



Council Agenda Report

To: Mayor Pierson and the Honorable Members of the City Council

Prepared by: Reva Feldman, City Manager

Date prepared: July 23, 2020 Meeting date: August 10, 2020

Subject: Temporary Waiving of Sign Ordinance to Assist Businesses during COVID-19 (Councilmember Farrer)

RECOMMENDED ACTION: At the request of Councilmember Farrer, consider whether to direct staff to develop an urgency ordinance to temporarily waive certain sections of Malibu Municipal Code Section 17.52.040 regulating signage during the COVID-19 pandemic.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

WORK PLAN: This item was not included in the Adopted Work Plan for Fiscal Year 2020-2021. If approved, this project would be part of emergency staff operations.

DISCUSSION: On March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in response to the increased spread of COVID-19. Additionally, on March 4, 2020, the Los Angeles County Board of Supervisors and the Los Angeles County Department of Public Health all declared a local and public health emergency in response to the increased spread of COVID-19 across the country and in Los Angeles County. On March 22, 2020, the President of the United States declared a major disaster for California for the COVID-19 pandemic

On March 19, 2020, the Governor issued Executive Order N-33-20 ordering all residents of California to stay home except as needed to maintain the operations of critical infrastructure sectors. The County issued a series of orders that mirrored and expanded on the Governor's Executive Order. The City is subject to the orders of the Los Angeles County Department of Public Health.

On April 14, 2020, the State presented its Resilience Roadmap, a four-stage plan for modifying the State's stay-at-home order. On May 4, 2020, the Governor issued Executive Order N-60-20, which informed local health jurisdictions and industry sectors that they may

gradually reopen under new modifications and guidance provided by the State Public Health Officer on May 7, 2020. On May 26, 2020, as part of this phased reopening strategy, the County issued a new Order easing restrictions on certain activities and on May 29, 2020, the State approved the County's application to move into advanced Stage 2.

On June 12, 2020, the County issued a revised Order, which allowed the re-opening of day camps, gyms and fitness centers, spectator-free professional sports, museums, tourist facilities, campgrounds, and entertainment production.

On June 18, 2020, the County Order was modified even further to allow for nail salons, tattoo shops, casinos, bars and wineries to open with limited capacity and infection control safeguards. The County also created industry-specific reopening protocols for sectors, including parks and recreational facilities. These sectors have been permitted to reopen if specific safety protocols are implemented including social distancing and cleaning/sanitizing measures to prevent the further spread of COVID-19.

However, on June 28, 2020, due to a spike in COVID-19 cases and hospitalizations, the State and the County amended the previous orders to require that all bars, breweries, wineries and tasting rooms close if they offered dine-in, sit-down meals. The County stated that the timing of the spike in new cases was in line with the opening of these sectors. When these sectors were closed, there were 1,350 to 1,450 daily hospitalizations in Los Angeles County. But after two weeks of being open, the number of people hospitalized in Los Angeles increased by more than 20 percent and the seven-day average daily positivity rate in Los Angeles County increased from 5.8% to 8.7%.

In addition to the amended Order that closed bars and breweries, the County issued orders to close all beaches, beach parking lots, bike paths, piers, and access ways countywide, effective Friday, July 3, 2020, through Monday, July 6, 2020, to prevent crowding over the holiday and slow the spread of COVID-19. Surfing, walking, jogging, kayaking, paddleboarding or any other recreational activities or gatherings were also prohibited at any State or County beach. The revised Order also prohibited all private and public fireworks countywide.

On July 1, 2020, the County backtracked even further closing indoor dining, indoor museums, zoos and aquariums, and card rooms. On July 13, 2020, the Governor announced that counties on the State's Monitoring List for three consecutive days, which includes Los Angeles County, must also close indoor operations at fitness centers, places of worship, indoor protests, offices for non-critical infrastructure sectors, personal care services, hair salons and barbershops, and malls, unless they can be modified to operate outside or by pick-up.

While social distancing and the abovementioned measures are necessary to fight the global pandemic, they have had, and are expected to continue to have, extreme economic impacts. The local business community has experienced a rapid and sharp decline in business activity due to the pandemic and accompanying change in consumer behavior.

The Malibu Municipal Code prohibits many types of signage. Temporary revisions to the City's sign ordinance could provide local businesses assistance in promoting their businesses and attracting customers. This could provide important exposure for businesses that people would otherwise assume are closed. Possible revisions could include temporarily allowing portable signs, banners, sandwich boards or other similar signage during the COVID-19 pandemic. These types of temporary and portable signage could be especially effective since they could allow business owners to change the messages or remove the signs as needed in response to changes in the Health Orders and operating requirements.

Councilmember Farrer is seeking consensus from the Council on whether to have staff develop an urgency ordinance that would allow certain sections of the sign ordinance to be waived during COVID-19 to assist businesses in recovering from the impacts of the closures.

ATTACHMENTS: None.