



Agenda Item 9D

Approvals: \_\_\_\_\_

City Manager BD

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

Attorney \_\_\_\_\_

Finance \_\_\_\_\_

# AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING  
Meeting Date: June 2, 2020

**Department:** City Manager  
City Attorney

**Prepared By:** Scott C. Smith, City Attorney

**Subject:** *CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING 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.

We request that the City Council adopt a resolution amending the previously approved resolution and to consider additional exigent steps the City must take in connection with reopening public facilities and services and the public health and safety.

This resolution seeks to ratify the interim steps of reopening public facilities within San Clemente and to document any additional steps or revisions the Council wishes to consider as amendments to its order of local emergency at this time. The reopening steps to date and any adjustments the Council wishes to incorporate at this meeting will be further detailed in the attached matrix.

**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. \_\_\_ entitled : "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA AMENDING ITS PROCLAMATION OF A LOCAL EMERGENCY REGARDING NOVEL CORONAVIRUS (COVID-19)"

**Attachments:**

- 1) Resolution
- 2) Updated Matrix on Reopening Public Facilities

**Notification:**

None

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RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SAN CLEMENTE, CALIFORNIA AMENDING 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 No. 20-13 proclaiming a local emergency regarding novel coronavirus (COVID-19); and

WHEREAS, on March 30 and April 21, the City Council supplemented its proclamation in Resolution Nos. 20-24 and 20-30 to further address the local emergency; and

WHEREAS, the City Council deliberated and gave additional direction on adapting the City's normal operational procedures relating to the ownership, security, and operation of City facilities and programs in light of the extraordinary conditions presented by the local emergency, including Council direction given at its May 5 and May 19 City Council meetings and the interim steps taken by the City Manager as approved by the Council;

WHEREAS, the City Council wishes, with this resolution, to amend its proclamation to reflect, ratify, and/or amend the City Manager's and Council's efforts and current decisions to address the local emergency and approved and/or amended by the City Council; 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

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

Section 1. Duration

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

Section 2. Ratification of Interim Steps

For the duration of this local emergency, the City Council facilities and programs set forth in the amended Matrix attached hereto, as ratified or amended in connection herewith by the City Council, shall be maintained, operated, and reopened as described therein.

Section 3. Certification

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

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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. \_\_\_\_\_ was adopted at a regular meeting of the City Council of the City of San Clemente held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, 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

	STAGE 1	STAGE 2	STAGE 3	STAGE 4
Aquatic Facilities	Closed	Soft Open (Part 1)	Soft Open (Part 2)	Open
Basketball Courts	Closed	Closed	Soft Open	Open
City Hall	Closed	Soft Open	Soft Open	Open
Community Center	Closed	Closed	Soft Open	Open
Communitywide Events	Closed	Closed	Closed	Open
Day Camps	Closed	Soft Open	Soft Open	Open
Golf Course	Soft Open	Soft Open	Soft Open	Open
Jr. Lifeguard Program	Closed	Closed	Closed	Open
Parks – Passive	Open	Open	Open	Open
Parks – Sports/Ballfields	Closed	Closed	Soft Open	Open
Pickleball Courts	Closed	Closed	Soft Open	Open
Picnic Pavilions	Closed	Closed	Soft Open	Open
Playgrounds	Closed	Closed	Closed	Open
Recreation Classes	Closed	Closed	Soft Open	Open
SC Trolley	Closed	Closed	Soft Open	Open
Senior Mobility Program	Closed	Closed	Closed	Open
Skate Court	Closed	Soft Open	Soft Open	Open
Tennis Courts	Closed	Soft Open	Open	Open
Trails	Open	Open	Open	Open
Volleyball Courts	Closed	Closed	Soft Open	Open