

ATTACHMENT 1

RESOLUTION NO. 2021-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, RATIFYING REGULATION NO. 7 ISSUED BY THE CITY MANAGER AS DIRECTOR OF EMERGENCY SERVICES REVISING REGULATION NO. 5 REGARDING TEMPORARY SUSPENSION OF ENFORCEMENT OF CERTAIN PARKING RESTRICTIONS IN RESIDENTIAL NEIGHBORHOODS

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Costa Mesa Municipal Code Section 6-6 empowers the City Manager, as the Director of Emergency Services, to declare the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity; and

WHEREAS, Government Code Section 8550, *et seq.*, including Section 8558(c), authorize the City Council to proclaim a local emergency when the City is threatened by conditions of disaster or extreme peril to the safety of persons and property within the City that are likely to be beyond the control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, a novel coronavirus, COVID-19, causes infectious disease and was first detected in Wuhan City, Hubei Province, China in December 2019. Symptoms of COVID-19 include fever, cough, and shortness of breath; outcomes have ranged from mild to severe illness, and, in some cases, death. The Center for Disease Control and Prevention (CDC) has indicated the virus is a tremendous public health threat; and

WHEREAS, on January 30, 2020, the World Health Organization (WHO) declared the outbreak a “public health emergency of international concern” and on March 11, 2020, the WHO has elevated the public health emergency to the status of a pandemic. On January 31, 2020, United States Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation’s healthcare community in responding to COVID-19. On February 26, 2020 the County of Orange declared a local emergency and a local health emergency. On March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in California; and

ATTACHMENT 1

WHEREAS, the Governor on March 12, 2020 issued Executive Order N-25-20, ordering, *inter alia*, that all residents are to heed the orders and guidance of state and local public health officials; and

WHEREAS, on March 12, 2020, pursuant to Proclamation No. 2020-01, the City Manager did proclaim the existence of a local emergency pursuant to Title 6 of the Costa Mesa Municipal Code; and

WHEREAS, on March 13, 2020 the City Council pursuant to Resolution No. 2020-09 did ratify Proclamation No. 2020-01; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency; and

WHEREAS, on March 19, 2020, the Governor issued Executive Order N-33-20, including the Order of the State Public Health Officer mandating all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, as outlined at <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19>; and

WHEREAS, the City has been severely impacted by the health crisis of this global pandemic, and the Stay at Home Orders. As the virus has spread, many workers have had to stay home for extended periods and many school-aged children remain at home in the care of family and friends; and

WHEREAS, on December 23, 2020, the City Manager, acting as the City's Emergency Services Director issued Regulation No. 5 pursuant to Proclamation No. 2020-01 and Resolution No. 2020-09, temporarily suspending enforcement of parking regulations relating to street sweeping and residential parking permits in residential neighborhoods; and

WHEREAS, on January 19, 2021, by Resolution No. 2021-01, the City Council ratified Regulation No. 5; and

WHEREAS, the lack of street sweeping enforcement and obstructions caused by vehicles parked on City streets have impacted street sweeping operations, resulting in a significant buildup of trash on City streets; and

ATTACHMENT 1

WHEREAS, on August 24, 2021, the City Manager, acting as the City's Emergency Services Director issued Regulation No. 7, to allow enforcement of street sweeping regulations Citywide only when the street sweeper is present and engaged in street sweeping operations and ensure that the enforcement is implemented Citywide; and

WHEREAS, in the interest of public health and safety, it is necessary to adopt this resolution ratifying Regulation No. 7 pursuant to the emergency proclamation related to protection of life and property.

NOW, THEREFORE, IT IS ORDERED by the City Council of the City of Costa Mesa that the City Manager's Regulation No. 7 issued on August 24, 2021, revising Regulation No. 5 regarding suspension of enforcement of parking restrictions to allow enforcement of street sweeping Citywide when the street sweeper is present and engaged in street sweeping operations, is hereby ratified.

PASSED, APPROVED AND ADOPTED this 7th day of September, 2021:

John Stephens, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Kimberly Hall Barlow, City Attorney

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STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 2021-xx and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on 7th day of September, 2021, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 7th day of September, 2021.

BRENDA GREEN, CITY CLERK