

RESOLUTION NO. 2020-158

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE CONFIRMING THE LOCAL EMERGENCY ORDER TEMPORARILY MODIFYING OPERATIONS OF THE ELK GROVE AQUATICS CENTER

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency in California as a result of the COVID-19 pandemic; and

WHEREAS, on March 13, 2020, the City Manager issued a proclamation that a local emergency exists in the City of Elk Grove and that that the COVID-19 pandemic has caused, and will continue to cause, conditions of extreme peril to the safety of persons within the City that are likely to be beyond the control of services, personnel, equipment, and facilities of the City; and

WHEREAS, on March 18, 2020, the Elk Grove City Council ratified the local state of emergency proclamation; and

WHEREAS, on March 19, 2020, the Governor issued Executive Order N-33-20 ordering all residents of California to stay at home, unless in the category of essential services; and

WHEREAS, on June 19, 2020, the Sacramento County Public Health Officer issued an order relaxing the restrictions on low-risk businesses consistent with direction from the State of California and allowing for the opening of public pools; and

WHEREAS, on June 25, 2020, the City Manager, in his role as the local Director of Emergency Services, issued a Local Emergency Order allowing for the opening of the Elk Grove Aquatics Center (EGAC) with additional provisions and restrictions to comply with COVID-19 safety protocols; and

WHEREAS, on July 14, 2020, the Sacramento County Public Health Officer issued a revised order, superseding prior orders, restricting certain indoor activities, but not prohibiting outdoor public pool use where social distancing protocols are implemented; and

WHEREAS, public safety provisions include, but are not limited to, limiting capacity to accommodate social distancing, requiring face coverings, encouraging pre-registration to ensure capacity limitations, altering programming times to allow for sanitizing between activities, and lowering fees for recreation (open) swim due to the shorter duration; and

WHEREAS, under the Elk Grove Municipal Code rules and regulations issued by the City's Director of Emergency Services shall be confirmed by the City Council as early as practicable under the circumstances of the emergency.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elk Grove hereby confirms the Local Emergency Order issued on June 25, 2020, temporarily modifying operations of the Elk Grove Aquatics Center attached hereto as Exhibit A and incorporated herein by reference.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 22nd day of July 2020



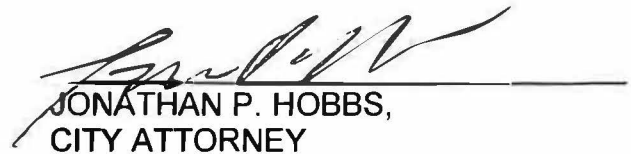
STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

**LOCAL EMERGENCY ORDER
(Elk Grove Aquatic Center)**

Pursuant to the Proclamation of a State of Emergency in California by Governor Gavin Newsom on March 4, 2020 as a result of the COVID-19 pandemic; the City Manager's Proclamation of a Local Emergency dated March 13, 2020, and subsequent ratification by the Elk Grove City Council on March 18, 2020; the Order of the Sacramento County Health Officer dated June 19, 2020; Elk Grove Municipal Code section 9.19.041(A)(6)(a); and Government Code Section 8634, I hereby issue the following Order:

The Elk Grove Aquatic Center (EGAC) may reopen and operate subject to any orders issued by the County of Sacramento Health Officer (who has been designated as the City of Elk Grove Health Officer pursuant to Elk Grove Municipal Code section 6.33.010) and the following additional provisions and restrictions:

- A. Anyone entering the EGAC shall abide by posted safety guidelines which may include, without limitation, temperature checks, face coverings, and social distancing of at least six feet, all as directed by the Community Event Center Manager or designee.
- B. Facility capacity shall be reduced to encourage social distancing, all as directed by the Community Event Center Manager or designee.
- C. Pre-registration for aquatic programming may be required to ensure capacity limitations are adhered to, all as directed by the Community Event Center Manager or designee.
- D. Times of programming may be altered to accommodate cleaning/sanitizing protocols, all as directed by the Community Event Center Manager or designee.
- E. The fee for recreation (open) swim participants shall be revised from \$8 per session per person to \$6 per session per person for participants ages 5 years of age and older, and the fee for recreation (open) swim participants shall be revised from \$5 per session per person to no charge for participants under 5 years of age.
- F. Recreation (open) swim amenities including, without limitation, the water slides, swim accessories, and inflatables may be limited, all as directed by the Community Event Center Manager or designee.
- G. Recreation (open) swim may be limited to no more than two hours per person per session all as directed by the Community Event Center Manager or designee.

H. Deck furniture may be limited and shall be maintained at not less than six feet in separation to ensure social distancing.


Failure of any person to comply with this Order and any order issued by a law enforcement officer pursuant to this Order constitutes an imminent threat to public health.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the City of Elk Grove, its departments, officers, employees, or any other person.

If any provision of this Order to the application thereof to any person or circumstances is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

This Order shall be filed in the City Clerk's Office and given widespread publicity and notice as is reasonably practicable.

Dated: June 25, 2020

By: 

Jason Behrmann
City Manager/Director
Emergency Services
City of Elk Grove

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2020-158

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on July 22, 2020 by the following vote:

AYES: COUNCILMEMBERS: *Ly, Detrick, Hume, Nguyen, Suen*

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



Jason Lindgren, City Clerk
City of Elk Grove, California