

DATE SUBMITTED 8/13/2020
 SUBMITTED BY ACM
 DATE ACTION REQUIRED 8/19/2020

COUNCIL ACTION (X)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS [Signature]

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: RESOLUTION PROVIDING GUIDANCE TO BUSINESSES IN THE CITY OF IMPERIAL	
<ol style="list-style-type: none"> 1. Presentation of Information Gathered in Response to Council Direction 2. Approval of Resolution No. 2020- <u>52</u> to Provide Guidance to Businesses in the City of Imperial 	
DEPARTMENT INVOLVED:	
BACKGROUND/SUMMARY: Whereas on August 5, 2020 the City Council gave direction to staff to gather information regarding what repercussions could face the City of Imperial for allowing businesses to operate outside of current Local/State Health Officer Orders. As such, City staff has exhausted all efforts and resources to obtain the requested information. Staff will make a presentation of all data collected during the Regular Meeting of the City Council on August 19, 2020 at 7:00 PM	
FISCAL IMPACT: <i>Unknown</i>	ADMIN SERV INITIALS <u>[Signature]</u>
STAFF RECOMMENDATION: N/A	DEPT. INITIALS <u>[Signature]</u>
MANAGER'S RECOMMENDATION: N/A	CITY MANAGER'S INITIALS <u>[Signature]</u>
MOTION:	
SECONDED: AYES: NAYES: ABSENT:	APPROVED () DISAPPROVED () REJECTED () DEFERRED () REFERRED TO:

RESOLUTION NO. 52

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL PROVIDING GUIDANCE TO BUSINESSES IN THE CITY WHICH ARE CURRENTLY CLOSED DUE TO STATE EXECUTIVE ORDER

WHEREAS, the City Council of the City of Imperial declared a local state of emergency based upon the COVID-19 pandemic on March 18, 2020; and

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order N-33-20 which directed all residents to stay at home except as needed to maintain continuity of operations of essential critical infrastructure sectors and additional sectors as the State Public Health Officer might designate as critical to protect health and well-being of all Californians; and

WHEREAS, the State Public Health Officer thereafter designated a list of “Essential Critical Infrastructure Workers” (“Essential Workforce”); and

WHEREAS, the Essential Workforce list identifies various sectors to include, health and public health, emergency services, food and agriculture, energy, water and wastewater, transportation and logistics, communications and information, government operations, critical manufacturing, financial services, chemical, defense industrial base and industrial, commercial, residential and sheltering facilities and services; and

WHEREAS, businesses not deemed essential were required to be closed; and

WHEREAS, over time, the Essential Workforce model has demonstrated itself to be patently unfair; and

WHEREAS, the City is witness to countless examples of businesses allowed to operate because they are deemed essential while businesses which could be operated in a manner which would pose no greater risk than an essential business are left to ponder their very existence; and

WHEREAS, the City firmly supports the rule of law and respects the authority of the State of California and the County of Imperial to address matters of public health; and

WHEREAS, the City believes that criminalizing the behavior of businesses in the limited circumstances found in the City of Imperial is counterproductive and serves only to alienate the very population the City is sworn to protect and serve; and

WHEREAS, the City finds and directs that utilization of its limited resources is best deployed for the purpose of providing information and education about best practices to conduct business in a manner which protects workers and customers; and

WHEREAS, if a business in the City of Imperial elects to operate, the City strongly encourages the business to strictly adhere to industry guidance developed by the California Department of Public Health and the COVID-19 Employer Playbook dated July 18, 2020; and

WHEREAS, activity and exercise has been shown to alleviate the stress associated with the stay at home orders; and

WHEREAS, COVID19.CA.GOV contains links to provide emotional well being and support, including reference to 24-hour suicide prevention and domestic violence hotlines; and

WHEREAS, the City Council believes and finds that its parks can be utilized in a manner that assists and supports its citizens to address emotional and physical issues associated with the stay at home orders by, for example, physical distancing, taking part in outdoor activities only with members of your household and face coverings.

WHEREAS, the City Council further believes and finds that personal care services and fitness facilities can assist and support its citizens, specifically the first responder/essential workforce community, to address emotional and physical health associated with their employment.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The above-referenced recitals are true and correct and are incorporated herein.

2. The City Council finds and declares that the “Essential Workforce” model has outlived whatever use it may have once had and therefor encourages the County of Imperial and State of California to devote its energies to providing information and resources to the creation and maintenance of healthy and safe workplaces.

3. The City Council encourages its staff to continue to utilize its limited resources to educate, inform and otherwise assist all businesses to operate in accordance with best practices as set forth by the California Department of Public Health, the Imperial County Department of Public Health and the Center for Disease Control. Staff is also encouraged to continue its information and education efforts relative to social gatherings and public use of City parks.

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APPROVED, PASSED AND ADOPTED, at the regular meeting of the City Council
this 19th day of August, 2020.

Darrell Pechtl, Mayor

ATTEST:

City Clerk