



**CITY COUNCIL/SUCCESSOR AGENCY/
FINANCING/HOUSING/POWER/
CALIFORNIA CHOICE ENERGY AUTHORITY
SPECIAL MEETING
TELEPHONIC MEETING PURSUANT TO GOVERNOR'S ORDER N-29-20**

AGENDA

Friday

April 3, 2020

3:30 p.m.

Council Chambers – Lancaster City Hall

The City Clerk/Agency/Authority Secretary hereby declares the agenda was posted

Thursday, April 2, 2020 at 3:30 p.m.

at the entrance to the Lancaster City Hall Council Chambers.

44933 Fern Avenue, Lancaster, CA 93534

LEGISLATIVE BODY

City Council/Successor Agency/Financing/Power/ California Choice Energy Authority

Mayor/Chair R. Rex Parris

Vice Mayor/Vice Chair Marvin Crist

Council Member/Agency Director/Authority Member Darrell Dorris

Council Member/Agency Director/Authority Member Raj Malhi

Council Member/Agency Director/Authority Member Ken Mann

In response to Governor's Executive Order N-29-20, this meeting will be conducted telephonically and audio streamed live on Channel 28 and the City's website: <https://www.cityoflancasterca.org/about-us/departments-services/city-clerk/meetings-agendas-and-minutes/public-meetings-web-streaming>

PUBLIC COMMENTS ON AGENDIZED ITEMS MAY BE SUBMITTED VIA EMAIL TO AALEXANDER@CITYOFLANCASTERCA.ORG AT LEAST TWO HOURS PRIOR TO THE START OF THE MEETING.

CITY OF LANCASTER, CALIFORNIA
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FRIDAY APRIL 3, 2020

AGENDA ITEMS TO BE REMOVED

Sometimes it is necessary to remove items from the agenda. We apologize for any inconvenience this may cause you.

CALL TO ORDER

ROLL CALL

City Council Members/Agency Directors /Authority Members: Dorris, Malhi, Mann; Vice Mayor/Vice Chair Crist, Mayor/Chair Parris

INVOCATION

PLEDGE OF ALLEGIANCE

NEW BUSINESS

NB 1. Adopt Ordinance No 1074, an urgency ordinance of the city council of the City of Lancaster, California, adding Chapter 9.56 to the Lancaster Municipal Code requiring the wearing of face coverings in public during the COVID-19 emergency.

CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENTS

CITY CLERK /AGENCY/AUTHORITY SECRETARY ANNOUNCEMENT

PUBLIC BUSINESS FROM THE FLOOR-NON-AGENDIZED ITEMS:

PUBLIC COMMENTS ON NON-AGENDIZED ITEMS MAY BE SUBMITTED VIA EMAIL TO AALEXANDER@CITYOFLANCASTERCA.ORG AT LEAST TWO HOURS PRIOR TO THE START OF THE MEETING.

In accordance with Governor's Order N-29-20, the public may observe this telephonic meeting by watching the live broadcast on local cable channel 28 or live stream on the City's website (<https://www.cityoflancasterca.org/about-us/departments-services/city-clerk/meetings-agendas-and->

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[minutes/public-meetings-web-streaming](#)). The public may electronically participate in the meeting by sending comments to the City Clerk by email; provided, however, that any such electronic submission shall be subject to the following requirements: (a) it must indicate the date of the meeting and agenda item number to which it relates (or indicate that it does not relate to a specific agenda item); (b) it must be sent to the following email address: **aalexander@cityoflancafterca.org**; and (c) it must be actually received by the City Clerk at least **two (2) hours prior** to the meeting. The City Clerk will endeavor to read aloud each electronic submission at the appropriate time during the meeting, subject to applicable time and/or other limitation(s). *Individual comments are limited to three (3) minutes each unless a different time limit is announced.*

COUNCIL / AGENCY/ AUTHORITY COMMENTS

ADJOURNMENT

Next Regular Meeting:

Tuesday, April 28, 2020 - 5:00 p.m.

MEETING ASSISTANCE INFORMATION

In compliance with the Americans with Disabilities Act and Executive Order N-29-20, the City has implemented a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act and resolving any doubt whatsoever in favor of accessibility. If you need special assistance to participate in this telephonic meeting, please contact the City Clerk at (661)723-6020 or via email at aalexander@cityoflancafterca.org. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting/event you wish to attend. Due to difficulties in securing sign language interpreters, five or more business days notice is strongly recommended. For additional information, please contact the City Clerk at (661)723-6020.

AGENDA ADDENDUM INFORMATION

On occasion items may be added after the agenda has been mailed to subscribers. Copies of the agenda addendum item will be available at the City Clerk Department and are posted with the agenda on the windows of the City Council Chambers. For more information, please call the City Clerk Department at (661) 723-6020.

All documents available for public review are on file with the City Clerk Department.

ORDINANCE NO. 1074

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, ADDING CHAPTER 9.56 TO THE LANCASTER MUNICIPAL CODE REQUIRING THE WEARING OF FACECOVERINGS IN PUBLIC DURING THE COVID-19 EMERGENCY

WHEREAS, coronavirus disease 2019 (“COVID-19”) is a respiratory disease caused by a novel (new) coronavirus now named SARS-CoV-2; and

WHEREAS, according to a “Situation Summary” that was updated by the Centers for Disease Control (“CDC”) on March 14, 2020,

[t]he complete clinical picture with regard to COVID-19 is not fully known. Reported illnesses have ranged from very mild (including some with no reported symptoms) to severe, including illness resulting in death. While information so far suggests that most COVID-19 illness is mild, a report out of China suggests serious illness occurs in 16% of cases. Older people and people of all ages with severe chronic medical conditions — like heart disease, lung disease and diabetes, for example — seem to be at higher risk of developing serious COVID-19 illness.

