



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: MAY 5, 2020**

FROM: CITY MANAGER'S OFFICE **WARDS: ALL**

SUBJECT: FRAMEWORK FOR OPENING USES, INCREASING ACTIVITIES AND EASING STAY-AT-HOME ORDERS RELATED TO THE COVID-19 PANDEMIC

ISSUE:

Review and provide feedback on a Framework for staff to consider when responding to new, amended, and rescinded State and County orders regarding opening uses, increasing activities and easing stay-at home orders; provide direction on opening the parking lot at Andulka Tennis Center and opening Fairmount Golf Course; and provide staff with additional direction on State and County actions.

RECOMMENDATIONS:

That the City Council:

1. Review and provide feedback on a Framework for staff to consider when responding to new, amended and rescinded State and County orders regarding opening uses, increasing activities and easing stay-at-home orders related to the COVID-19 pandemic;
2. Provide direction on re-opening the parking lot at Andulka Tennis Center;
3. Provide direction on re-opening Fairmount Golf Course; and
4. Provide staff with additional direction on State and County actions.

BACKGROUND:

On March 4, 2020, Governor Newsom declared a state of emergency for the State of California as a result of the threat of COVID-19. On March 11, 2020, Governor Newsom issued his policy recommending the cancellation of public gatherings of 250 people or more and limitations on gatherings of people who are at higher risk for COVID-19 to 10 people or fewer, and delaying or canceling meetings where attendees cannot observe at least six feet of social distance from one another.

On March 8, 2020, the Riverside County's Public Health Officer declared a local health emergency based on an imminent and proximate threat to public health from the introduction of COVID-19 in Riverside County. On March 10, 2020, the County of Riverside ratified the local emergency.

On March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic and on March 13, 2020, President Trump declared the COVID-19 pandemic a national emergency.

On March 13, 2020, the City of Riverside declared a local emergency to increase its efforts to protect the public from COVID-19. The City Council ratified this declaration on March 17, 2020.

On March 16, 2020, the Riverside County Public Health Officer issued an order canceling all gatherings with expected presence of 10 individuals based on an imminent and proximate threat to public health from the introduction of COVID-19 in Riverside County.

On March 16, 2020, Governor Newsom issued additional policy recommendations further restricting gatherings, including requesting that restaurants be closed for in-restaurant seated dining, and should be open only to drive-through or other pick-up/delivery options.

On March 18, 2020, the Director of Emergency Services ordered the temporary closure of bars, breweries and wineries and called for restaurants to remain open at 50% capacity as long as they adhere to six feet social distancing norms and abide by the order of the Riverside County Public Health Officer that limits gatherings to no more than 10 people in each subdivided room of a building.

On March 19, 2020 Governor Newsom issued a Stay at Home order for all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors. This order changed the previous allowance for dining room seating and prohibits dining in restaurants, with delivery and pick-up services encouraged. The order is to remain in effect until further notice.

On March 19, 2020, the Director of Emergency Services ordered the City to provide for minimum staffing to slow down the spread of COVID-19 amongst City Staff. This order was ratified by the City Council on March 31, 2020.

On March 29, 2020, President Trump announced that he was extending the federal social distancing guidelines through April 30, 2020 due to the Continuing Coronavirus outbreak.

On April 2, 2020, the Riverside County Public Health Officer ordered the closure of all golf courses in the County of Riverside, whether public or private, and their ancillary use areas, which include parking areas, clubhouses, driving ranges, practice putting greens, and food and beverage service areas through June 19, 2020.

On April 14, 2020, Governor Newsom outlined six critical indicators the State will consider before modifying their stay-at-home order, which include:

1. The ability to monitor and protect communities through testing, contact tracing, isolating and supporting those who are positive or exposed;
2. The ability to prevent infection in people who are at risk for more severe COVID-19;
3. The ability of the hospital and health systems to handle surges;
4. The ability to develop therapeutics to meet the demand;

5. The ability for businesses, schools, and childcare facilities to support physical distancing; and
6. The ability to determine when to reinstate certain measures, such as the stay-at-home orders, if necessary.

On April 28, 2020, Governor Newsom announced four different stages for easing California's stay-at-home orders (Attachment 1). Currently, the State is in the first stage; among other low risk uses, the second stage, when the Governor issues an amended order, allows with adaptations opening more public spaces.

On April 29, 2020, The County Public Health Officer extended his order requiring residents to wear face coverings and continue practicing social distancing requirements through June 19, 2020.

On April 30, 2020, the County of Riverside issued a news release (Attachments 2 & 3) noting "The Riverside County Board of Supervisors may cancel all local public health orders in an item that will go before the board on Tuesday (May 5). Signaling the need to transition the county to an economic recovery, the potential rescission of the orders will position the county to reopen businesses once the governor eases statewide restrictions."

