



CITY COUNCIL AGENDA STATEMENT



May 5, 2020

File ID: 20-0171

TITLE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RATIFYING AND CONFIRMING EMERGENCY ORDER 002-B-2020 (EFFECTIVE APRIL 23, 2020) OF THE CHULA VISTA DIRECTOR OF EMERGENCY SERVICES UPDATING FACE COVERING REQUIREMENTS AT ESSENTIAL BUSINESSES

RECOMMENDED ACTION

Council adopt the resolution.

SUMMARY

This proposed resolution ratifies and confirms Emergency Order 002-B-2020 issued by the Chula Vista Director of Emergency Services, in accordance with Chula Vista Municipal Code section 2.14.080(F)(1).

ENVIRONMENTAL REVIEW

The proposed resolution ratifying and confirming Emergency Order 002-B-2020 has been reviewed for compliance with the California Environmental Quality Act (CEQA) and it has been determined that the activity is not a "Project" as defined under Section 15378 of the state CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Notwithstanding the foregoing, it has also been determined that the activity qualifies for an Exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act State Guidelines. Thus, no environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

On March 17, 2020, the Chula Vista City Council, pursuant to Resolution No. 2020-065, adopted and ratified a Proclamation declaring a Local Emergency issued by the Chula Vista Director of Emergency Services ("Emergency Director"). The Proclamation was issued as a result of the worldwide COVID-19 pandemic, which has directly impacted the State of California, County of San Diego, and City of Chula Vista. Since that time, the number of cases in the County of San Diego and particularly, the South Bay region that includes the City of Chula Vista, has continued to rise. From April 14, 2020 to April 24, 2020, the total number of County cases that involved residents of the City of Chula Vista rose from 10.5% (202 persons) to 12.7% (387 persons).

During this unprecedented time, the City is committed to protecting the public health of the residents of and visitors to Chula Vista, while best utilizing the City's resources to respond to the COVID-19 pandemic and the associated ongoing threat to public safety. Accordingly, the Emergency Director previously issued Emergency Orders 002-2020 and 002-A-2020, which were ratified and confirmed by City Council on April 21, 2020. Emergency Order 002-2020 adopted the San Diego Health Officer's Order, as it may be amended from time to time, as a City order so that violations of can be enforced using both state law and local law provisions. Emergency Order 002-A-2020 ordered that City Council meetings would take place by teleconference until further notice; ordered the cancellation until further notice of City Board, Commission, and Committee; ordered all City parks, including dog parks, closed, and City trails closed where marked; and ordered all essential public and private workers and volunteers to wear face coverings if they have contact with the public or prepare food for consumption by the public. Emergency Order 002-B-2020, issued on April 22, 2020 and effective April 23, 2020, expands the face covering provisions to require members of the public to wear face coverings when they enter business facilities or service areas, including any line established for such entry. Emergency Order 002-B-2020 also makes individuals and business owners responsible for ensuring compliance with all face covering requirements.

Pursuant to Chula Vista Municipal Code section 2.14.080(F)(1), rules and regulations issued by the Emergency Director must be confirmed by the City Council at the earliest practicable time.

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the real property holdings of the City Council members do not create a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

The COVID-19 pandemic creates a wide range of potential fiscal impacts to the City; however, the subject resolution to ratify and confirm Emergency Order 002-B-2020 is unlikely to contribute in any significant way to such current-year fiscal impacts. Staff is evaluating the broader fiscal impact of the current public health crisis, and a comprehensive report will be presented to council in the future.

ONGOING FISCAL IMPACT

The COVID-19 pandemic creates a wide range of potential fiscal impacts to the City; however, the subject resolution to ratify and confirm Emergency Order 002-B-2020 is unlikely to contribute in any significant way to such ongoing fiscal impacts. Staff is evaluating the broader fiscal impact of the current public health crisis, and a comprehensive report will be presented to council in the future.

ATTACHMENTS

1. Attachment A: Emergency Order No. 002-B-2020

Staff Contact: Gary Halbert; Glen Googins