



Rick Cole
City Manager

Office of the City Manager
1685 Main Street
PO Box 2200
Santa Monica, CA 90407-2200

**SIXTH SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR OF
EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL
EMERGENCY**

WHEREAS international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named “SARS-CoV-2,” and the disease it causes has been named “coronavirus disease 2019,” abbreviated COVID-19, (“COVID-19”); and

WHEREAS, on March 4, 2020, the Los Angeles County Board of Supervisors and Department of Public Health declared a local emergency and local public health emergency to aid the regional healthcare and governmental community in responding to COVID-19; and

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for broader spread of COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread of and addressing the effects of COVID-19; and

WHEREAS, on March 13, 2020, the City Manager, in his role as the Director of Emergency Services, (“Executive Director of Emergency Services”) proclaimed the existence of a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability of mutual aid and an effective the City’s response to the novel coronavirus (“COVID-19”) and this local emergency was restated on March 14, 2020, through a revised declaration of local emergency to ensure compliance with all digital signature requirements; and

WHEREAS, on March 14, 2020, the Executive Director of Emergency Services issued a first supplemental emergency order placing a temporary moratorium on evictions for non-payment of rent and temporarily suspending (a) the discontinuation or shut off of water service for residents and businesses in the City for non-payment of water and sewer bills; (b) the imposition of late payment penalties or fees for delinquent water and/or sewer bills; and (c) the imposition of late payment penalties or fees for parking violations; and

WHEREAS, on March 15, 2020, the Executive Director of Emergency Services issued a second supplemental emergency order temporarily closing the Santa Monica Pier to the general public; and

WHEREAS, on March 16, 2020, the Executive Director of Emergency Services issued a third supplemental emergency order that ordered the temporary closure of bars and nightclubs that do not serve food, movie theaters and entertainment venues, bowling alleys and arcades, gyms and fitness centers, and non-medical physical health and beauty businesses; temporarily prohibited restaurants, bars, and retail food facilities from serving food on-premises; and strongly urged houses of worship to limit large gatherings on their premises and to observe social distancing practices in their services; and

WHEREAS, on March 17, 2020, the Executive Director of Emergency Services issued a Revised Fourth Supplement to the Executive Order to permit public safety facilities, hospitals, clinics, and emergency shelters in all zoning districts and allow the Director of the Department of Planning and Community Development or designee to waive development standards, design review, parking and access requirements, and sign standards related to such uses; to permit limited service and take-out restaurant uses in any zoning district that allows full-service restaurants; to allow drive-through facilities for clinics, convenience markets, farmers markets, general markets, hospitals, pharmacies, and restaurants; to suspend planning deadlines and automatic approvals; to extend interim zoning ordinances now in effect; to direct that street sweeping not be conducted unless essential for public health and safety and suspend parking citations related thereto; to suspend preferential parking rules; to suspend certain regulations relating to the operation of oversize vehicles; and to suspend Breeze bike share fees; and

WHEREAS, on March 18, 2020, the Executive Director of Emergency Services issued a Revised Fifth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency implementing a rear-door boarding policy for all Big Blue Bus (BBB) customers, with the exception of Americans with Disabilities Act customers traveling in mobility devices; suspending all passenger fares on the BBB; suspending discontinuation or shut-off of water services for residents and businesses based on non-payment of water or sewer bills; suspending late payment penalties for (a) water and/or sewer bills; (b) parking citations; (c) refuse and recycling collection bills; (d) Certified Unified Program Agency (CUPA) charges; (e) Fire Prevention inspection charges; (f) Transient Occupancy Taxes; (g) Utility Users Taxes; and (h) Parking Facility Taxes; suspending parking restrictions and limitations in many City parking lots, parking zones, and parking spaces; and suspending penalty assessments related to business licenses and business improvement district assessments;

WHEREAS, on March 19, 2020, the City Council ratified the proclamation of local emergency made by the Executive Director of Emergency Services, as well as the Revised First, Second, Third, Revised Fourth, and Revised Fifth Supplements thereto, and resolved that the proclamation and the aforementioned Supplements shall be operative and in effect through April 30, 2020;

