



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: MARCH 17, 2020**

FROM: AL ZELINKA **WARDS: ALL**
DIRECTOR OF EMERGENCY SERVICES

SUBJECT: RATIFY THE DIRECTOR OF EMERGENCY SERVICES ORDER TO TEMPORARILY CLOSE ALL BARS, BREWERIES AND WINERIES AND THE TEMPORARY RESTRICTIONS ON RESTAURANTS WITHIN THE CITY OF RIVERSIDE AS A CAUTIONARY MEASURE TO CONTAIN SPREAD OF NOVEL CORONAVIRUS PANDEMIC

ISSUES:

Ratify the Director of Emergency Services Order temporarily closing all bars, breweries and wineries and the temporary requirement that all restaurants must be closed for in-restaurant seated dining, and should be open only to drive-through or other pick-up/delivery options for 60 days unless extended or earlier terminated by Council as a precautionary measure to contain the spread of Novel Coronavirus (COVID-19) Pandemic.

RECOMMENDATIONS:

That the City Council:

1. Ratify the temporary closure of all bars, breweries and wineries within the City of Riverside for 60 days unless extended or earlier terminated by Council; and
2. Ratify the temporary requirements that all restaurants within the City of Riverside shall be closed for in-restaurant seated dining and should be open only to drive-through or other pick-up/delivery options for 60 days unless extended or earlier terminated by Council.

LEGISLATIVE HISTORY:

The California Emergency Services Act (Government Code section 8550, et seq.), Government Code section 8630, and Riverside Municipal Code sections 2.68.010 and 9.20.060 empower the Director of Emergency Services to proclaim a Local Emergency when the City Council is not in session when there exist conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of the City of Riverside which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the City and require the combined forces of other political subdivisions to combat. Said proclamation must be ratified by the City Council within seven (7) days.

The Brown Act allows for an exception to the noticing to the holding an emergency meeting in the case of an emergency situation (Government Code section 54956.5). An emergency situation is defined as a work stoppage, crippling activity, or other activity that severely impairs the public health, safety, or both, as determined by a majority of the members of the legislative body. Subsection (b) states in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, a legislative body may hold an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement of section 54956 or both of the notice and posting requirements.”

BACKGROUND:

On March 4, 2020, Governor Newsom declared a state of emergency for the State of California as a result of the threat of COVID-19. On March 11, 2020, Governor Newsom issued his policy recommending the cancellation of public gatherings of 250 people or more and limitations on gatherings of people who are at higher risk for COVID-19 to 10 people or fewer, and delaying or canceling meetings where attendees cannot observe at least six (6) feet of “social distance” from one another.

On March 8, 2020, the Riverside County’s Public Health Officer declared a local health emergency based on an imminent and proximate threat to public health from the introduction of a Novel Coronavirus (COVID-19) in Riverside County. On March 10, 2020, the County of Riverside ratified the local emergency.

On March 11, 2020, the California Department of Public Health issued guidance regarding large gatherings of 250 people or more; and the guidance issued on March 15, 2020 by the Governor of California.

On March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic.

On March 13, 2020, President Trump declared the coronavirus pandemic a national emergency.

On Friday, March 13, 2020, the City of Riverside declared a local emergency to increase its efforts to protect the public from COVID-19. The City of Riverside’s proclamation of local emergency notes that “there exists conditions of a disaster or of extreme peril to the safety of persons or property within the territorial limits of the City of Riverside that are beyond the control of the services, personnel, equipment and facilities of the City for the reason of COVID-19.” The declaration of local emergency will be presented to the City Council on March 17, 2020.

On Monday, March 16, 2020, the Riverside County’s Public Health Officer, by Order, cancelled all gatherings with expected presence of 10 individuals based on an imminent and proximate threat to public health from the introduction of a Novel Coronavirus (COVID-19) in Riverside County.

On Monday, March 16, 2020, Governor Newsom issued additional policy recommendations further restricting gatherings, for example, requesting that restaurants be closed for in-restaurant seated dining, and should be open only to drive-through or other pick-up/delivery options.

DISCUSSION:

The Center for Disease Control and Prevention has advised that COVID-19 spreads easily from person to person and has issued guidelines recommending that the public adopt policies and

routines to enable social distancing wherever possible. The pandemic has infected at least 128,000 individuals worldwide in 116 countries and is implicated in over 4,700 worldwide deaths, including fifteen (15) cases in Riverside County. Community-acquired cases have now been confirmed. We are gaining more understanding of COVID-19's epidemiology, clinical course, immunogenicity, and other factors as time progresses, and the situation is changing daily.

It is critical that the City of Riverside do everything necessary to reduce the likelihood of exposure to COVID-19, thereby slowing the spread of COVID-19 in communities worldwide. As the presence of individuals increases, the difficulty and magnitude of tracing individuals who may have been exposed to a case rises exponentially, increasing the likelihood that such gatherings will impair efforts at mitigating the spread of the illness.

Therefore, in an effort to slow down the spread of COVID-19, on March 16, 2020, the Director of Emergency Services ordered the temporary closure of all bars, breweries, and wineries within the City and temporary requirements that restaurants within the City may only operate as take-out services (see Attachment). This order is good for 60 days unless extended or earlier terminated by Council.

FISCAL IMPACT:

The total Fiscal Impact of the recommended actions of this report is significant but unknown at this time.

Prepared by: Al Zelinka, Director of Emergency Services

Attachment: Order of the Director of Emergency Services