(<https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/summary.html>); and

WHEREAS, also according to the CDC: (a) SARS-CoV-2, the virus that causes COVID-19, is infecting people and spreading easily from person-to-person; and (b) cases of COVID-19 have been detected in most countries worldwide and community spread is being detected in a growing number of countries; and

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization (“WHO”) declared the COVID-19 outbreak a public health emergency of international concern; and

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency related to the COVID-19 outbreak; and

WHEREAS, on March 4, 2020, the Governor of California declared a state of emergency related to the COVID-19 outbreak; and

WHEREAS, on March 4, 2020, the Los Angeles County Board of Supervisors and the Los Angeles County Department of Public Health declared a local and public health emergency related to the COVID-19 outbreak; and

WHEREAS, on March 11, 2020, the WHO characterized COVID-19 as a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency; and

WHEREAS, on March 16, 2020, the County of Los Angeles Health Officer issued an order, which was amended on March 19 and 21, 2020 and is now known as the “Safer at Home” order, restricting public gathering and requiring all persons to remain in their homes or at their place of residence except when traveling to or from essential businesses or engaging in essential activities; and

WHEREAS, on March 17, 2020, the City Manager, in his role as Director of Emergency Services, declared the existence of a local emergency within the City and the City Council of the City adopted Resolution No. 20-08 confirming and ratifying the local emergency declaration; and

WHEREAS, on March 19, 2020, the Governor of the State of California issued Executive Order N-33-20, which order required all residents of the State of California to stay at home or at their place of residence except in certain enumerated circumstances; and

WHEREAS, the City of Lancaster desires to promote public peace, health, safety, and public welfare by requiring all residents to take certain protective actions designed to limit the spread of COVID-19 when in public places; and

WHEREAS, subject to the provisions of this Ordinance, the City Council desires to exercise its authority under sections 5 and 7 of Article XI of the California Constitution and section 100 of the Charter of the City of Lancaster to require persons to take certain protective actions when in public places during the COVID-19 pandemic; and

WHEREAS, this ordinance must take effect immediately as an urgency Ordinance to preserve the public peace, health and safety.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER DOES ORDAIN AS FOLLOWS:

Section 1. The foregoing recitals and findings are incorporated herein and constitute a substantive part of this Ordinance.

Section 2. Chapter 9.56 is hereby added to the Lancaster Municipal Code to read as set forth in Exhibit “A” attached hereto and incorporated herein by reference.

Section 3. In the implementation of Chapter 9.56, the City Council encourages all essential businesses remaining open to the public during the COVID-19 global pandemic to encourage all patrons, staff and employees to utilize facecoverings while at their business location.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held for any reason to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Lancaster hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 5. This Ordinance is hereby declared an urgency measure pursuant to section 36937(b) of the California Government Code and shall be effective immediately upon adoption by a four-fifth (4/5th) vote of the City Council.

Section 6. The Mayor shall sign and the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

I, _____, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the ____ day of _____, 2020, and placed upon its second reading and adopted at a regular meeting of the City Council on the ____ day of _____, 2020 by the vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

ANDREA ALEXANDER
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF ORDINANCE
CITY COUNCIL

I, _____, _____ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Ordinance No. _____, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)

EXHIBIT "A"
ORDINANCE NO. 1074

CHAPTER 9.56

**REQUIREMENT TO WEAR FACECOVERINGS IN PUBLIC DURING COVID-19
EMERGENCY**

Sections:

| | |
|-----------------|---|
| 9.56.010 | Definitions. |
| 9.56.020 | Requirement to Wear Facecoverings in Public. |
| 9.56.030 | Scope and Limitations of Chapter. |
| 9.56.040 | Severability. |

9.56.010 Definitions.

The following words and phrases, wherever used in this chapter, shall be construed as set forth below, unless it is apparent from the context they have a different meaning:

“City” means the City of Lancaster.

“COVID-19 pandemic” means the outbreak upon which (a) the United States Health and Human Services Secretary declared a public health emergency on January 31, 2020, (b) the Governor of California declared a state of emergency on March 4, 2020, (c) the Los Angeles County Board of Supervisors and the Los Angeles County Department of Public Health declared a local and public health emergency on March 4, 2020, (d) the President of the United States declared a national emergency on March 13, 2020; and (e) the City declared a local emergency on March 17, 2020.

“Facecovering” means a device that creates a physical barrier between the mouth and nose of the wearer and potential contaminants in the immediate environment.

“Person” shall mean a natural person.

“Public place” means any and all streets, sidewalks, boulevards, alleys, or other public ways and any and all public parks, squares, spaces, grounds, and buildings.

9.56.020 Requirement to Wear Facecoverings in Public.

From the effective date of the Ordinance adding this section through _____, no person shall be in a public place without wearing a facecovering.

9.56.030 Scope and Limitations of Chapter.

This chapter shall be construed and applied in a manner consistent with all federal and state laws applicable to the city and shall not apply to any of the following: (a) an employee or official of a department or agency of the federal government in a public place and acting in an official capacity; (b) an employee or official of a department or agency of the State of California in a public place and acting in an official capacity; and/or (c) an employee or official of a local public entity in a public place and acting in an official capacity.

9.56.040 Severability.

If any part or provision of this chapter is found to be invalid or unenforceable by a court of law, such invalidity shall not affect any other part or provision hereof, and all remaining provisions of this chapter will be valid and enforceable to the fullest extent permitted by law.