

## RESOLUTION NO. 20-32

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALNUT, CALIFORNIA, AMENDING RESOLUTION NO. 20-25 PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY REGARDING NOVEL CORONAVIRUS (COVID-19)

**WHEREAS**, on March 17, 2020, the City Manager acting in his capacity as Director of Emergency Services proclaimed the existence of a local emergency throughout the City of Walnut; and

**WHEREAS**, on March 23, 2020, the City Council adopted Resolution No. 20-25 ratifying the proclamation of local emergency and proclaiming existence of a local emergency regarding novel coronavirus (COVID-19); and

**WHEREAS**, COVID-19 remains a serious threat to public health and the pandemic is continuing throughout the City of Walnut, County of Los Angeles, State of California, the United States and worldwide and all levels of government are working diligently to address these risks, including extraordinary efforts by the State of California and the County of Los Angeles to coordinate with cities within the County to disseminate information, provide guidance and other important information, and to issue and enforce public health orders; and

**WHEREAS**, while COVID-19 remains a serious threat to public health warranting the continuation of the proclamation of local emergency, the multiplicity of orders from the State, County and City can create a confusing situation for residents and businesses; and

**WHEREAS**, following the City's adoption of Resolution No. 20-25 which included an order imposing a temporary moratorium on evictions, Governor Newsom adopted a similar Executive Order N-37-20 on March 27, 2020 applicable to residential tenants through May 31, 2020 and the California Judicial Council and the Los Angeles County Board of Supervisors also issued emergency rules regarding evictions; and

**WHEREAS**, the City Council does hereby finds the following:

1. That the above Recitals are true and correct and based thereon, hereby finds the need to continue the local emergency (COVID-19);
2. Except for the need to order a temporary moratorium on evictions which has been addressed by subsequent state and county orders, the findings and proclamations set forth in Resolution No. 20-25 are true and correct and shall continue in full force and effect;
3. As the community commences the phases of re-opening with social distancing guidelines, the City desires to assist local businesses by relaxing certain parking requirements to provide expanded opportunities for outdoor seating.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WALNUT, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** The City Council hereby proclaims the continued existence of local emergency (COVID-19) throughout the City of Walnut and ratifies and affirms the findings and orders set forth in Resolution No. 20-25 except as specifically set forth in this Resolution.

**SECTION 2.** In light of State and County orders relating to a temporary moratorium on evictions in response to the COVID-19 emergency and to avoid the confusion resulting from the multiplicity of state and local orders, the City Council finds no continuing need to establish a City ordered moratorium on evictions and hereby repeals the order and all related provisions imposed by Resolution No. 20-25 regarding a temporary moratorium on eviction for non-payment of rent by residential and commercial tenants impacted by the COVID-19 crisis.

**SECTION 3.** To assist local business in the initial phases of re-opening in compliance with social distancing requirements, the City Council hereby proclaims and orders that notwithstanding parking regulations imposed by conditions of approval to city entitlements or applicable provisions of the Walnut Municipal Code, businesses with property owner approval, can provide outdoor seating within off-street parking areas that are directly in front of/adjacent to said business, provided (i) the seating does not obstruct any public right of way, ADA access or main drive aisles and provides the appropriate path of travel for patrons, and (ii) demonstrates the appropriate social distancing consistent with the requirements outlined by the County, State, or Federal agencies. Businesses must submit a written plan signed by the business owner and the property owner and receive written approval by the Assistant City Manager/Community Development, or his/her designee, prior to implementing additional seating areas. Any modifications to the approved plan require Planning Department approval. The City Manager can suspend such policies at any given time, as he/she deems appropriate.

**SECTION 3.** Except as amended by Sections 2 and 3 of this Resolution No. 20-32, the findings, proclamations and orders set forth in Resolution No. 20-25 shall remain in full force and effect and the local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Walnut, State of California.

**PASSED, APPROVED AND ADOPTED** this 13th day of May, 2020.

  
\_\_\_\_\_  
Andrew Rodriguez, Mayor

ATTEST:

  
\_\_\_\_\_  
Teresa De Dios, City Clerk

APPROVED AS TO FORM:

  
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Barbara Leibold, City Attorney


(STATE OF CALIFORNIA )  
(COUNTY OF LOS ANGELES ) ss.  
(CITY OF WALNUT )

I, Teresa De Dios, City Clerk of the City of Walnut, do hereby certify that the foregoing Resolution No. 20-32 being:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALNUT,  
RATIFYING THE PROCLAMATION OF LOCAL EMERGENCY AND  
PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY REGARDING  
NOVEL CORONAVIRUS (COVID-19)**

was approved and adopted by the City Council of the City of Walnut on the 13<sup>th</sup> day of May 2020, by the following vote:

AYES: COUNCILMEMBERS: CHING, PACHECO, RODRIGUEZ, TRAGARZ, WU  
NOES: COUNCILMEMBERS: NONE  
ABSTAIN: COUNCILMEMBERS: NONE  
ABSENT: COUNCILMEMBERS: NONE

  
\_\_\_\_\_  
Teresa De Dios, City Clerk