

RESOLUTION NO. 21-41

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF OJAI CONFIRMING THE CONTINUING EXISTENCE
OF A LOCAL EMERGENCY AND CONFIRMING AND
APPROVING THE DIRECTOR OF EMERGENCY
SERVICES' LOCAL EMERGENCY EXECUTIVE ORDERS**

WHEREAS, Section 3-1.06 of the Ojai Municipal Code empowers the City Manager/Director of Emergency Services to proclaim the existence or threatened existence of a local emergency if the City Council is not in session and requires that the City Council shall take action to ratify the proclamation within seven days thereafter; and

WHEREAS, conditions of extreme peril to the safety of persons have arisen within the City of Ojai as the result of conditions surrounding the COVID-19 pandemic; and

WHEREAS, The Health Official of the County of Ventura declared a Local Health Emergency at about 5:50 p.m. on March 12, 2020 in response to the COVID-19 pandemic; and

WHEREAS, the COVID-19 pandemic, if fully manifested, poses extreme peril to the health and safety of persons and property within the City and are, or are likely to be, beyond the control and capacity of the services, personnel, equipment and facilities of the City; and

WHEREAS, the City Council of the City of Ojai was not in session at the time of the County of Ventura's declaration, the City Manager, acting as the Director of Emergency Services did proclaim the existence of a local emergency within the City on the 13th day of March 2020; and

WHEREAS, Ojai Municipal Code section 3-1.06(b)(1) requires that the City Council confirm such orders at the earliest practicable time; and

WHEREAS, the City Council, at an emergency meeting also on 13th day of March, 2020 did hereby find that the above-described conditions of extreme peril did warrant and necessitate the proclamation of the existence of a local emergency in the vicinity of the City of Ojai and voted unanimously to confirm the existence of said local emergency via City Council Resolution No. 20-11; and

WHEREAS, the City Council, at a Regular Meeting on the 28th day of April 2020 did hereby find that the above-described conditions of extreme peril did continue to exist and therefore per Gov. Code Section 8630 unanimously adopted City Council Resolution No. 20-17 proclaiming the continued existence of emergency; and

WHEREAS, Ojai Municipal Code section 3-1.06 empowers the City Manager, acting as Director of Emergency Services, to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by the emergency; and

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WHEREAS, on May 8, 2020, the City Manager, acting as the Director of Emergency Services, issued Executive Order No. 20-03, re-opening certain non-essential businesses and facilities within the City; and

WHEREAS, on May 15, 2020, the City Manager, acting as the Director of Emergency Services, issued Executive Order No. 20-04, enacting a moratorium on commercial evictions until during the period of local emergency;

WHEREAS, on May 21, 2020, the City Manager, acting as the Director of Emergency Services, issued Executive Order No. 20-05, creating requirements to establish or expand outdoor seating areas in dining establishments;

WHEREAS, on May 22, 2020, the City Manager, acting as the Director of Emergency Services, issued Executive Order No. 20-06, requiring that face coverings at businesses or facilities with interactions between employees and customers and ordering all open businesses or entities to comply with social distancing measures;

WHEREAS, the City Council, at a Regular Meeting on the 10th day of June 2020 did hereby find that the above-described conditions of extreme peril did continue to exist and therefore per Gov. Code Section 8630 unanimously adopted City Council Resolution No. 20-30 proclaiming the continued existence of emergency;

WHEREAS, on June 16, 2020, the City Manager; acting as the Director of Emergency Services, issued Executive Order No. 20-07, allowing for the reservation of space at Libbey Park and ordering all recreation classes comply with social distancing measures and the Ventura County Social Distancing Protocol;

WHEREAS, the City Council, at a Regular Meeting on the 14th day of July 2020 did hereby find that the above-described conditions of extreme peril did continue to exist and therefore per Gov. Code Section 8630 unanimously adopted City Council Resolution No. 20-43 proclaiming the continued existence of emergency; and

WHEREAS, on July 23, 2020, The City Manager, acting as the Director of Emergency Services, issued Executive Order No. 20-08, adopting Temporary Business Outdoor Expansion Area Regulations and temporarily suspending to the extent necessary any portion of the Ojai Municipal Code that would impair said temporary regulations; and further establishing that all affected businesses must still fall all applicable state laws, orders and regulations; and

WHEREAS, at a Regular Meeting on September 22, 2020, the City Council did hereby find that the above-described conditions of extreme peril did continue to exist and therefore per Gov. Code Section 8630 unanimously adopted City Council Resolution No. 20-49 proclaiming the continued existence of emergency; and

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WHEREAS, Government Code section 8630 requires that the City Council confirm the continuing existence of the declared emergency at least every 60 days until the emergency is declared ended;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ojai that the local emergency declared by the City Manager on March 13, 2020, as ratified in Resolution No. 20-11 by the City Council on March 13, 2020; again declared on April 28, 2020 via Resolution No. 20-17; again confirmed on June 10, 2020 via Resolution No. 20-30 to continue to exist; again confirmed on July 14, 2020 via Resolution No. 20-43 to continue to exist, and again confirmed on September 22, 2020 via Resolution No. 20-49, and again confirmed on November 10, 2020 via Resolution No. 20-52 and again confirmed on December 15, 2020 via Resolution No. 20-57, and again confirmed on January 26, 2021 via Resolution No. 21-01, and again confirmed on March 23, 2021 via Resolution No. 21-09 does still continue to exist, and again confirmed on May 11, 2021 in City Council Resolution No. 21-20, and most recently confirmed on June 22, 2021 in City Council Resolution No. 21-33. and shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Ojai.

BE IT FURTHER RESOLVED, by the City Council of the City of Ojai that the Executive Orders issued by the City Manager, acting as Director of Emergency Services, under the Proclamation of the Existence of a Local Emergency, are confirmed and hereby approved.

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PASSED, APPROVED AND ADOPTED this 10th day of August, 2021, by the following vote:

AYES: Blatz, Francina, Haney, Stix, Weirick
NOES: None
ABSTAIN: None
ABSENT: None

By:

Betsy Stix
Betsy Stix, Mayor

August 27, 2021
Date signed

ATTEST:

Gail Davis
Gail Davis, Deputy City Clerk

APPROVED AS TO FORM:

Matthew T. Summers
Matthew Summers, City Attorney