RESOLUTION NO. 20-04-07-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, RATIFYING AMENDMENT 2 (REVISED) TO COVID-19 EMERGENCY PROCLAMATION

The City Council of the City of Dana Point does hereby resolve as follows:

WHEREAS, Section 2.20.030 of the Dana Point Municipal Code designates the City Manager as the City’s Director of Emergency Services; and

WHEREAS, Section 2.20.060 of the Dana Point Municipal Code empowers the Director of Emergency Services to request the City Council to proclaim the existence of a Local Emergency if the Council is in session, or to issue such proclamation if the Council is not in session; and

WHEREAS, conditions of extreme peril to the safety of persons has arisen both internationally and within the United States as a result of the introduction of the novel coronavirus (COVID-19), a novel communicable disease; and

WHEREAS, the President of the United States, the Governor of the State of California, and the County of Orange declared that National, State, and local health emergencies exist as a result of COVID-19; and

WHEREAS, on March 16, 2020 the Director of Emergency Services proclaimed the existence of a local emergency in the City (the “Emergency Declaration”) based on the foregoing, and such Emergency Declaration was ratified by the City Council on March 17, 2020; and

WHEREAS, on March 27, 2020 the Director of Emergency Services amended the Proclamation of the existence of a local emergency in the City (the “Emergency Declaration”) based on the foregoing, and such Amended Emergency Declaration was ratified by the City Council on March 31, 2020; and

WHEREAS, since the issuance of Amendment 1 to the Emergency Declaration, facts and circumstances have changed, which dictate the need for additional emergency measures as authorized by Section 2.20 of the Dana Point Municipal Code and as contemplated by Section 5 of the Emergency Declaration; and

WHEREAS, based on the changed circumstances, the Director of Emergency Services issued Amendment 2 to the Emergency Declaration on April 2, 2020, which was revised on April 6, 2020; and

WHEREAS, Sections 2.20.060 and 2.20.200 of the Dana Point Municipal Code require the City Council to ratify the decision of the Director of Emergency Services; and
WHEREAS, the City Council of the City of Dana Point agrees with and desires to affirm and ratify the decision of the Director of Emergency Services to adopt Amendment 2 to the Emergency Declaration.

NOW, THEREFORE, the City Council of the City of Dana Point does hereby resolve, order and determine as follows:

Section 1. Amendment 2 to the Emergency Declaration made by the Director of Emergency Services on April 2, 2020 and revised on April 6, 2020, attached hereto and incorporated herein, is hereby ratified.

Section 2. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Dana Point, this 7th day of April, 2020.

RICHARD A. VICZOREK, MAYOR

ATTEST:
KATHY M. WARD, CITY CLERK

STATE OF CALIFORNIA )
COUNTY OF ORANGE ) ss
CITY OF DANA POINT )

I, Kathy M. Ward, City Clerk of the City of Dana Point, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 20-04-07-01 adopted by the City Council of the City of Dana Point, California, at a regular meeting thereof held on the 7th day of April 2020, by the following vote:

AYES: Council Member Debra Lewis, Council Member Joseph L. Muller, Council Member Paul N Wyatt, Mayor Pro Tem Jamey M. Federico, and Mayor Richard A. Viczorek

NOES: None

ABSENT: None

ABSTAIN: None

KATHY M. WARD, CITY CLERK
CITY OF DANA POINT
AMENDMENT 2 (REVISED) TO:
PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY BY
THE DIRECTOR OF EMERGENCY SERVICES

WHEREAS, Section 2.20.030 of the Dana Point Municipal Code designates the City Manager as the City’s Director of Emergency Services;

WHEREAS, Section 2.20.060 of the Dana Point Municipal Code empowers the Director of Emergency Services to request the City Council to proclaim the existence of a Local Emergency if the Council is in session, or to issue such proclamation if the Council is not in session;

WHEREAS, conditions of extreme peril to the safety of persons has arisen both internationally and within the United States as a result of the introduction of the novel coronavirus (COVID-19), a novel communicable disease;

WHEREAS, the President of the United States, the Governor of the State of California, and the County of Orange declared that National, State, and local health emergencies exist as a result of COVID-19;

WHEREAS, on March 16, 2020, the Director of Emergency Services proclaimed the existence of a local emergency in the City (the “Emergency Declaration”) and such Emergency Declaration was ratified by the City Council on March 17, 2020;

WHEREAS, on March 27, 2020, the Director of Emergency Services amended the Proclamation of the existence of a local emergency in the City (the “Emergency Declaration”) based on the foregoing, and such Emergency Declaration was ratified by the City Council on March 31, 2020;

WHEREAS, since the issuance of the Amendment 1 of the Emergency Declaration, facts and circumstances have changed, which dictate the need for additional emergency measures as authorized by Section 2.20 of the Dana Point Municipal Code as contemplated by Section 5 of the Emergency Declaration.

NOW, THEREFORE, the Director of Emergency Services of the City of Dana Point proclaims, declares and orders as follows:

Section 1: Pursuant to Dana Point Municipal Code Sections 2.20.060 and 2.20.200, the Director of Emergency Services is empowered to adopt rules, policies and regulations to protect the Public, to protect life and property, and to ensure the availability of essential City services. The Director of Emergency Services orders as follows pursuant to that authority.

Section 2: Certain City trails and beaches as determined by the Director of Emergency Services are hereby ordered closed during the pendency of the declared emergency in order to further the “Stay at Home” order issued by the Governor of the State of California, and the orders of the Health Officer of the County of Orange, including specifically orders related to persons not gathering in groups, and practicing social distancing. City trails currently include trails at Harbor Point Park off Scenic Drive, trails at Hilltop Park off Scenic Drive, Green Lantern and Shoreline, Bluff Top trail between Violet...
Lantern and Amber Lantern, and the Switchback Trail off Dana Strand.

