



# City of Rialto

## Legislation Text

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For City Council Meeting [January 26, 2021]

TO: Honorable Mayor and City Council

FROM: Sean Grayson, Acting City Manager

Request City Council to Receive an Update on and Confirm the Continued Existence of a Local Emergency Throughout the City of Rialto in Response to the COVID-19 Outbreak.

### **BACKGROUND**

On March 12, 2020, the City Council adopted Resolution 7600 declaring a local emergency in response to the COVID-19 outbreak. In the action staff indicated that the item would be brought back to the City Council for updates at each City Council meeting for the duration of the local emergency. The City Council received an update on and approved continuation of the local emergency on March 24, 2020; April 14, 2020; May 12, 2020; May 26, 2020; June 9, 2020; June 23, 2020; July 14, 2020; July 28, 2020; August 11, 2020; September 8, 2020; September 22, 2020; November 10, 2020; December 8, 2020; **and January 12, 2021.**

### **ANALYSIS/DISCUSSION**

On March 16, 2020, the City of Rialto cancelled all City events and activities and closed all City facilities to the public. City facilities remained open to provide services via phone, email, fax and scheduled meetings through means other than face-to-face.

Since the City's declaration of a local emergency and actions on March 16, 2020 there have been significant directives from the State of California and the San Bernardino County Department of Public Health. The County of San Bernardino Health Officer ordered the cancellation of gatherings and closing of most businesses. California Governor Gavin Newsom issued a Stay-At-Home order for all of California. This order limited the continued operations of businesses and entities to those that are critical infrastructure as defined by the U.S. Department of Homeland Security. After the order the City made modifications to the work environment, has provided work from home assignments and moved to a platoon staffing model rotating personnel weekly outside of police, fire and public works fields which maintain normal staffing and operations.

The County Order has been rescinded in favor of the State of California Roadmap to Modify the Stay At Home Order. Many business sectors have reopened but with significant restrictions to help prevent the spread of COVID-19. Some sectors including youth sports outside of day camp settings, indoor playgrounds, live theater, saunas and steam rooms, nightclubs, concert venues, festivals, and theme parks remain completely closed.

The Rialto City Council approved the phased reopening of City facilities beginning June 29, 2020, consistent with state and county guidance. Although all departments opened for in-person customer

service, some services remained unavailable including many Community Services offerings which were scheduled to reopen at future dates if allowed.

On July 1, 2020 Governor Newsom and the California Department of Public Health directed counties, including all of San Bernardino County, that have been on the County Monitoring List for three consecutive days or more to close indoor operations for certain sectors which promote the mixing of populations beyond households and make adherence to physical distancing and wearing face coverings difficult. The guidance applies for a minimum of three weeks and is subject to an extension based on epidemiologic indicators. In addition, all brewpubs, breweries, bars, and pubs in San Bernardino County were ordered closed immediately, both indoor and outdoor.

Based upon this continued assessment the City took a tactical pause in its reopening plans on July 1, 2020. City facilities open at that time remain open while all other reopenings or future events have been postponed. This tactical pause impacts all Community Services facilities and programs. In order to ensure protection of employees and the community consistent with guidance the City continues to provide in-place protections for employees and customers as well as provide online, telephone and other than in-person services to the community.

On July 13, 2020 Governor Newsom and the California Department of Public Health directed counties, including all of San Bernardino County, that have been on the County Monitoring List for three consecutive days or more to close indoor operations for additional sectors beyond those identified on July 1, 2020 including: fitness centers, places of worship, offices of non-critical sectors, personal care services, hair salons and barbers, and malls. On August 27, 2020 Governor Newsom and the California Department of Public Health announced a change from the State's County Monitoring List to a four-tiered color-coded blueprint for reopening. Under the new plan San Bernardino County is in the highest or worst tier, purple. Although the new plan will slow the process for transitioning to another tier and the allowance for reopening of additional sectors, the state did allow for the reopening of two additional sectors beginning August 31, 2020. Hair Salons and Barbers may reopen for indoor operations with additional precautions. Malls and all retail may reopen for indoor operations with additional precautions and maximum capacity limited to 25%.

