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December 4, 2020

L.A. County Board of Supervisors
Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

The Honorable Dr. Barbara Ferrer
L.A. County Public Health Director
5050 Commerce Drive
Baldwin Park, CA 91706

SUBJECT: City of Rancho Palos Verdes – Request to Rescind Closure of Outdoor Dining

Dear Supervisors and Dr. Ferrer:

On behalf of the residents and business owners in the City of Rancho Palos Verdes, we are once again writing to voice our concerns regarding the recent Temporary Targeted Safer at Home Health Officer Order for Control of COVID-19: Tier 1 Substantial Surge Response issued November 28, 2020. Due to the lack of specific data indicating such drastic actions are warranted or effective for the City of Rancho Palos Verdes and the Palos Verdes Peninsula in general, we strongly urge the Board to reconsider this impactful decision and take the necessary steps to rescind the action that requires the shutdown of outdoor dining. Other adjacent counties, as close as Orange and Ventura Counties, have not moved in this direction and taken such blanket drastic action.

Los Angeles County, being comparable to the size of Delaware and Rhode Island combined, is the largest populated County in the United States, and larger in population than 41 individual states. The "one size fits all health officer orders" is simply not workable and should not be looked at monolithically, but rather divided into constituent parts to help ease the burden and craft area specific remedies.

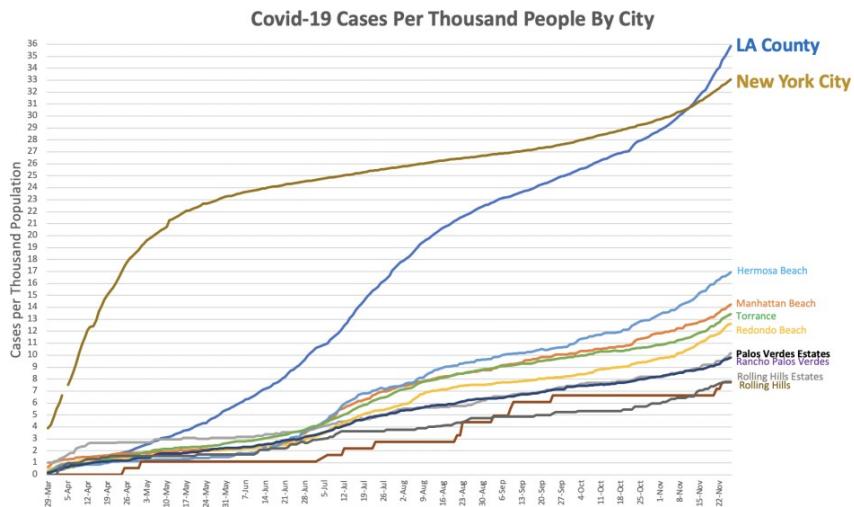
Currently, LA County Public Health's web site states, "Due to the large size of LA County (4,300 square miles), it has been divided into eight geographic areas (Service

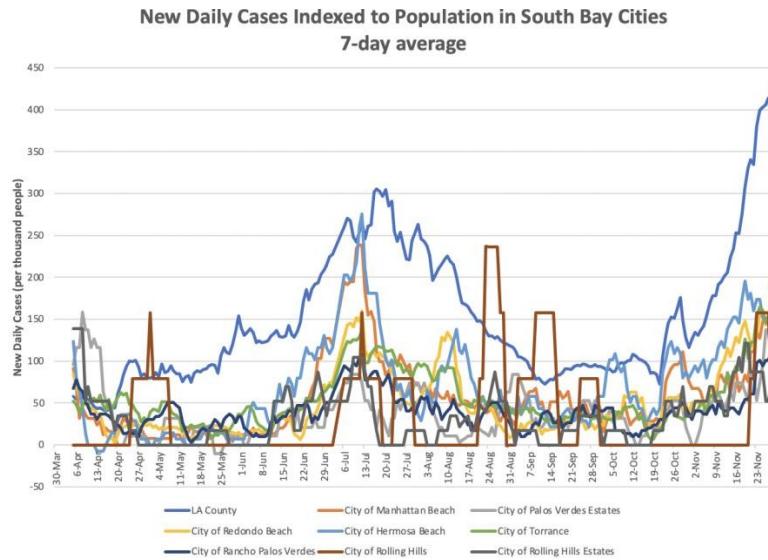
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Planning Areas ((SPA)). These distinct regions allow the Department of Public Health to develop and ***provide more relevant public health and clinical services targeted to the specific health needs of the residents in these different areas.***" We agree and urge the department to begin implementing COVID-19 responses by area!

To that point, we request that you appoint deputy directors for each of the eight districts to govern and service our communities better. Each deputy director can collect precise data for their respective district to “provide more relevant public health and clinical services targeted to the specific health needs of the residents in the different areas.” By not basing directives on precise data specific to the service areas, it compels cities, such as Rancho Palos Verdes, to consider exploring creating its own health department.

The concern with a County-wide blanket shut down of all outdoor dining without regard to the science and data is best illustrated on the chart below. It seems unfair to our residents, who are reasonably controlling the pandemic by following mitigation measures of wearing a mask, socially distancing, and their businesses who have invested in protective equipment and diligent sanitation to be “lumped in” with the County as a whole.





We mourn every death from COVID-19; however, death rates in Rancho Palos Verdes, compared to other deaths from various causes, are also statistically negligible. For example, for the City of Torrance, the COVID-19 attributed death rate is 0.05% per capita, Rolling Hills Estates 0.04%, Palos Verdes Estates 0.01%, Manhattan Beach 0.01%, Rolling Hills 0.00%, Redondo Beach 0.02%, El Segundo 0.01%, and **Rancho Palos Verdes 0.03%**.

