



City of Rialto

Legislation Text

File #: 21-0653, **Version:** 1

For City Council Meeting [September 28, 2021]

TO: Honorable Mayor and City Council

APPROVAL: Marcus Fuller, City Manager

FROM: Sean Grayson, Fire Chief

Request City Council to Receive an Update on and Confirm the Continued Existence of, and Provide any Further Direction in Relation to the Local Emergency Throughout the City of Rialto in Response to the COVID-19 Outbreak.

(ACTION)

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 at each City Council meeting since the adoption of the resolution. 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. All of those orders were resolved on June 15, 2021, as the State of California began a process to roll back all Emergency Orders and effectively reopened the state to all sectors without COVID-19 restrictions for those persons that are fully vaccinated. There have been significant changes in the impact of COVID-19 on the community since State's rollback of specific COVID-19 protections.

ANALYSIS/DISCUSSION

Metrics

On June 15, 2021 when the state rolled back its various orders the State, San Bernardino County and the City of Rialto were all at metrics for COVID-19 cases near the levels at the beginning of the pandemic and well below all previous surges. Since that time case rates, positivity rates, positivity rates in healthy places, and hospitalizations have all shown a significant increase.

These changes are attributed to many factors with the most significant being:

- The rise of the Delta variant, a reported more transmissible variant, as the most common variant in the County, State and Country.
- The reduction of masking and social distancing of persons in public.
- Vaccination rates not reaching "herd immunity" levels.
- The rise of vaccinated persons testing positive for COVID-19 (although serious illness is rare, transmission from vaccinated persons to unvaccinated persons is of significant concern).

Masks

Under the California Department of Public Health (CDPH) order on June 15, 2021:

Masks are **required for all individuals** in the following indoor settings, regardless of vaccination status:

- On public transit (examples: airplanes, ships, ferries, trains, subways, buses, taxis, and ride-shares) and in transportation hubs (examples: airport, bus terminal, marina, train station, seaport or other port, subway station, or any other area that provides transportation)
- **Indoors** in K-12 schools and childcare
- Emergency shelters and cooling centers

Masks are **required for all individuals**, in the following indoor settings, regardless of vaccination status (and surgical masks are recommended):

- Healthcare settings
- State and local correctional facilities and detention centers
- Homeless shelters
- Long Term Care Settings & Adult and Senior Care Facilities

Additionally, masks are **required for unvaccinated individuals** in indoor public settings and businesses (examples: retail, restaurants, theaters, family entertainment centers, meetings, state and local government offices serving the public).

On July 27, 2021, the CDC added a **recommendation** for fully vaccinated people to wear a mask in public indoor settings in areas of substantial or high transmission. On July 28, 2021, the CDPH added a **recommendation** in the mask requirements for universal masking indoors statewide regardless of vaccination status. Some jurisdictions, including Los Angeles County, and businesses have reinstituted indoor mask mandates.

On August 10, 2021 the City Council ratified the City Manager's Emergency Proclamation requiring that all persons, regardless of vaccination status, wear masks while inside City facilities (using established exceptions that allow for unmasking on specified conditions like being alone in an enclosed room).

Vaccinations

Vaccination rates in the City of Rialto have increased from approximately 45% on June 15, 2021, to 58.4% fully vaccinated as of data shown on the San Bernardino County COVID dashboard on September 16, 2021. Another 9.5% of Rialto residents are partially vaccinated (first dose) for a total of 67.9% with full or partial vaccination.

The most granular level of geospatial vaccination information available is at the zip code level. There are three primary zip codes that cover the majority of the City of Rialto although portions of the central City are covered by Fontana and San Bernardino zip codes and the zip code for the southern portion of the City includes the majority of unincorporated Bloomington.

These three zip codes do show variation in vaccinated population rates for those 12 years of age and older (as of data on San Bernardino County COVID dashboard on September 16, 2021):

	<u>Fully Vaccinated</u>	<u>Any Vaccination</u>
92316 (South of I-10):	56.2%	65.2%
92376 (Central Rialto):	56.5%	66.1%

92377 (North of SR-210):	60.6%	69.3%
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*Any vaccination rate includes those with a partial (first dose)

The vaccination rates in all of San Bernardino County as of September 16, 2021, were:

	<u>Fully Vaccinated</u>	<u>Any Vaccination</u>
San Bernardino County:	54.9%	62.5%

Rialto's vaccination rates exceed these rates.

Continuing Safety Precautions

Masks have been proven effective as a measure to help reduce transmission of COVID-19. Social/Physical distancing practices have been proven effective in reducing the transmission of COVID-19. In conjunction with the mask order, the City has reestablished the six-foot spacing for employees and visitors inside City facilities and is implementing the social distancing practices already utilized at City Council meetings for all in-person meeting in City facilities. The City will continue to require COVID-19 surveillance of all persons entering City facilities beyond lobby areas or remaining in City facilities for greater than 10 minutes.

It has been reported that 99.5% or more of all COVID-19 deaths reported in California since June 15, 2021, have come from unvaccinated persons. Vaccination reduces individual risk and the collective community risk.

Events, Facilities and Programing Impacts

The rapid rise in COVID-19 transmission will impact City events, facility usage and programming. Although the mask and social distancing requirements provide an additional means to reduce transmission, additional action for City events, the use of City facilities and for City provided programming will be necessary. City events may need to be changed for format or cancelled during the current COVID-19 surge.

At this time and for the continuing future, indoor City events will be suspended.

Continue the Local Emergency

There are still significant impacts on our community, our businesses and to our City services. As such, a local emergency still exists in Rialto in response to COVID-19.

Status of Eviction and Utility Moratoria

On March 24, 2020, the Rialto City Council adopted Ordinances 1637 and 1638 issuing a moratorium on eviction of commercial and residential tenants respectively. These moratoria are permissive under the California Governor's Executive Order N-28-20 and subsequent revisions that suspend the state

law the preempts the City's abilities to enact such moratoria under normal conditions. These moratoria will end concurrent with the rollback of the Governor's Executive order on September 30, 2021.

In April of 2020 the Rialto Utility Authority (RUA) along with Rialto Water Services (RWS), instituted a moratorium on water shut-offs for non-payment for customers who have water/sewer accounts. In addition, the RUA/RWS is currently waiving all late fees associated with these accounts. The RUA/RWS is experiencing an increase in the past due accounts and amounts and encourages customers to take advantage of the CARES Act funds for utility and rental assistance. The RUA/RWS is offering the ability to set up payment plans to assist customers in paying their past due amounts. The recommended action maintains the moratorium.

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 has 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.

RECOMMENDATION

Staff recommends that the City Council receive an update on, confirm the continued existence of, and provide any further direction in relation to the Local Emergency throughout the City of Rialto in response to the COVID-19 outbreak.