



CITY of CALABASAS

**CITY COUNCIL AGENDA REPORT**

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**DATE: JULY14, 2020**

**TO: HONORABLE MAYOR AND COUNCILMEMBERS**

**FROM: RAYMOND TAYLOR  
INTERIM CITY MANAGER**

**MAUREEN TAMURI AIA, AICP  
COMMUNITY DEVELOPMENT DIRECTOR**

**SUBJECT: DISCUSSION OF RECENT STATE AND LOCAL ORDERS REGARDING  
THE COVID-19 PANDEMIC, AND DIRECTION TO STAFF**

**MEETING**

**DATE: JULY 15, 2020**

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**SUMMARY RECOMMENDATION:**

That the City Council discuss the recent State and Local Orders regarding the Covid- 19 Pandemic, and provide direction to Staff.

**BACKGROUND:**

To date, the City of Calabasas has issued thirteen Executive Orders in order to control the spread of the Covid-19 virus throughout the community. Faced with a growing case surge throughout the State, including Los Angeles County, the Governor's Order of July 13, 2020, places new restrictions on indoor business operations in order to limit exposure and reduce transmission. A list of the State's affected businesses under the latest State Order is provided as Attachment A to this report.

As of July 13, 2020, the County Department of Public Health reported a total of 151 confirmed cases in the City. While this number is low in comparison to other communities, there is evidence that the City's orders on exposure control

requirements, such as the use of masks, social distancing and limits on social activities, are not being heeded by some, raising concerns about disease transmission impacts to City residents.

At the request of the Mayor, this item was placed on the Agenda to seek guidance from the Council on options to address limitations on businesses, as well as enforcement efforts against individuals and entities in violation of State and local Orders.

## **DISCUSSION:**

The following provides a brief overview of two areas for which Council guidance and direction is sought:

- a) Accommodation of an expanded outdoor business program, and
- b) Enforcement of Order Violations.

### Outdoor Business Program

Within hours of the receipt of the Governor's orders on Monday, July 13, questions from re-opened businesses regarding establishing outdoor operations were directed to the City. Looking at two business types from whom questions were received, fitness centers and personal services, Staff noted that policy questions best addressed by the Council were raised regarding accommodation of such commercial activities through the use of outdoor sidewalks, parking areas or even City facilities.

**Fitness Centers:** The State permits their outdoor operation, and use of an open-air tent for sun protection. Parking lot areas could be cordoned off to accommodate equipment and class areas at some impact to centers if landlords were open to temporary accommodation. Staff also identified that certain City facilities, such as an outdoor park area, could also be made available on a temporary basis if desired by the Council.

**Personal Care Services:** Outdoor operation of businesses such as hairdressers, barbers and nail salons is also permitted under State orders, but present greater logistical challenges. Transportation of water may be required, as well as use of electrical service for hairdryers, trimming and other tools. The simple act of cutting hair, or use of aerosol products, all generate materials, which travel in the wind; outdoor siting will need to consider adjacent pedestrian areas and restaurant operations in particular.

Using these two examples of impacted business, Staff seeks direction from the Council on its position regarding allowing temporary outdoor accommodation of

these types of operations. One option is to expand the City's existing outdoor dining program administered by the Community Development Department to be an outdoor operations program allowing any suitable business to be approved for outdoor operations through a Temporary Use Permit, subject to appropriate rules and regulations.

#### Enforcement of Orders

On a daily basis, complaints are received by a wide variety of individuals and entities regarding order violations. There are two areas of greatest concern:

- a) Failure to wear a mask in a public area; and
- b) Interior gatherings of individuals beyond the initial household.

A violation or failure to comply with County Public Orders is a crime punishable by fine, imprisonment or both under the California Health and Safety Code (Section 120295), as well as the Los Angeles County Code (Section 11.02.080). These remedies are available to the Los Angeles County Sheriff's office, but to date, have not been used to the City's knowledge. The Sheriff has endorsed a posture of "Education and Compliance" regarding these County Health Department mandates. Furthermore, it is our understanding the District Attorney's office is currently not pursuing these matters in court.

Mask Violations: Code Enforcement and Building Inspection staff have responded when individual cases arise, such as the operation of a business which would be closed to the public, or when we learn of reports of patrons not abiding by mask requirements. However, on many occasions we have been unsuccessful in in gaining an individual's cooperation in adhering to mask requirements, or the inability to identify and find individuals who have been reported as not wearing masks. However, Staff has just ordered 100 stake signs to place throughout the City reminding all of the City's requirement to wear a mask in public.

The Interim City Manager has contacted the West Hollywood City Attorney regarding that city's more aggressive measures to enforce face marks and social distancing requirements through an administrative citation program. He The West Hollywood City Attorney reinforced that West Hollywood is uniquely positioned to undertake enforcement due to its small geographical area and concentrated population. He also mentioned that the Sheriff's Station is located in the community and it's solely devoted to only serving West Hollywood, as opposed to a situation where the Lost Hills Station serves five cities. He further reported that there has been "push back" by some in the community over enforcement, but by and large, most residents find it acceptable.

Social Gatherings: Perhaps of equal or even greater concern are reports of large household parties which are of particular concern due to the potential of disease transmission. Most recently, a private home party in the community of up to 50 to 100 individuals was broadcast on YouTube. In such situations, the City must rely on Lost Hills Station to disperse such events, which unfortunately did not occur in this circumstance.

Staff notes that enforcement for large gatherings is of critical importance in fighting community spread. The City previously issued a letter to all HOA's on June 29, 2020, seeking their assistance in reminding their residents of laws limiting social gatherings, and curtailing such events in their communities.

Using the examples above, Staff seeks the Council's interest in establishing greater enforcement efforts to address violations of these and other Executive Orders through either direction to the Lost Hills Station and/or greater use of the City's code enforcement staff.

**FISCAL IMPACT/SOURCE OF FUNDING:**

No action is required by this discussion, and there is correspondingly no financial impact at this time. However, should the Council desire additional enforcement efforts, assistance to Staff from the City Prosecutor's office may be required, and is available through the annual budget to this department.

**REQUESTED ACTION:**

That the City Council discuss the recent State and local orders regarding the Covid-19 Pandemic, and provide direction to Staff as desired.

**ATTACHMENTS:**

- A. CDPH Guidance on Closure of Sectors in Response to COVID-19 July 13, 2020