



Legislation Text

File #: 20-0465, **Version:** 1

Recommendation to confirm City Manager's promulgation of the revised Safer at Home Health Order, issued on May 13, 2020 by the City of Long Beach Health Officer as a regulation. (Citywide)

On March 19, 2020, to mitigate the effects of COVID-19 within Long Beach, the City's Health Officer issued the "Safer at Home Order for Control of COVID-19" (Health Order) and has revised the Health Order from time to time as necessary for the public health and safety during this ongoing emergency. On May 13, 2020, the City's Health Officer issued a revision to the Health Order to begin transitioning the City into Stage 2 of the Governor's Roadmap to Recovery (Attachment).

On May 12, 2020, the City Council adopted Long Beach Municipal Code (LBMC) Chapter 8.120, "Temporary Enforcement of Long Beach Health Orders Related to COVID-19," which became effective immediately as an urgency Ordinance. Chapter 8.120 requires, where practicable, the City Council to confirm COVID-19 Health Orders for the sole purpose of authorizing the City Manager's promulgation of such Health Orders. In the event it is not feasible to do this, the City Manager is required to, within 14 days of promulgation of said Health Orders, request the City Council to confirm the City Manager's promulgation of the Health Order. The City Manager's promulgation of the Health Order, and City Council's confirmation of such orders authorizes enforcement authority of the Health Orders under the Proclamation of Local Emergency and provisions of Chapter 8.120.

This process recognizes a potential need for the City's Health Officer to quickly amend or update, and the City Manager to promulgate as a regulation under the LBMC for protection of life and property as affected by the COVID-19 emergency, City Health Orders due to the rapid development of COVID-19, while still ensuring the City Council maintains oversight of the COVID-19 local emergency and the City Manager's promulgation of related orders.

This matter was reviewed by Deputy City Attorney Taylor M. Anderson and Budget Manager Grace Yoon on May 15, 2020.

STATEMENT OF URGENCY

Confirmation by the City Council of the revised Health Order within 14 days of promulgation is a requirement of LBMC Section 8.120. The Health Order was revised and promulgated on May 13, 2020.

City Council action is requested on May 19, 2020.

The full fiscal impact of the implementation and enforcement of the revised Health Order is unknown at this time due to the unprecedented and quickly changing nature of the response to the pandemic. The Health Order and its amendments have an inherent impact on the health of the community and economic activity of Long Beach. There is substantial evidence provided through various public City reporting that the Health Order and its amendments are positively impacting the health and safety of Long Beach residents; and, there is substantial evidence, also provided through other public documents issued by the City, that the Health Order and its amendments are negatively impacting the economy and the City's financial status. As the Health Order is modified from time to time, the modifications are intended to ensure compliance with State directives and to strike a balance, appropriate at the time of modification, between the safety and well-being of residents and other important considerations such as economic impacts. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities.

Approve recommendation.

THOMAS B. MODICA
ACTING CITY MANAGER