



CITY OF

NEWPORT BEACH

City Council Staff Report

June 23, 2020
Agenda Item No. 5

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Resolution No. 2020-61: Supporting the Orange County Board of Supervisors' Determination that Houses of Worship are Essential Services and Supporting In-Person Religious Assemblies

ABSTRACT:

As a result of Governor Newsom's *Stay at Home Order*, houses of worship for all faiths were closed to their congregations. With millions of California residents, including citizens of Newport Beach, who have a deep and sincere reliance upon their connection with local houses of worship, the essential and critical nature of the services provided by clergy and religious assemblies have been overlooked. Although recent directives from the California Department of Public Health have allowed houses of worship to reopen under stringent guidelines, these restrictions greatly inhibit the numerous benefits of ministries, social services and critical emotional support. After Resolution 20-051 was adopted unanimously by the Orange County Board of Supervisors to determine gathering together in fellowship and worship as an "essential" service and supporting in-person religious assemblies, the City Council desires to state publicly its support for this determination.

RECOMMENDATION:

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Adopt Resolution No. 2020-61, *A Resolution of the City Council of the City of Newport Beach, California, Supporting the Orange County Board of Supervisors' Determination that Houses of Worship are Essential Services and Supporting In-Person Religious Assemblies.*

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION:

Seeing the widespread effects of the novel coronavirus (COVID-19), Governor Newsom issued Executive Order N-33-20 on March 19, 2020, requiring all individuals in the State of California to stay home or at their place of residence, except as needed to maintain continuity of operations for 16 critical infrastructure sectors as defined by the federal government. As a result of this *Stay at Home Order*, houses of worship for all faiths throughout the City of Newport Beach and the County of Orange had to close. All houses of worship have largely remained closed since the Order has been in effect.

However, recently on May 25, 2020, the California Department of Public Health (CDPH) announced that houses of worship can reopen if they comply with new guidelines, by limiting attendance to 100 people or 25 percent of the building's capacity, whichever is lower. Also included in the guidelines is discouragement of "singing and group recitation." These stringent limitations inhibit the citizens of Newport Beach and the County of Orange from receiving the numerous benefits of ministries, social services, and critical emotional support that tends to be provided by these local institutions.

As there are millions of California residents who have a deep and sincere reliance upon their connections with local houses of worship and the clergy that lead them, the current restrictions have overlooked their essential and critical nature. In order to bring this issue to light, over 1,200 California clergy and approximately 10,000 church and ministry leaders have signed a *Declaration of Essentiality*. This Declaration was submitted on May 20, 2020, to Governor Newsom and Dr. Angell, Director of the CDPH, on behalf of Advocates for Faith & Freedom, The National Center for Law and Policy, Liberty Counsel and Freedom of Conscience Defense Fund, and First Liberty.

On May 26, 2020, the Orange County Board of Supervisors adopted Resolution No. 20-051 determining that gathering together in fellowship and worship in the faith of one's choice is indeed an "essential" service (Attachment B). This Resolution effectively supports the continuation of in-person religious assemblies to be held in compliance with Centers for Disease Control and State guidelines for social distancing, which is required of all "essential" businesses. It further expresses appreciation for the clergy who daily minister to the spiritual, physical, and mental needs of not only their congregants, but to those of all who cry out for help in times of need.

The City Council of the City of Newport Beach has expressed concurrence with the findings of the Orange County Board of Supervisors and would like to formally declare its support for the efforts of the Orange County Board of Supervisors and their determination.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENTS:

Attachment A – Resolution No. 2020-61

Attachment B – Orange County Board of Supervisors Resolution No. 20-051