Under guidance released from the California Department of Public Health, City of Rialto Parks were reopened with COVID-19 precautions as of October 2, 2020. The reopening of additional facilities, programs, amenities, and traditional City events will be deferred indefinitely with an amended reopening plan brought to the City Council for consideration after San Bernardino County has transitioned to a lower tier on the State's blueprint for reopening plan.

Under the State's Blueprint, all of San Bernardino County will remain in the most restrictive tier (Purple / Widespread) for 21 days after reducing case rates and positivity rates at the next tier (Red / Substantial). Within the purple / widespread tier there is no additional reopenings allowed beyond existing limits.

On November 19, 2020 the California Department of Public Health issued a Limited Stay At Home Order for certain nighttime hours and limiting gatherings. In response to updated state guidance and the City's established contingency plans, on November 25, 2020 all City office and facilities were closed to the public with provisions for appointments using COVID-19 precautions available for some services.

On December 3, 2021 the State of California announced a Regional Stay-At-Home Order that prohibits private gatherings of any size, closes sector operations except for critical infrastructure and retail, and requires 100% masking (with certain exceptions as indicated within guidance for use of face coverings) and physical distancing in all others. The order was identified to go into effect anytime a region's ICU bed availability fell below 15% and to remain in effect for at least 21 days. The order went into effect on December 7, 2020 for the Southern California, and was continued indefinitely on December 28, 2020 with regional ICU bed availability remaining 0%.

COVID-19 vaccinations began in San Bernardino County on December 16, 2020 following the County and State Health Departments' phases and stages for vaccine allocation. The county remains in the "jumpstart phase" vaccinating high-risk healthcare workers and first responders.

The City Emergency Management Team evaluates the spread and impact of COVID-19 on a continual basis. Initial adjustments were implemented based upon trigger points established in relations to case numbers in the County and City. With ongoing community transmission actual case rates continue to be assessed with additional assessment of the ongoing impacts of COVID-19 on City operations used to refine adjustments. Operational impacts largely focus on the available workforce, the closure status of various sectors, the ability to protect the workforce, the ability to protect the community while in City facilities, and the ability to provide essential and routine services to the community.

### **Continue the Local Emergency**

The number of COVID-19 cases and deaths has continued to increase throughout the world, California and San Bernardino County specifically with cases reported in Rialto. The increased number of cases and compliance with state and county orders have generated citywide impacts including: the modified reopening of City facilities, the closure of specific City facilities and their related programs and services, the reopening of various businesses with restrictions, the closure of a variety of businesses, and limitations on access to county and state resources. As such, a local emergency still exists in Rialto in response to COVID-19. ***The recommended action will continue the local emergency***

### **ENVIRONMENTAL IMPACT**

The requested City Council action is not a "Project" as defined by the California Environmental Quality Act (CEQA). Pursuant to Section 15378(a), a "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. According to Section 15378(b), a Project does not include: (5) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

### **GENERAL PLAN CONSISTENCY**

The requested action is consistent with General Plan goals 5.7 "Maintain a high level of emergency response capability" and 5.8 "Provide effective and comprehensive policing services that meet the safety needs of Rialto."

### **LEGAL REVIEW**

The City Attorney reviewed and supports this staff report.

### **FINANCIAL IMPACT**

The financial impact of the local emergency remains unknown at this time. Expenditures related to the event to date have been accomplished within existing purchase orders and the City Manager's authority and have been attributed as an event expenditure.

Any additional expenditures using the Director of Emergency Services authority under the local emergency will be presented in subsequent reports to the City Council for the duration of the local emergency.

#### **Operating Budget Impact**

This report does not impact the Operating Budget.

#### **Capital Improvement Budget Impact**

This report does not impact the Capital Improvement Budget.

#### **Licensing**

This action does not trigger a requirement for a business license.

### **RECOMMENDATION**

Staff recommends that the City Council receive the update on and confirm the continued existence of a local emergency throughout the City of Rialto in response to the COVID-19 outbreak.