



Agenda Report

May 24, 2021

TO: Honorable Mayor and City Council

FROM: City Manager

SUBJECT: RATIFICATION OF THE CITY MANAGER'S EIGHTH SUPPLEMENT TO DECLARATION OF LOCAL EMERGENCY IN RESPONSE TO COVID-19 PANDEMIC EXTENDING DEADLINE FOR TOP RANKING APPLICANTS IN EACH PERMIT CATEGORY TO OBTAIN A CANNABIS BUSINESS PERMIT

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the actions proposed herein are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption); and
2. Adopt a Resolution ratifying the May 18, 2021 Eighth Supplement to Declaration of Local Emergency, and Authorize the City Manager to Suspend Limits of Time Imposed by the Pasadena Municipal Code in order to mitigate the interruption of business caused by the response to the COVID-19 Pandemic to top ranking cannabis applicants.

BACKGROUND:

On March 4, 2020, Pasadena Public Health Director and Health Officer Dr. Ying-Ying Goh declared a local health emergency pursuant to California State Health and Safety Code recognizing COVID-19 as an imminent and proximate threat in the City of Pasadena. On the same day, the State of California and County of Los Angeles Department of Public Health declared health emergencies. The City's Health Officer Declaration of March 4, 2020 was ratified by the City Council at its regular meeting of March 9, 2020. On March 22, 2020, the Public Health Director and Health Officer issued a Revised-Safer at Home Order for Control of COVID-19 – Closure of Non-Essential Businesses and areas.

On March 16, 2020, the City Manager, as Director of Disaster Emergency Services pursuant to Chapter 2.370 of the Pasadena Municipal Code, declared the existence of a local emergency. This was ratified by the City Council at its Special Meeting of March

17, 2020. Declaration of a local emergency empowers the City to more effectively respond to COVID-19, coordinate with partner agencies including Los Angeles County and City of Long Beach Health Departments, seek and utilize mutual aid, and pursue potential federal and state reimbursement for costs related to response efforts. A First Supplement was issued on March, 2020, pertaining to closure of Non-Essential Businesses (which has been superseded by the Order of the State Public Health Director in Executive Order N-33-20), and a Second Supplement which established a moratorium on eviction of tenants for non-payment of rents due to the COVID-19 Pandemic.

Four additional Supplements have been ratified including the April 20, 2020 Third Supplement titled '*Suspension of Certain Time Limits Imposed by the Pasadena Municipal Code*' which called for the tolling of deadlines and timelines related to land use matters necessary to mitigate the interruption of business caused by the response to the COVID-19 Pandemic. Included in this Supplement was a twelve (12) month extension to allow the top ranking cannabis applicants in each category twelve additional months to secure a cannabis permit pursuant to Pasadena Municipal Code section 5.78.080.H for a total of twenty-four (24) months. The 12-month extension is set to expire on June 5, 2021.

On May 11th the City Manager issued a Seventh Supplement to further extend the deadline for top ranking applicants in each permit category to obtain a cannabis business permit for an additional seven (7) months, from 24 months to 31 months, superseding the City Manager's Third Supplement. The extension applies only to top ranking applicants who have applications pending during the City of Pasadena's local emergency to address the COVID-19 pandemic. The extension was necessary because, 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.

Ratification of the Seventh Supplement was listed on the City Council's meeting agenda for May 17th. However, that meeting was cancelled, and local emergency declarations expire after seven days if not ratified by the City Council, pursuant to the California Emergency Services Act, Government Code Section 8630 *et seq.* Accordingly, the City Manager has issued an Eighth Supplement which is presented this evening for ratification by the City Council.

COUNCIL POLICY CONSIDERATION:

The proposed action is consistent with the City Council's strategic planning goal to ensure public safety by sustaining and enhancing the City's ongoing response to

COVID-19 to protect the health and safety of all those who reside, visit or work within the City of Pasadena.

ENVIRONMENTAL ANALYSIS:

The actions proposed herein have been determined to be exempt from the CEQA pursuant to State CEQA Guidelines Section 15061(b)(3), the common sense exemption (formerly the "general rule") that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed resolution ratification does not involve any direct physical changes in the environment. Therefore, the actions proposed herein are exempt from CEQA per Section 15061(b)(3) (common sense exemption).

FISCAL IMPACT:

There is no impact to the City's General Fund as a result of this action.

Respectfully submitted,



STEVE MERMELL
City Manager

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Reviewed by:



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Attachments: (1)

Attachment A – Resolution & Exhibit A