

RESOLUTION NO. 2159-20

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF WESTLAKE VILLAGE IN SUPPORT OF LOCAL
BUSINESSES AND REQUESTING THAT THE LOS
ANGELES COUNTY HEALTH OFFICER ALLOW FOR
MORE LOCAL CONTROL IN REOPENING OUR
ECONOMY SAFELY**

WHEREAS, on March 4, 2020, California Governor Gavin Newsom proclaimed a state of emergency due to the spread of COVID-19 in California;

WHEREAS, following the March 4, 2020 declaration of a state of emergency, the State Public Health Officer and the Los Angeles County Health Officer have issued orders limiting social contact and activities; requiring persons to wear face coverings; and restricting the operation of services and businesses, including but not limited to restaurants;

WHEREAS, with the exception of businesses in the Cities of Long Beach and Pasadena (which have their own Public Health Departments), all businesses located in the County of Los Angeles must comply with the stricter of the State Public Health Officer's orders or the Los Angeles County Health Officer's orders;

WHEREAS, the City of Westlake Village shares a border with Ventura County;

WHEREAS, the City Council recognizes that the residents and businesses of the City of Westlake Village have overwhelmingly complied with Health Officer orders resulting in some of the lowest case rates throughout the pandemic;

WHEREAS, the Ventura County Health Officer's orders are routinely less restrictive than those of the Los Angeles County Health Officer, which results in customers and business owners of all sectors leaving the City of Westlake Village;

WHEREAS, on November 17, 2020, the Los Angeles County Health Officer established thresholds for reinstatement of a prohibition on outdoor dining at restaurants, breweries, wineries and bars (these businesses would only be able to offer takeout, pick-up and delivery) if the five-day average of new COVID-19 positive cases reached 4,000 or if hospitalizations exceeded 1,750 per day;

WHEREAS, on November 22, 2020, the Los Angeles County Health Officer announced the five-day average of new cases had increased to more than 4,000 cases;

WHEREAS, in response to the five-day average of new cases exceeding 4,000 new cases of COVID-19 the Los Angeles County Health Officer issued a new order more restrictive than the State Public Health Officer's orders to prohibit in-person dining (including outdoor dining) at restaurants, breweries, wineries and bars effective Wednesday, November 25 at 10:00 p.m., for a minimum of three weeks;

WHEREAS, on December 6, 2020 at 11:59 PM the State Public Health Officer's Regional Stay at Home Order was triggered for the Southern California Region for a minimum of three weeks, further limiting economic activities in the City of Westlake Village;

WHEREAS, the compounding effects of Health Officer orders continue to indiscriminately decimate our entire economy, including those businesses that follow mandated protocols;

WHEREAS, the Los Angeles Economic Development Corporation predicts approximately 700,000 jobs in the food industry will be lost due to the Los Angeles County Health Officer's order and that 75 percent of these job losses would be those earning \$50,000 or less;

WHEREAS, the routinely more restrictive Los Angeles County Health Officer orders will negatively impact the economic viability of all business sectors' revenue generation in the City of Westlake Village when their competition just across the street in Ventura County are allowed to operate and could result in the permanent closure of businesses and the loss of numerous jobs in the City;

WHEREAS, more restrictive Los Angeles County Health Officer orders will negatively impact the vitality of employees, patrons, vendors, and others connected with the restaurants in the City of Westlake Village and the imposition of the orders will likely have a permanent negative effect on all businesses, tenants, and property owners who will not have the ability to sustain their current levels of revenue to stay in business causing multiple vacant properties, foreclosures, deferred evictions and other hardships

in the City;

WHEREAS, there is insufficient federal, state or county relief for small businesses and the unemployed to mitigate the demise of many sectors of our local economy;

WHEREAS, although the current rise in COVID-19 cases is cause for concern and intervention, the Los Angeles County Health Officer should seek creative options to slow the spread of COVID-19 so as to focus on outbreak areas of the County rather than mandate a one size fits all approach;

WHEREAS, the Los Angeles County Health Officer should reserve more restrictive protocols for activities that contact tracing data and scientific evidence prove to be leading causes of outbreaks rather than assuming the current increase in COVID-19 cases is tied to one specific sector such as restaurants or personal services;

WHEREAS, the Los Angeles County Health Officer has provided neither contact tracing data nor scientific evidence in support of the blanket countywide restrictions;

WHEREAS, the Los Angeles County Health Officer should examine the contact tracing data in order to localize where outbreaks are occurring and should tailor orders to those areas rather than applying orders to the entirety of Los Angeles County;

NOW, THEREFORE, the City Council of the City of Westlake Village resolves as follows:

Section 1. The City Council is supportive of continuing a measured and appropriate response to the pandemic to maintain the health and safety of our residents and visitors.

Section 2. The City Council is united and unanimous in its opposition to any Los Angeles County Health Officer order that prohibits outdoor dining operations in the City of Westlake Village capable of being conducted safely within required guidance and that is inconsistent with restrictions applicable to restaurants in neighboring Ventura County.

Section 3. The City Council requests that all future modifications to the Los Angeles County Health Officer's orders be tied directly to data and science that is

provided as reference to such modifications.

Section 4. The City Council requests that continuous progress be made on providing cities and regions with low COVID-19 case rates the autonomy to reopen various sectors of their economies.

Section 5. The City Council requests that retail sector businesses be treated equally so that small and family-owned enterprises are not forced into insolvency by Health Officer orders while large national chains thrive.

Section 6. The City Council requests that additional financial support continue to be provided to all business sectors in acknowledgement that our economies will not recover without substantial assistance from federal, state and county governments.

Section 7. The City Council is supportive of focused Health Officer order issuance and enforcement that does not disadvantage the vast majority of compliant businesses due to the actions of a few non-compliant businesses elsewhere.

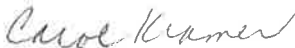
Section 8. The City Clerk shall certify to the adoption of this resolution and shall cause this resolution and her certification to be entered in the Book of Resolutions of the Council of this City.

APPROVED this 9th day of December, 2020



Susan McSweeney, Mayor

ATTEST:



Carol Kramer, Deputy City Clerk