVID-19 emergency orders included the following:

- March 17, 2020: Thousand Oaks Resolution 2020-10 ratified the Proclamation of the Existence of Local Emergency and Rescinding Certain Emergency Orders.
- March 19, 2020: Executive Order No. 2020-01 suspended hours of delivery restrictions imposed on Food Establishments.
- March 24, 2020: Executive Order No. 2020-02 placed a temporary moratorium on eviction for non-payment of rent by commercial tenants impacted by COVID-19.
- March 31, 2020: Thousand Oaks Resolution 2020-11 issued a moratorium on the collection of certain late fees and fines.
- May 26, 2020: Thousand Oaks Resolution 2020-16 authorized temporary municipal code modifications for outdoor dining.
- November 10, 2020: Thousand Oaks Resolution 2020-049 reauthorized a continued allowance in temporary waivers to provisions on outdoor dining and a continued moratorium on certain late fees and interest, water door tags and shutoffs, and the referral of certain accounts to collections.
- October 12, 2021: Thousand Oaks Resolutions 2021-054 and 2021-055 rescinded Resolution 2020-049 effective December 31, 2021 and restated certain emergency orders related to outdoor dining.

City Council also directed staff to amend the Municipal Code to allow businesses to continue to offer outdoor dining as initiated by City Council at its January 24, 2023, meeting.

DISCUSSION/ANALYSIS:

On March 17, 2020, City Council ratified a local state of emergency per Government Code Section 8630. Per Government Code 8630, the governing body shall also proclaim the termination of the local emergency at the earliest possible date that conditions warrant.

Based on the improved COVID-19 conditions statewide, the Governor announced on October 17, 2022, that California's COVID-19 State of Emergency would terminate on February 28, 2023, and began phasing out public gathering and masking restrictions. The early announcement was intended to give local and state

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healthcare agencies sufficient time to phase out certain programs, while remaining flexible to address potential surges that may occur in the future. On February 28, 2023, the Ventura County Board of Supervisors is also scheduled to consider the termination of the Ventura County COVID-19 Public Health Order.

For the reasons stated above, staff recommends that City Council find that conditions of extreme peril presented by the spread of COVID-19 have been abated to such a degree as to warrant the termination of the proclamation declaring the existence of a local emergency (Resolution No. 2020-10), Executive Order 2020-01, Resolution 2021-055, and any and all related emergency measures still in effect.

This action is not a project as defined under the California Environmental Quality Act because this action will not result in a direct or foreseeable indirect physical change in the environment [14 CCR 15060(c)].

COUNCIL GOAL COMPLIANCE:

Meets the following City Council goals:

B. Provide municipal government leadership which is open and responsive to residents, and is characterized by ethical behavior, stability, promoting public trust, transparency, confidence in the future, and cooperative interaction among civic leaders, residents, business representatives, and staff, while recognizing and respecting legitimate differences of opinion on critical issues facing the City.

C. Operate City government in a fiscally and managerially responsible and prudent manner to ensure that the City of Thousand Oaks remains one of California's most desirable places to live, work, visit, recreate, and raise a family.

D. Maintain strong commitment to public safety (including Police, Fire, Emergency Medical Services, and Emergency Management) to ensure City remains one of the safest Cities in the United States with a population over 100,000.

PREPARED BY: Grahame Watts, Emergency Services Manager

Attachments:

Attachment #1 – Resolution Terminating Local Emergency and Executive Orders Pertaining to COVID-19