

Ramirez, Angelica

Public Comment

From: Robert Curtis <rcurtis@foleybezek.com>
Sent: Tuesday, December 8, 2020 9:22 AM
To: sbcob; Williams, Das; Adam, Peter; Hart, Gregg; Lavagnino, Steve; Hartmann, Joan
Subject: COVID-19: Request to Push Back Against Gavin Newsom's Order

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Dear Santa Barbara Board of Supervisors,

This office represents SIMA, SIMA Management and Jim Knell, one of the largest commercial real estate owners and property managers in Santa Barbara

Small businesses and retail locations, which are the backbone of our local economy and provider of many jobs, will be destroyed if this County does not stand up and push back against Gavin Newsom's recent "Regional Stay-At-Home Order" (hereinafter the "New Order").

While previously Santa Barbara County monitored several county-wide metrics to determine which Tier and thus which restrictions were necessary within the County, this New Order bases restrictions on Intensive Care Unit ("ICU") capacity in the state's hospital networks on a regional basis. As a result, Santa Barbara County is being included in, and punished by, high-ICU rates in other Southern California counties several-hundred miles away like Riverside, San Diego, San Bernardino and Los Angeles.

Said another way, even if Santa Barbara had zero COVID-related ICU patients and every single ICU bed was available in the County's hospitals, Santa Barbara County would still have the draconian restrictions on restaurants and other non-essential businesses contained in the New Order because larger populated counties with higher infection rates are lumped in with Santa Barbara. How is this fair to the citizens of Santa Barbara County?

The same is true for San Luis Obispo County, where newly re-elected Assemblyman Jordan Cunningham is standing up to Newsom on behalf of the citizens of San Luis Obispo County, which currently has just 2% of its ICU beds occupied, but is also being lumped in with other larger counties in Southern California. Cunningham recently issued this statement: "The governor's most recent order, which will lead to a lockdown of San Luis Obispo and Santa Barbara counties, is arbitrary, irrational, and bordering on punitive," Cunningham wrote. "As of now, we have plenty of hospital and ICU capacity here on the Central Coast. We cannot be shutting down local businesses — many of which have spent tens of thousands of dollars to retrofit their operation in order to comply with [prior] public health orders — because of limited ICU capacity in counties hundreds of miles from our community." **I urge you to take a similar position. I urge you to push back against Newsom. I urge you to save Santa Barbara's small businesses from the certain financial disaster that comes with complying with this new Order.**

Very truly yours,
Robert A. Curtis
FOLEY BEZEK BEHLE & CURTIS, LLP