The Honorable Kathryn Barger  
Los Angeles County Board of Supervisors  
Kenneth Hahn Hall of Administration  
500 West Temple St., Suite 869  
Los Angeles, CA 90012  
kathryn@bos.lacounty.gov

RE: Request by the City of Beverly Hils for the Los Angeles County Board of Supervisors to Immediately Modify the Los Angeles County Public Health Order to Repeal the Prohibition on Outdoor Dining

Dear Supervisor Barger:

On December 1, 2020, the Council of the City of Beverly Hills passed a resolution opposing the Los Angeles County Public Health Officer Order prohibiting outdoor dining in Los Angeles County. Our City Council is united and unanimous in its opposition to the prohibition of outdoor dining that is included in the current Los Angeles County Public Health Officer Order. The City of Beverly Hills respectfully requests the Los Angeles County Board of Supervisors consider a motion at their December 8, 2020 regular meeting to repeal the prohibition on outdoor dining as there is a lack of data and scientific evidence to support this action by the County of Los Angeles Department of Public Health (LA County Public Health).

The impact of this closure to the restaurant sector will negatively affect many small business owners and their employees. The Los Angeles Economic Development Corporation predicts approximately 700,000 jobs in the food industry will be lost due to the current Los Angeles County Public Health Officer Order and they estimate 75 percent of these job losses are to those earning $50,000 or less. As there is no current federal stimulus package being introduced in either the United States House of Representatives or the Senate, this industry sector and their employees will be economically devastated due to this action. Many of these small businesses will permanently close their doors due to the financial impacts of a second closure.

Additionally, our City Council and its residents are concerned the decision by LA County Public Health to unilaterally prohibit outdoor dining countywide is capricious and ill thought out. There is little data or scientific evidence that has been presented by LA County Public Health to support...
a countywide closure. Furthermore, there are cities within Los Angeles County where new cases of people testing positive for COVID-19 are nearly non-existent or the number of people testing positive per 1,000 residents is well below the countywide rate. As such, the City of Beverly Hills strongly urges LA County Public Health to be more strategic on the closures contained within a Public Health Officer Order and focus on areas where current case rates are highest and/or rapidly increasing.

LA County Public Health has stated the countywide ban on outdoor dining is necessary in order to prevent people from crossing into cities within Los Angeles County that may allow outdoor dining; however, this is simply an impractical expectation. Many Los Angeles County residents are traveling to Orange County, Santa Barbara, and the City of Pasadena to eat outdoors. Furthermore, by prohibiting outdoor dining, Los Angeles County is inadvertently causing people to gather at private homes with people from outside their household.

Due to colder weather, these gatherings are taking place indoors, which is a riskier situation than dining outdoors. Dr. Ferrer recently stated 80 percent of the data collected from contact tracing is showing people are contracting COVID-19 due to socializing at large, private gatherings. A ban on outdoor dining is only going to increase these incidents and continue to perpetuate the spread of COVID-19. It is also nearly impossible to prevent people from gathering in private settings, even when the current Public Health Officer Order prohibits it.

Our City encourages LA County Public Health to issue new Public Health Officer Orders for outdoor dining. Under the new order, LA County Public Health could increase the distance between tables for outdoor dining to eight feet; require outdoor dining to occur by reservation only, as appropriate; and to create a social distancing model for patrons waiting to either pick up their food order or for their table to become available. Additionally, our City is supportive of increasing the usage of the public right of way in a safe manner to accommodate the greater social distancing of both patrons and tables at dining establishments.

Finally, the City encourages LA County Public Health to publish all data related to contact tracing. This data should include where incidents are occurring and what activity the person participated in that lead to the exposure to COVID-19. This data is necessary to make informed decisions on any future Public Health Officer Orders and would help all of the communities understand why the decision was made. The City of Beverly Hills strongly believes LA County Public Health needs to stop taking a one-size fits all approach in issuing Public Health Officer Orders. LA County Public Health needs to focus resources and new Public Health Officer Orders on areas that have an increase in new cases.

Our City is thankful for the motion introduced by you and Supervisor Hahn on November 24, 2020. Our City is respectfully requesting another motion be introduced on December 8, 2020, to repeal the countywide prohibition on outdoor dining based on a lack of data and scientific
evidence that shows outdoor dining is the causal agent for the current increase in cases and hospitalizations.

The City of Beverly Hills thanks you in advance for consideration of this motion. We would also like to thank you for being an advocate for the restaurant sector, their employees, and for advocating for data based decision-making.

Sincerely,

Lester J. Friedman
Mayor, City of Beverly Hills

cc: Los Angeles County Supervisor Hilda Solis, 1st District firstdistrict@bos.lacounty.gov
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