

AGENDA ITEM  
13C

Date: January 27, 2021

Council Action Date: February 8, 2021

**TO:** Honorable Mayor and City Council

**FROM:** Alex D. McIntyre, City Manager

**SUBJECT:** Approve Continuation of Main Street Moves Permit

**SUMMARY**

The City of Ventura is facing one of the greatest economic impacts of recent history. Business survival is paramount to support the local economy. Many Business sectors have been forced to reduce and/or modify their operational capacity based on State or local health orders, leaving many with limited options such as operating at a reduced indoor capacity or in the case of restaurants, operating strictly outdoors or providing delivery and take out only. The Main Street Moves permit allows for businesses within the designated perimeters of downtown to operate outdoors within the health guidance from State and County Health Orders.

**RECOMMENDATION**

Extend the Main Street Moves Permit to August 31, 2021 or by the conclusion of the Emergency Health Order, whichever comes first.

**DISCUSSION/ANALYSIS**

On May 18, 2020, Council provided feedback and approved the concept of allowing businesses to reopen with outdoor expanded areas in order to assist with the COVID-19 safety protocol compliance. On June 15, 2020, Council adopted the resolution to temporarily waive special event permit fees and reduce insurance requirements for the expanded temporary retail/restaurant operations on public property submitted by the Downtown Ventura Partners (“DVP”).

On July 1, 2020, and again on July 13, 2020, Governor Newsom announced additional business restrictions and closures in response to increases in COVID-19 cases. Many of the business sectors with limited and restricted operations included wineries, breweries, retail, personal care businesses and gyms. On July 13, 2020, Council extended the

Outdoor Business Expansion program through September 15, 2020. On September 8, 2020, the City Council approved by motion an extension of the Main Street Moves program to February 15, 2021.

On October 12, 2020, Council acted to extend the insurance requirements and fee waivers for participants of the Outdoor Business Expansion program to last for the duration of the local emergency.

On December 3, 2020, Governor Newsom announced new restrictions under a new regional stay at home order. The supplemental order clarified retail operations, prohibited private gatherings of any size, and closed sector operations except for critical infrastructure and retail, and required 100% masking (with certain exceptions as indicated within guidance for use of face coverings) and physical distancing in all others.

January 25, 2021, Governor Newsom revoked the stay at home order and Ventura County moved to the purple tier, allowing outdoor dining to resume. Staff has heard from many businesses asking to continue the Main Street Moves program so that when the current restrictions are lifted, business downtown are able to open safely for the public.

Main Street Moves has provided a financial lifeline to restaurants, who have been and continue to be prohibited from serving indoors and who otherwise may have closed permanently. More than that, the unique street closure and reimagining of Main Street has allowed the community a place to safely walk, shop and get outdoors. The closure has drawn widespread media attention and drawn customers from around the region and state who have traveled to Ventura specifically to see it, according to shop owners and visitor surveys. Support from downtown residents also has been strong.

Over the last several months, City staff and DVP have continued to partner together to ensure a safe and orderly space for residents, visitors, and employees. Frequent communications are sent by DVP to the Main Street Moves participants focusing on compliance and safety. DVP has provided street barricades, public restrooms and numerous handwash stations at their expense. City staff created an easy path for businesses needing external electrical connections to apply for a permit through the City's Permit Services division. Additionally, businesses must provide electronic or digital means of queuing to avoid large gatherings of groups directly outside one location.

### **Enforcement Protocol**

Ensuring the health and safety of the community is our vital concern and priority. To that end, staff understands the need to ensure compliance with the state and local health orders and have the following enforcement protocols in place:

- DVP will continue to lead enforcement efforts. DVP's Ambassadors patrol and monitor the closure (and greater downtown) daily, from 7am to 9:30pm, and

interact with visitors and owners alike. When DVP staff sees or is made aware of a possible violation, DVP will directly contact the place of business and seek voluntary compliance within 24-hours. If compliance is not met or there is not a realistic plan to address the violation, DVP will inform City and County staff. DVP's experience to date is that most owners comply when educated on the violation. In a few instances instances, City and County Code staff have provided additional support.

- City will continue to support DVP and enforcement efforts. Staff will continue the protocol of first issuing a verbal warning. If not corrected, a written warning will be issued to the business. If compliance is not met, a closure letter request to County Health will be issued and the the business name and violation(s) forwarded to County Council.
- The County receives the City request and they will follow up internally to determine the appropriate action. If complaints continue, the City will document and forward to the County.

Additionally, City staff is prepared to further explore a permanent Outdoor Business Expansion Program if Council identifies this as a 2021-22 City Council goal. Topics for a potential program include: design standards, safety, infrastructure (bollards), fee waivers, lost parking revenue, and program management.

**FINANCIAL IMPACT**

<b>Financial Impact From Prior Action (September 8, 2020)</b>				
<b>YEAR TO DATE COST:</b>			<b>\$ 313,586</b>	
<b>FUND</b>	<b>DEPARTMENT</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>	<b>IMPACT BUDDGETED</b>
General (01)	City Manager	Application Fee	\$ 12,000	NO
General (01)	City Manager	Fire Inspeyton	\$ 966	NO
General (01)	City Manager	Site Inspeyton	\$ 1,008	NO
General (01)	City Manager	Safety Signage	\$ 4,461	NO
Parking (30)	Public Works	Revenue Loss	\$ 250,151	NO
General (01)	City Manager	Barricades	\$ 135,000	NO
Total Offset: Homeland Security Grant			\$ 90,000	
<b>Total Impact</b>			<b>\$ 313,586</b>	

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Please note that DVP has provided street barricades, public restrooms and numerous handwash stations at their expense. City staff from Parks and Recreation will continue to support and monitor the Main Street Moves site for any compliance issues.

<b>REQUESTED ACTION: Continuation Through August 31, 2021</b>				
<b>ESTIMATED COST:</b>			<b>\$ 241,063</b>	
<b>FUND</b>	<b>DEPARTMENT</b>	<b>PROJECT</b>	<b>AMOUNT</b>	<b>IMPACT BUDDGETED</b>
General (01)	City Manager	11050	\$ 3,761	NO
Parking (30)	Public works	62633	\$ 237,302	NO
<b>Total Impact</b>			<b>\$ 241,063</b>	

**ALTERNATIVES**

Discontinue the Main Street Moves and instruct DVP to remove all barricades to reopen Main and California St.

Prepared by: Estelle Bussa, Economic Development Manager