Our hospitalization rates are also different. We do not suffer from the lack of beds or ICU capacity in our world-class hospitals like Torrance Memorial, Providence Little Company of Mary, etc. The image below for the South Bay region (District 8) is currently reporting nearly two new cases per 100 hospital beds, which is among the lowest of the region. In the summer surge, the South Bay region number was closer to three. Other regions within the County are currently reporting between four and six new cases per 100 beds. According to representatives from some of the South Bay hospitals, many of the patients being admitted are not residents of the area. **Thus, underscoring the relatively low case rates in the South Bay and further justifying directives that are region district based.**



Your actions are devastating our communities, especially our communities who need the most employment and economic stability. Our small businesses are our economic engine. While disproportionately allowing large companies to operate, you have made it impossible for small businesses, in this case, mostly restaurants, to continue their existence. As the California Restaurant Owners Association aptly pointed out in its recent filings with the Los Angeles Superior Court, this “order would have devastating impacts on a vulnerable population; jobs in the food industry would be lost during this government-imposed shutdown.” See Kathryn Barger, ‘Supervisor Barger Opposes Unnecessary Restrictions,’ November 23, 2020, at <https://kathrynbarger.lacounty.gov/supervisor-barger-opposes-unnecessary-restrictions/>. Employees at or near the poverty line would be most affected, as 75% of all projected job losses affect workers who earn \$50,000 or less. Likewise, over 60% of Los Angeles restauranteurs and workers are people of color, who face disproportionate burdens by further restaurant closures. These economically fragile workers have already gone through the whipsaw of government shutdowns and reopenings and have gone to extraordinary lengths just to survive in the face of constantly changing requirements dictated by state and county officials.”

By contrast, Governor Newsom’s “Blueprint for a Safe Economy” “Has always contemplated allowing restaurants to operate outdoor dining throughout the pandemic, consistent with the scientific understanding that spread of the coronavirus is severely limited in outdoor conditions.” Governor Newsom has dictated that California’s response to the coronavirus pandemic “must be driven” by a scientific analysis of the effects of this latest closure order. Yet the County Health Officials have failed to articulate a scientific rationale that would even explain their departure from Governor Newsom’s Blueprint for a Safe Economy. Other counties in the Purple Tier with higher infection and new case rates have not moved in this direction.

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Based on the information publicly provided, there is simply not enough scientific evidence to support the modified order to shut down outdoor dining, which has jeopardized tens of thousands of jobs and businesses. Based upon the data from the County, only 10 to 15 percent of positive cases reported dining out with someone who tested positive, while more than 50 percent reported being at a private social gathering with someone who was COVID-19 positive. Decisions not to ban outdoor dining universally exist in every other county in the Purple Tier, and the City of Pasadena.

Additionally, the City of Los Angeles, which represents 40% of the population of Los Angeles County also urged the Board to make the right decision for its constituents. It is our understanding that many more Los Angeles County cities and council of governments (COGs), such as the South Bay COG, have or will be taking a similar stance.

It goes without saying that the restaurant industry, including here in Rancho Palos Verdes, have been devastated by the impacts of the pandemic. Restaurants have invested time and money to appropriately adjust their operations to adhere to outdoor dining restrictions and prepare for the upcoming winter months. By continuing the stance to ban outdoor dining, the County will do nothing more than drive residents to host and attend private indoor gatherings and encourage our residents to patronize business in neighboring counties and the City of Pasadena.

Government has asked its citizens to make unimaginable sacrifices and has failed in providing the appropriate support to those who need it. While many people are doing their part, we acknowledge more can be done to stop the COVID-19 spread, but this approach is not the way to get there. To slow the spread, we must put more emphasis on holding each other accountable, encourage physical distancing, wear face coverings and investing in protective equipment and sanitation measures for businesses. Our constituents and businesses are doing just that, and are now asking why they are being punished for following the measures advised by health officials and doing their part to reasonably control the pandemic.

We continue to urge the County to factor in local transmission data when developing restrictions and reopening plans, rather than imposing the most severe limitations across the vast county, with its varying rates of infection. This includes the school waiver process, which is based on the percentage of students who are eligible for free or reduced-price meals, not community case and positivity rates. We acknowledge and respect the common goal not to overwhelm the healthcare system but stand firmly by the opinion that this shortsighted order does not support a long-term approach to the well-being of our collective community.

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The City Council would like to thank Supervisors Kathryn Barger and Janice Hahn for their open opposition to the recent order and urge the Board to take a common-sense approach to the ongoing challenges of COVID-19 so as to not further the impact on small businesses. Again, we ask that you promptly reconsider your decision and allow restaurants to continue serving their customers in county-approved outdoor dining environments especially during the holiday season. We understand your concerns and do not question your heart. We need to learn to live with this deadly virus rather than hide from it indefinitely.

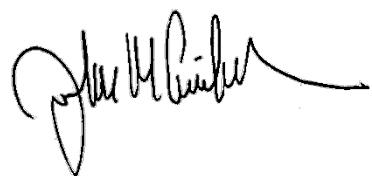
Sincerely,



Eric Alegria
Mayor



Dave Bradley
Mayor Pro Tem



John Cruikshank
Councilmember



Ken Dyda
Councilmember



Barbara Ferraro
Councilmember

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cc: Ben Allen, Senator, 26th State Senate District
Al Muratsuchi, Assembly Member, 66th Assembly District
Rancho Palos Verdes City Council
Ara Mihranian, City Manager
Karina Bañales, Deputy City Manager
William Wynder, City Attorney
Rolling Hills Estates City Council
Palos Verdes Estates City Council
Rolling Hills City Council
Jacki Bacharach, SBCCOG
Eileen Hupp, Palos Verdes Chamber of Commerce