

**RESOLUTION NO. 21-33**

**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 13<sup>th</sup> 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 13<sup>th</sup> 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 10<sup>th</sup> 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 14<sup>th</sup> 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;

**WHEREAS**, on June 11, 2021, Governor Gavin Newsom signed Executive Orders N-97-21 and N-08-21 terminating the executive orders that put into place the Stay Home Order and the Blueprint for a Safer Economy and ending capacity limits or physical distancing requirements for businesses, as well as ending the mask mandate for fully vaccinated individuals, subject to certain continuing restrictions.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Ojai that Executive Order Nos. 20-02, 20-03, and 20-06 are revoked in their entirety. City of Ojai Executive Orders Nos. 20-05 and 20-08, allowing certain outdoor dining and outdoor business operations remain in effect until January 3, 2022, and the temporary business outdoor expansions allowed by those two orders may continue until that date, subject to such program regulations and individual requirements, expirations, or revocations as may be imposed by the City Council or City Manager. City of Ojai Executive Order No. 20-07, allowing certain outdoor fitness classes, remains in effect until January 3, 2022, and the outdoor fitness classes allowed by that order may continue until that date, subject to such program regulations and individual requirements, expirations, or revocations as may be imposed by the City Council or City Manager. All other Executive Orders issued by the Director of Emergency Services remain in effect until such a time as revoked by order of the Director of Emergency Services or City Council.

**BE IT FURTHER 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; and again confirmed on May 11, 2021 via Resolution No. 21-20, does still continue to exist 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 22<sup>nd</sup> day of June, 2021, by the following vote:

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

By:

*Betsy Stix*

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Betsy Stix, Mayor

*6/22/21*

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Date signed

ATTEST:

*Gail Davis*

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Gail Davis, Deputy City Clerk

APPROVED AS TO FORM:

*Matthew T. Summers*

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Matthew Summers, City Attorney