DISCUSSION:

Over the past few weeks, announcements have been made at the federal, state and county level regarding measures to ease COVID-19 interventions. On April 16, 2020, the President issued his Guidelines for Opening Up America Again and empowered Governors to tailor the phased reopening of their states to address each situation at a statewide level or on a county-by-county basis.

On April 20, 2020, the Riverside County Public Health Officer amended two County orders (Attachments 4 & 5) to facilitate the opening of parks, trails, and other outdoor areas for walking, jogging, hiking, biking, equestrian activities and other non-contact outdoor sports such as golf, pickleball and tennis, with the requirement that social distancing and face coverings be maintained at all times.

In response to the County's amended orders, the City's Parks, Recreation and Community Services Department (PRCSD) staff analyzed City facilities that meet the criteria of the Public Health Officer (Attachment 6). Their analysis included an examination of whether social distancing can be accomplished at each site; whether the activities undertaken at the site would create physical contact between two or more individuals; and whether parking lots are required for the property to be utilized. Based on their findings, the Sycamore Canyon trails, neighborhood tennis/pickleball courts, and disc golf course at Martha McLean Park have all been re-opened with signage put in place at each site reminding patrons of social distancing requirements and mandates for personal protective equipment.

Staff is seeking additional direction from the City Council on how to move forward with re-opening the following facilities:

- Andulka Tennis Center: Staff is working with the contractor to open this facility; however, the parking lot would also need to be re-opened, which in turn could attract a significant number of visitors to the park and make social distancing impossible. If the center is re-

opened, the contractor will implement all state/county regulations and be responsible to ensure that the facility is frequently sanitized. Where possible, the contractor will restrict common areas (lobby, pro shop, etc.) to ensure that social distancing is practiced.

- Fairmount Golf Course: If this facility is re-opened to the general public: a) it will be after staff has prepared the facility and addressed any safety measures related to COVID-19; b) signage will be posted to remind golfers of any/all social distancing requirement and state/county mandates for personal protective equipment; c) staff will implement the "Park and Play" standards outlined by the National Golf Course Owners Association; d) golf cart use will be restricted to one golfer per cart; e) only online and/or phone-in tee times will be accepted until further notice; and f) staff will sanitize golf carts frequently and ensure that personal protective equipment is used at all times.

Moving forward, the Policy Group has established a draft Framework (Attachment 7) framework for staff to consider when responding to new and amended State and County orders regarding opening uses, increasing activities and easing stay-at-home orders related to the COVID-19 pandemic. Currently, the City is following the orders of Governor Newsom and the County Public Health Officer, which embody policy based on science and data, and apply them within the local community context. The Framework provides that when the Governor or County issues new orders or amends orders or rescinds orders that ease stay-at-home requirements and/or allow for the opening of previously closed uses, or otherwise introduces new opportunities for commerce or activity during the state of emergency, City staff will analyze the order(s) and determine:

1. If the order can be carried out administratively without reservation (in an equally restrictive or more restrictive manner as the Governor's or County order) by the City Manager/Director of Emergency Services with a report out to the Policy Group and City Council; or
2. That the order cannot be carried out administratively without reservation and will bring recommendations concerning the order to the Policy Group at its next earliest meeting for consideration. The recommendation of the Policy Group will either result in the City Manager/Director of Emergency Services acting administratively with a report out to the City Council or will include direction for either direct submittal to the City Council or a City Council Committee.

When analyzing new, amended, or rescinded orders issued by Governor Newsom or the County Public Health Officer, City staff will consider the following:

1. Clarification of order/supporting documents/terms, etc.
2. Staffing requirements for opening/operating (including City staff health and safety) and Department of Homeland Security's CISA Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response.
3. City enforcement requirements.
4. Financial constraints.
5. Timing/phasing of implementation.
6. Conflicts (e.g., State "recommendations" vs. County "orders/mandates", etc.).

7. Consistency with applicable plans and orders (i.e. Governor's 6 Indicators, City Recovery Plan, City Second Wave Plan, etc.).
8. Key stakeholder input (e.g. Neighborhood/Business Groups, Universities, etc.).

Staff is requesting City Council's review and feedback on the Draft Framework for staff to consider when responding to new and amended State and County orders regarding opening uses, increasing activities and easing stay-at-home orders related to the COVID-19 pandemic.

FISCAL IMPACT:

The total fiscal impact of City facility closures due to the COVID-19 pandemic is significant, but the totality of which is unknown at this time. Re-opening these facilities is expected to have a positive fiscal impact.

Prepared by: Rafael Guzman, Assistant City Manager
Certified as to
availability of funds: Edward Enriquez, Chief Financial Officer/Treasurer
Approved by: Al Zelinka, AICP, City Manager
Approved as to form: Gary G. Geuss, City Attorney

Attachments:

1. Update on California's Pandemic Roadmap
2. Riverside County News Release
3. Submittal to the Board of Supervisors
4. Riverside County Amended Order – Parks & Trails
5. Riverside County Amended Order – Golf Courses
6. PRCSD Response to Amended Riverside County Orders
7. Draft Framework
8. Presentation