

WEST HOLLYWOOD
DIRECTOR OF EMERGENCY SERVICES

EXECUTIVE ORDER NO. 2020-17

EMERGENCY EXECUTIVE ORDER OF THE CITY
MANAGER/DIRECTOR OF EMERGENCY SERVICES OF
THE CITY OF WEST HOLLYWOOD, CALIFORNIA,
IMPLEMENTING EMERGENCY MEASURES TO ASSIST
LOCAL BUSINESSES THROUGH THE COVID-19 CRISIS

SECTION 1. RECITALS

- A. All of the recitals in West Hollywood Director of Emergency Services Executive Order Nos. 2020-1, 2020-2, 2020-3, 2020-4, 2020-7, 2020-8, 2020-9, 2020-10, 2020-11, 2020-12, 2020-13, 2020-14, 2020-15 and 2020-16, remain in effect and are incorporated herein by reference.
- B. During the pendency of the local emergency and statewide state of emergency, the Director of Emergency Services is empowered: “[to] make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Council.” under Section 2.80.060 A.(6)(a) of the West Hollywood Municipal Code.
- C. As a result of state and county public health orders, local businesses are experiencing forced closure or major change in operation.
- D. Effective November 30, 2020, the County Department of Public Health enacted a revised Health Officer Order requesting individuals to remain in their homes as much as possible and to avoid crowding and mingling with non-household members. The Order came after many Americans gathered and traveled over the Thanksgiving holiday in the midst of a winter surge of COVID-19 cases and deaths. According to the County Department of Public Health, daily peaks are now more than double the County’s peak of daily cases during the summer surge. The Health Officer Order continues to be revised frequently in response to the evolving pandemic conditions.
- E. With Intensive Care Unit (ICU) bed capacity rapidly decreasing throughout California, the Governor of the State of California issued a State Regional Stay at Home Order on December 3, 2020, that would trigger greater restrictions on a region consisting of multiple counties depending on that region’s ICU hospital bed availability. Once a region has less than 15 percent ICU availability, all counties within the region are required to follow the State Regional Stay at Home Order within 24 hours for at least three weeks.

- F. The Southern California Region, which the City of West Hollywood is a part of, was at 9 percent ICU capacity on December 9, 2020 and the numbers are even more dire as the month comes to an end.
- G. Commercial activity in the city's commercial districts will not be at pre-pandemic levels for many months and economic recovery is expected to take a significant amount of time. The City Council is exploring many business relief measures and expected to adopt measures in the first quarter of 2021. In the meantime, 2020 Business Improvement District assessments remain due and owing to the city. This Order is intended to provide economic relief to businesses that are experiencing economic struggle and uncertainty while the city, county state and federal government explore relief programs, measures and services. The measures are also intended to reflect the current state of business closures and provide financial relief for those businesses. As such, the Sunset Strip and Design District Business Improvement District assessments are further deferred until March 31, 2021.
- H. This Order is adopted pursuant to the City's police powers and powers afforded to the City in time of national, state, county and local emergency during an unprecedented health pandemic, such powers being afforded by the State Constitution, State law, and the Chapter 2.80 of the West Hollywood Municipal Code to protect the peace, health, and safety of the public, and to protect life and property as affected by the emergency. This Order is adopted to assist the local business community in dealing with the extreme economic challenges it is facing, while experiencing closures and reduced operating capacities to slow the spread of COVID-19 and help provide needed relief to the local economy.

NOW, THEREFORE, I, Paul Arevalo, the Director of Emergency Services for the City of West Hollywood, do hereby issue the following order to become effective immediately, subject to ratification as soon as practicable by the City Council:

IT IS HEREBY ORDERED THAT:

SECTION 2. Assessments for the businesses included as part of the Sunset Strip and Design District Business Improvement Districts are deferred until March 31, 2021, and any late fees and/or penalties are waived.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or word of this order is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the remaining provisions of this order.

SECTION 4. Effective Date and Termination. This Order shall become effective immediately and shall continue until the earlier to occur of: (1) the conclusion of the local emergency; (2) its termination is ordered by the City Manager/Director of Emergency Services;

or (3) it is duly terminated by the City Council. The Order may also be superseded by a duly enacted ordinance or order of the City Council expressly superseding this Order.

SECTION 5. Environmental Review. The deferral of assessments is exempt from the California Environmental Quality Act ("CEQA") under the statutory exemption for actions necessary to prevent or mitigate an emergency (Public Resources Code § 21080(b)(4); CEQA Guideline § 15269(c)) and the general rule that CEQA does not apply to actions that do not cause a physical change to the environment.


ORDERED by the City Manager/Director of Emergency Service this 23rd of December, 2020.

Paul Arevalo, City Manager and Director of
Emergency Services
City of West Hollywood

DocuSigned by:

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Yvonne Quarker, City Clerk

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