Section 3: In response to mutual aid requests and similar requests for assistance from the County of Orange, and State of California, and in recognition that both of the foregoing have ordered the beach parking lots under their jurisdiction within the City to close, City staff is ordered to cease operation of additional facilities and close certain roads and parking lots as determined by the Director of Emergency Services that otherwise would provide access to State, County or City facilities that have been ordered closed, and to temporarily create and enforce no parking restrictions in connection with both public and private parking locations as determined by the Director of Emergency Services that might otherwise serve to enable access to such facilities. Such closures may be amended as conditions warrant.

Facilities to be closed shall currently include, without limitation, the Dana Point Community Center, the Nature Interpretive Center, City restrooms, playgrounds and tennis courts at all parks and facilities, and Dana Cove Beach adjacent to the Ocean Institute. The County has closed its Salt Creek, Strands Beach and Capistrano Beach parking lots, and the State has closed its Doheny beach parking lot.

The City’s and other agency directed parking locations to be closed shall currently include, without limitation:

1. Dana Point Community Center Parking Lot
2. Lantern Bay Park Parking Lot
3. Street parking on Park Lantern adjacent to Lantern Bay Park
4. Heritage Park parking lot
5. Street parking on Old Golden Lantern
6. Street parking on El Camino Capistrano
7. The publicly-accessible, privately owned parking lot at the Monarch Beach Golf Links
8. Street parking on Selva Road adjacent to Strand Beach Park
9. County owned Strands Beach Parking Lot
10. Street parking on Dana Strand Road adjacent to the Switchback Trail
11. Blue Lantern Inn/Overlook Parking lot
12. Street parking on Blue Lantern from PCH to Blue Lantern Overlook
13. Street parking on Coast Highway from Doheny Park Road to Palisades/Beach Road
14. Street parking on Ritz Carlton Drive adjacent to Salt Creek Beach Park
15. County owned Salt Creek Parking Lot
16. County owned Capistrano County Beach Parking Lot
17. County-owned Dana Point Harbor parking lots
18. Doheny State Beach Parking Lots
19. County owned street parking on Dana Point Harbor Drive
20. Privately owned, publicly accessible parking lots in the Harbor
21. Street Parking on the Island in the Harbor
22. County’s Dana Point Library Parking Lot
23. Street parking on Santa Clara from Blue Lantern to Pacific Coast Highway
24. Street parking on Blue Lantern from Pacific Coast Highway to cul-de-sac
25. Street parking on Amber Lantern from Santa Clara to the end
26. Street parking on Golden Lantern from Del Prado to Dana Point Harbor Drive
27. Street parking on Del Obispo from Village Road to Pacific Coast Highway
28. Street parking on Village Road from Del Obispo to curve
29. Street parking on Green Lantern from Santa Clara to Scenic Drive
30. Street parking on Scenic Drive from Cove Road to End
31. Street parking on Stonehill Drive east of Niguel Road (small portion is open)
32. Street parking on La Cresta Drive east of Selva
33. Street parking on Granada Drive from Pacific Coast Highway to the alley
34. Street parking on Mariner Drive cul-de-sac.

Road closures shall currently include, without limitation, with the exception of residents with temporary parking passes whose residences are on the specified street closures where applicable:

1. Westbound Dana Point Harbor Drive at the Baby Beach Turnaround
2. Southbound Green Lantern at Santa Clara/Green Lantern
3. Westbound Santa Clara at Blue Lantern
4. Southbound Blue Lantern at Santa Clara
5. Cove Road from Dana Point Harbor to Green Lantern
6. Amber Lantern at Santa Clara to the cul-de-sac at the Overlook.
7. Puerto Place, Intermittently, at Beach Parking Lot

Section 4: Section 12.08.05 of the Dana Point Municipal Code provides regulations for parking of recreational vehicles, buses and trailers on City streets, hereafter defined as RVs. There is a process for which residents can secure permits to park an RV on City streets for up to 72 hours provided the vehicle is parked in front of the registered address. Due to COVID-19, residents may require the use of RV’s to self-quarantine, and if so, may need to do so for longer than the allowed 72 hours. If a request is made by a resident to park an RV on a City street in the immediate vicinity of the resident’s home for a longer duration than currently allowed, for purposes of addressing issues related to COVID-19, the Director of Public Works is authorized to issue a permit, subject to such conditions as he deems appropriate, to enable parking for such extended period.

Section 5: In order to further the “Stay at Home” order issued by the Governor of the State of California and the orders of the Health Officer of the County of Orange, and in recognition that since such orders were issued, many persons have come to Dana Point as visitors, businesses engaged in lodging, including so called “short term rentals” and/or hotels, are hereby ordered to only operate in a manner that is consistent with serving as an Essential Critical Infrastructure as determined by the State of California, and shall not be used to accommodate vacation or leisure travel during the pendency of the current emergency.

Section 6: Additional or different emergency measures may be implemented by the Director of Emergency Services pursuant to Section 2.20 of the Dana Point Municipal Code as deemed reasonable or necessary to address the quickly changing, fluid situation.

Section 7: All provisions of the Emergency Declaration issued on March 16, 2020, and ratified by the City Council on March 17, 2020 and Amendment 1 of the Emergency Declaration issued March 27, 2020 and ratified by the City Council March 31, 2020 remain in full force and effect excepting any provisions which conflict with the forgoing, which, if any, are hereby superseded.

City Manager/Director of Emergency Services: [Signature]

Date: 4/4/20