WHEREAS the Centers for Disease Control and Prevention, the California Department of Public Health, and the Los Angeles County Department of Public Health have all issued public health recommendations to the community including but not limited to staying home if sick, social distancing from non-family members, canceling or postponing events and gatherings, and taking other precautions to protect public health and prevent transmission of this communicable virus; and

WHEREAS, to prevent the spread of COVID-19, the City Manager ordered the closure of City Hall facilities effective March 16, 2020, until at least March 31, 2020, which has impacted the ability of the City's approximately 2,700 employees to continue performing their regular job duties at the workplace; and

WHEREAS, to mitigate the financial impacts on those City employees who are unable to work remotely or who must care for family members as a result of school closures and other public health recommendations, the City has authorized paid administrative leave for a large portion of its workforce through March 31, 2020; and

WHEREAS, the expeditious retention of additional staffing is needed to immediately support essential staff members who are currently providing essential public services during this period of emergency; and

WHEREAS the Los Angeles County of Public Health has confirmed 292 cases of COVID-19 in Los Angeles County and has advised that bold and aggressive measures to put in place to prevent the further spread of COVID-19; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary to exercise my authority pursuant to Section 2.16.060 of the Santa Monica Municipal Code to issue this regulation related to the protection of life and property.

NOW, THEREFORE, I, Rick Cole, the Director of Emergency Services for the City of Santa Monica, 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:

1. Notwithstanding any provisions in any memorandum of understanding requiring or recommending the commencement of labor negotiations by a specified date, the negotiations set to commence between the City and the following labor groups for a successor memorandum of understanding to become effective July 1, 2020, are hereby suspended:
 - a. Administrative Team Associates (ATA);
 - b. Fire Executive Management Association (FEMA);
 - c. International Association of Fire Fighters, Santa Monica Fire Fighters Local 1109 (1109);
 - d. International Brotherhood of Teamsters Local 911 (IBT);

- e. Management Team Associates (MTA);
- f. Municipal Employees Association (MEA);
- g. Public Attorney's Union (PAU);
- h. Police Officers Association (POA);
- i. The International Association of Sheet Metal, Air, Rail and Transportation Workers – Transportation Division, Local 1785 (SMART-TD); and
- j. Supervisory Team Associates (STA).

No City official, representative, or agent thereof, shall engage in collective bargaining to establish a successor memorandum of understanding with any foregoing specified labor group unless and until specifically authorized by an Executive Order or resolution adopted by the City Council.

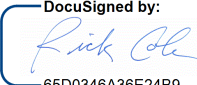
- 2. Santa Monica City Charter sections 1100 and 1108, and Santa Monica Municipal Code sections 2.04.060, 2.04.080, 2.04.140, and 2.04.250 pertaining to the administration of competitive examinations for the purpose of establishing eligibility lists and making appointments from such lists are hereby suspended.
- 3. The requirements set forth in the fourth paragraph of Santa Monica City Charter section 1107 pertaining to the basis for promotions and filling vacancies are hereby suspended.
- 4. Santa Monica Municipal Code section 2.04.150 is hereby amended to include appointments not from an eligible list as being subject to a probationary period.
- 5. The requirement that temporary appointees meet the minimum qualifications for the position in Santa Monica Municipal Code section 2.04.200 is hereby suspended.
- 6. The requirement that limited term appointments be made from an eligibility list in Santa Monica Municipal Code section 2.04.210 is hereby suspended.
- 7. The requirement that a qualification examination be administered for as-needed appointments and that the appointing authority hire from those applicants who pass the qualification examination in Santa Monica Municipal Code section 2.04.270 is hereby suspended.

//

//

- This Order shall take effect immediately and shall remain in effect until April 30, 2020, at 11:59 p.m, unless extended or expressly superseded by a duly enacted Ordinance of the City Council or by a further Order by the Director of Emergency Services.

ADOPTED this 20th day of March 2020.

DocuSigned by:

By: _____
65D0346A36E24B9...
RICK COLE
City Manager
Director of Emergency Services

ATTEST:

DocuSigned by:

E2F85B056A714C3...
DENISE ANDERSON-WARREN
City Clerk

APPROVED AS TO FORM:

DocuSigned by:

FEC6DBA8A0D3460...
LANE DILG
City Attorney