

**Approvals:**

City Manager \_\_\_\_\_

Dept. Head \_\_\_\_\_

Attorney \_\_\_\_\_

Finance \_\_\_\_\_

# AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING

Meeting Date: March 30, 2020

**Department:** Interim City Manager  
**Prepared By:** Robert C. Dunek, Interim City Manager

**Subject:** ***CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, SUPPLEMENTING THE CITY COUNCIL'S PROCLAMATION OF A LOCAL EMERGENCY REGARDING NOVEL CORONAVIRUS (COVID-19)***

**Fiscal Impact:** This enactment is essential to the City's potential recovery of costs associated with this crisis.

**Background:** On March 4, 2020 California Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19. The Governor has since issued additional related Orders. The increase of reported cases and deaths associated with COVID-19 has also prompted the County of Orange to proclaim a local and public health emergency. The imminent and proximate threat of introduction of COVID-19 in the City of San Clemente threatens the safety and health of City residents. The City issued a similar Resolution Proclaiming a Local Emergency on March 17, 2020.

**Discussion:** The City Council's March 17 Resolution delegates authority to the City Manager to take extraordinary steps to protect the public from the effects of the COVID-19 pandemic and to address the extraordinary demands on public facilities and services the pandemic presents. The Council Resolution requires that extraordinary steps taken by the City Manager in this regard be presented to the City Council for ratification and anticipates that the City Council may subsequently amend the Resolution to deal with emerging issues.

The City Council will hold a special meeting on March 30 to adopt a resolution to ratify actions taken by the Manager under the original Resolution and to consider additional exigent steps the City must take in connection with public facilities and services and the public health and safety.

The Resolution will be drafted and presented at the Council meeting on the 30th. It currently contains ratification of the City Manager's action relating to parking closures and may include additional provisions relating to threat to the security of essential public services and the threat of lack of the public's right of access to COVID-19 testing, depending on the Council's deliberations in connection therewith.

**Environmental**

**Review:** Adoption of the ordinance and resolution would not, in itself, in any way impact or alter the physical environment. Accordingly, this action is exempt from environmental review under State CEQA Guidelines sections 15061(b)(3) (the general-rule exemption).

**Recommended**

**Action:** STAFF RECOMMENDS THAT the City Council:

Consider adopting Resolution No. 20-24 entitled : “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, SUPPLEMENTING THE CITY COUNCIL’S PROCLAMATION OF A LOCAL EMERGENCY REGARDING NOVEL CORONAVIRUS (COVID-19)”

**Notification:** None

RESOLUTION NO. 20-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SAN CLEMENTE, CALIFORNIA SUPPLEMENTING ITS  
PROCLAMATION OF A LOCAL EMERGENCY REGARDING  
NOVEL CORONAVIRUS (COVID-19)

WHEREAS, on March 17, 2020, as empowered by California Government Code section 8630 and San Clemente Municipal Code chapter 8.12, the City Council adopted a resolution proclaiming a local emergency regarding novel coronavirus (COVID-19); and

WHEREAS, the imminent and proximate threat of introduction of COVID-19 in the City of San Clemente continues to threaten the safety and health of City residents; and

WHEREAS, the City Council wishes, with this resolution, to supplement its proclamation to further address the local emergency; and

WHEREAS, this resolution will further assist in a coordinated public health response to reduce transmission and illness severity, provide assistance to health care providers, coordinate and mitigate public services that may be disrupted from this emergency, and mitigate any other effects of this emergency on the citizens of the City; and

WHEREAS, a declaration of a local emergency will assist in a coordinated public health response to reduce transmission and illness severity, provide assistance to health care providers, coordinate and mitigate public services that may be disrupted from this emergency, and mitigate any other effects of this emergency on the citizens of the City.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of San Clemente, California resolves as follows:

Section 1. Proclamation

Again, pursuant to California Government Code section 8630 and San Clemente Municipal Code chapter 8.12, the City Council hereby finds and proclaims a local emergency caused by conditions or threatened conditions of COVID-19 in San Clemente, which constitutes an extreme peril of health and safety of persons within the territorial limits of the City.

Section 2. Duration

Again, the local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council.

Section 3. Parking Lots and Street Parking

The Council hereby ratifies the Interim City Manager's March 25, 2020 decision to close to the public until further notice all City-owned beachfront parking lots and the San Clemente Municipal Pier.

Parking lot closures include all metered spaces in the following locations:

- North Beach Parking (except that parking for Metrolink users and commuters will remain available at the designated location in the north end of the lot),
- Linda Lane Parking Lot,
- Pier Bowl & Parque Del Mar Parking Lots, and
- T-Street Parking.

Section 4. [Additional Directives]

[Additional directives relating to a threat to the security of essential public services or a threat to the public's right of access to public services or public facilities.]

Section 5. Powers of Government

During the existence of said local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, ordinances, and resolutions of this City of San Clemente.

Section 6. Certification

The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

ATTEST:

---

City Clerk of the City of  
San Clemente, California

---

Mayor of the City of San  
Clemente, California

STATE OF CALIFORNIA     )  
COUNTY OF ORANGE     ) §  
CITY OF SAN CLEMENTE   )

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 20-24 was adopted at a regular meeting of the City Council of the City of San Clemente held on the 30th day of March, 2020, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
CITY CLERK of the City of  
San Clemente, California

Approved as to form:

\_\_\_\_\_  
City Attorney