

PROCLAMATION NO. P2020-005

PROCLAMATION OF THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING THE TEMPORARY USE OF CITY PROPERTY IN RESPONSE TO THE LOCAL EMERGENCY RELATED TO THE CORONAVIRUS PANDEMIC (COVID-19)

WHEREAS, on March 15, 2020, the City Manager (acting as the Director of Emergency Services) issued Proclamation No. P2020-001 to proclaim the existence of a “local emergency based on the existence of conditions related to the novel coronavirus known as “SARSCoV-2,” named “coronavirus disease 2019” and abbreviated “COVID-19”; and

WHEREAS, the City Council has subsequently reviewed and ratified the actions taken by the City Manager related to the local emergency described in P2020-001 during multiple public meetings of the City Council, notably including March 16, 2020 (R2020-037), March 31, 2020 (R2020-039), April 21, 2020 (R2020-055), the most recent prior ratification on August 4, 2020, and the planned recommended ratification of this proclamation on August 18, 2020; and

WHEREAS, on June 16, 2020, the City Manager issued and the City Council ratified Proclamation No. P2020-002, which authorized the Community Development Director to use general fund revenue to subsidize the cost of allocating staff resources to process outdoor dining permit applications (generally \$620 for each Outdoor Dining Permit); and

WHEREAS, on July 21, 2020, the City Manager issued and the City Council ratified Proclamation No. P2020-003 to establish a Temporary Outdoor Commercial Activity Permit Program, which authorized the issuance of permits to allow businesses to temporarily open and operate outdoor activities on a larger footprint, including the use of private property and public property; and

WHEREAS, due to the ongoing severe impacts of COVID-19 on the health, safety, and welfare of the community, and the revenues of the City, the City Manager has determined that it is in the best interest of the City to allow the temporary use of City property for purposes that encourage people to comply with the social distancing protocols required by the State (through Executive Orders of the Governor) and required by Napa County (through orders and guidelines issued by the Napa County Health Officer.

NOW, THEREFORE, BE IT PROCLAIMED by the City Manager of the City of Napa, in the capacity of the Director of Emergency Services of the City of Napa, as follows:

1. The City Manager hereby authorizes the Public Works Director ("Director") to establish a Temporary Closure of City Property Program. Through the Program, the Director is authorized to issue administrative directives, subject to approval as to form by the City Attorney, to temporarily close City property (including streets, sidewalks, other rights of way, or other property in which the City has a right of ownership or use). The Director is authorized to waive any fee that would otherwise be imposed to cover the City's costs of administering the Program; however, the City reserves the right to impose penalties and charges for violations (per Napa Municipal Code Chapter 1.16). The term of any administrative directive issued under the Program shall be no longer than the duration of any health order by the State of California or Napa County that requires public health precautions in response to COVID-19.

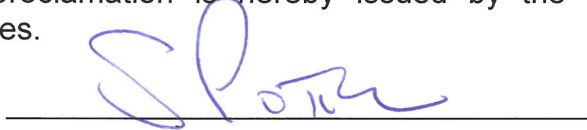
2. This proclamation shall expire if not confirmed and ratified by the City Council within 21 days of the proclamation.

3. The City Manager hereby finds that the facts set forth in the recitals to this proclamation are true and correct, and establish the factual basis for this proclamation.

4. The City Manager hereby determines that the emergency actions authorized by this proclamation are exempt from the California Environmental Quality Act, pursuant to CEQA Guidelines Section 15269.

5. This Proclamation shall take effect immediately upon its execution.

This proclamation is hereby issued by the City Manager, Director of Emergency Services.



Name: Steve Potter

Title: City Manager

Director of Emergency Services

Date: 8/11, 2020