

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
RATIFYING THE EIGHTH SUPPLEMENT TO DECLARATION OF LOCAL
EMERGENCY EXTENDING DEADLINE FOR TOP RANKING APPLICANTS IN
EACH PERMIT CATEGORY TO OBTAIN A CANNABIS BUSINESS PERMIT**

WHEREAS, on May 18, 2021, the City Manager issued an Eighth Supplement to the Declaration of a Local Emergency, a signed version of which is attached to this resolution as Exhibit A, and the City Council has received a report on the conditions described therein; and

WHEREAS, Pasadena Municipal Code Section 2.370.080 requires the City Council to ratify the proclamation within seven days thereafter, or the proclamation shall have no further force or effect.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pasadena as follows:

1. That the Eighth Supplement to the Declaration of a Local Emergency is hereby ratified and confirmed by the City Council; and
2. That said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Pasadena.

Adopted at the special meeting of the City Council on the ___ day of May,
2021, by the following vote:

AYES:

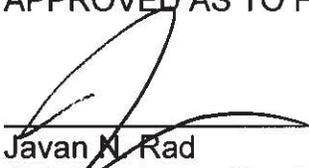
NOES:

ABSENT:

ABSTAIN:

Mark Jomsky, CMC
City Clerk

APPROVED AS TO FORM:



Javan N. Rad
Chief Assistant City Attorney

0000166546C031

Exhibit A

EIGHT SUPPLEMENT TO DECLARATION OF LOCAL EMERGENCY
EXTENDING DEADLINE FOR TOP RANKING APPLICANTS
IN EACH PERMIT CATEGORY TO OBTAIN A CANNABIS BUSINESS PERMIT

By virtue of the authority vested in me as Director of Disaster Emergency Services, and pursuant to Chapter 2.370 of the Pasadena Municipal Code, specifically Section 2.370.080, I hereby find that:

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”);

On March 4, 2020, the Health Officer declared the existence of a local health emergency in Pasadena, and on March 9, 2020, the City Council adopted a resolution ratifying the Health Officer’s declaration;

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;

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;

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;

On March 17, 2020, the City Council ratified the declaration of a local emergency to allow the City of Pasadena to address the COVID-19 pandemic;

On March 19, 2020, the Governor issued Executive Order N-33-20, directing all California residents to stay at home indefinitely except for workings in the 16 critical infrastructure sectors identified by the Department of Homeland Security Cybersecurity and Infrastructure Security (CISA) who are required to maintain continuity of operations for these vital systems and facilities;

On March 19, 2020, the Health Officer issued a Safer at Home Order for Control of COVID-19, which has since been revised from time to time, most recently, on May 26, 2020;

The Centers for Disease Control and Prevention, the California Department of Health, and the Los Angeles County Department of Public Health have all issued recommendations including but not limited to social distancing, staying home if sick,

canceling or postponing large group events, working from home, and other precautions to protect public health and prevent transmission of this communicable virus;

The California Public Health Officer has articulated a four-stage framework for re-opening – which includes provisions for the re-opening of lower-risk businesses and spaces (“Stage Two”), to be followed by the re-opening of higher-risk businesses and spaces (“Stage Three”) – to allow Californians to gradually resume various activities while continuing to preserve public health in the face of COVID-19;

The threat posed by COVID-19 is dynamic and ever-changing, and the City of Pasadena’s response to COVID-19 should likewise retain the ability to be dynamic and flexible;

As a result of the impacts of the COVID-19 pandemic, many City staff and members of the business community have been working remotely, making it difficult or impossible to conduct City business under certain time periods. In addition, given the restrictions on gatherings, it is difficult to conduct required meetings and hearings in a manner that allows for adequate public participation and input. Because of these restrictions, it may be necessary to toll certain limits of time, given the inability of City business to be fully restored during the pendency of this local emergency;

On March 30, 2020, the City Council adopted Resolution no. 9774, ratifying the Third Supplement to the Declaration of Local Emergency Authorizing the City Manager to Suspend Limits of Time Impose by the Pasadena Municipal Code;

On April 20, 2020, the City Manager issued a Suspension of Certain Time Limits Imposed by the Pasadena Municipal Code related to land use matters approved prior to July 1, 2020, where the limitation in Pasadena Municipal Code Section 5.78.080(H) for top ranking applicants in each permit category to secure a cannabis permit was extended from 12 months to 24 months;

Government Code Section 8634 empowers the City to promulgate orders and regulations necessary to provide for the protection of life and property during a local emergency;

In the interest of public health and safety, as affected by the emergency caused by the COVID-19 pandemic, it is necessary to exercise my authority to issue this regulation related to the protection of life and property; and

NOW THEREFORE, I HEREBY ISSUE the following Eighth Supplement to the declaration of a local emergency to become effective immediately, subject to ratification as soon as practicable by the City Council.

IT IS HEREBY ORDERED THAT:

1. The limitation period in Pasadena Municipal Code Section 5.78.080(H) for top ranking applicants in each permit category to secure a cannabis permit is hereby extended an additional seven (7) months, from 24 to 31 months, superseding the City

Manager's April 20, 2020 Suspension of Certain Time Limits Imposed by the Pasadena Municipal Code, in relevant part.

2. The extension conferred through paragraph 1 shall only apply to top ranking applicants who have applications pending during the City of Pasadena's local emergency to address the COVID-19 pandemic.

3. This Eighth Supplement shall become effective immediately.

4. If any provision of this Eighth Supplement is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this chapter which can be implemented without the invalid provisions, and to this end, the provisions of this chapter are declared to be severable. This declaration would have been adopted and each provision thereof irrespective of whether any one or more provisions are found invalid, unconstitutional or otherwise unenforceable.

5. Except as specified herein, this supplements and does not supersede any prior local emergencies or local public health emergencies related to COVID-19.

I FURTHER DIRECT that this Eighth Supplement shall take effect immediately and that widespread publicity and notice shall be given of said declaration through the most feasible and adequate means of disseminating such notice throughout the City.

Dated: May 18, 2021, at Pasadena, California.

By: 

Steve Mermell
City Manager
Director of Disaster Emergency Services

Attest:

Mark Jomsky, CMC
City Clerk