

RESOLUTION 2022-05

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT AMENDING RESOLUTION 2020-07 RATIFYING AND PROCLAIMING A DISTRICT LOCAL EMERGENCY IN RESPONSE TO THE IMPACT OF THE RESPIRATORY ILLNESS PANDEMIC COVID- 19

WHEREAS, the governing body of the District has the authority to proclaim a local emergency; and

WHEREAS, California Government Code Section 3100 states that all public employees are declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law, and the District needs to provide potable water deemed as an essential public service; and

WHEREAS, pursuant to the BCVWD Policies and Procedures Manual, Section 1E, the General Manager in consultation with the President of the Board of Directors may declare a District Local Emergency when said District is affected or likely to be affected by a public calamity and the Board of Directors is not scheduled to meet in a timely manner; and

WHEREAS, any actions that the District may take to ensure the continuation of critical services to protect the safety of customers and to provide for immunities that will protect the District for actions taken, as covered under the California Emergency Services Act; and

WHEREAS, working with the County of Riverside, this proclamation authorizes the undertaking of powers and invoking and disseminating emergency orders (e.g., emergency orders, emergency spending authorities, emergency or pre-established contracting, order necessary Personal Protective Equipment, recovery, etc.) and regulations necessary to provide for the protection of life, property, and the environment; and

WHEREAS, this proclamation establishes that an emergency exists, and that if mutual aid of in-county resources are needed to assist the District, as covered under the California Master Mutual Aid Agreement and any local agreements to provide mutual aid should be sufficient to establish, and that the Emergency Services Act applies; and

WHEREAS, this proclamation establishes that an emergency exists, and if out-of-county assistance is needed, requests for mutual aid should follow procedures set forth by the Standardized Emergency Management System (SEMS) and the Governor's Office of Emergency Services (CalOES), including obtaining mission numbers through the County of Riverside Emergency Management Department from CalOES for responding agencies. This is particularly important for possible reimbursement of extraordinary expenses in the event of a proclaimed "State of Emergency" or in the event of a presidential declaration of disaster when state or federal disaster relief funds become available; and

WHEREAS, conditions of disaster or of extreme peril to the health and safety of persons and property have arisen both internationally and within the United States as a result of the introduction of the novel coronavirus (COVID-19), a novel communicable disease which led to California Governor Gavin Newsom, to proclaim a State of Emergency for California on March 4, 2020; and

WHEREAS, currently COVID-19 has spread globally to more than 70 countries, infecting more than 180,000 persons and causing more than 7,100 fatalities worldwide. Due to the expanding list of countries with widespread transmission of COVID-19, and increasing travel alerts and warnings for countries experiencing sustained or uncontrolled community transmission issued by the Centers for Disease Control and Prevention (CDC), COVID-19 has created conditions that are likely to be beyond the control of local resources and require the combined forces of other political subdivisions to combat this virus; and

WHEREAS, on March 10, 2020 the Riverside County Board of Supervisors ratified a local public health emergency declaration and as of March 15, 2020, there are 779 confirmed cases of COVID-19 in California, including 16 in the Riverside County area, with 3 COVID-19 related deaths, and officials expect the number of cases to increase; and

WHEREAS, on March 13, 2020, the President of the United States declared that the outbreak of COVID-19 in the United States constitutes a national emergency; and

WHEREAS, on March 17, 2020, the City of Beaumont declared a Local Emergency to Protect the Health, Safety and Welfare of residents during the COVID-19 pandemic; and

WHEREAS, the District's ability to mobilize local resources, coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and seek future reimbursement by State and Federal governments will be critical to successfully responding to COVID-19; and

WHEREAS, the ratepayers of the District may experience financial hardship during this pandemic and it is the responsibility of every level of government to protect the public and take the necessary action to eliminate or reduce its expected negative consequences including a moratorium on utility shutoffs; and

WHEREAS, the Board of Directors of the Beaumont-Cherry Valley Water District restates its responsibility to the ratepayers and residents of the District: to provide safe, clean and reliable water, and recognizes this is an essential requirement for public health; and

WHEREAS, the Board of Directors finds and determines that:

1. The conditions of extreme peril to the safety of persons caused by COVID-19 exist and are beyond the control of the services, personnel, equipment and facilities of BCVWD and will require the combined forces of all governmental agencies to appropriately respond, and
2. Preparing for, responding to, mitigating and recovering from the spread of COVID-19 requires the District to divert resources from normal day-to-day operations and has and will continue to impose extraordinary requirements on and expenses to the District, and
3. That resources of the Beaumont-Cherry Valley Water District may be insufficient, and the magnitude of the public health and economic disaster created by COVID-19 may be beyond the capabilities of the District, and
4. The mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, employment of sufficient personnel, use of mutual aid, and allow for future reimbursement by the state and federal governments will be critical to successfully responding to COVID-19, the District may require additional assistance in the future, and proclamation of Local Emergency allows additional resources to flow to the District in a timely manner

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Beaumont-Cherry Valley Water District that:

1. The Board of Directors hereby ratifies and proclaims that a Local Emergency now exists throughout the Beaumont-Cherry Valley Water District, and
2. The Board of Directors hereby directs staff to implement its Emergency Plan as applicable and outlined in the District's Policies and Procedures Manual, Part III, Section 1, and
3. The Board of Directors hereby directs staff to request concurrence in local emergency by the State Director of the Office of Emergency Services and to notify the Cal-OES Southern Region Administrator of this proclamation of local emergency; and
4. The Board of Directors hereby suspends its rules and policies regarding personnel and procurement to the extent necessary within the law to allow full and expedited response to any unforeseen emergency situations to address the effects of COVID-19 to protect public health, District employees, and District facilities; and
5. The Board of Directors hereby authorizes the General Manager or his designee to request or provide Mutual Aid assistance per the District's Policies and Procedures Manual, Part III, Section 1G
6. The Board of Directors hereby directs staff to provide a review of this Local Emergency proclamation at a regularly scheduled Board of Directors meeting until terminated, with no review to exceed 60 days from the last review.


IT IS FURTHER RESOLVED AND ORDERED that during the existence of said Local Emergency the powers, functions and duties of the District shall be those prescribed by state law, by ordinances, and resolutions of the Beaumont-Cherry Valley Water District, and that this Local Emergency Proclamation is in effect until rescinded by the Board of Directors of the Beaumont-Cherry Valley Water District.

BE IT FURTHER RESOLVED AND ORDERED that a copy of this Proclamation be forwarded to the Riverside County Emergency Management Department to be forwarded to the Director of the California Governor's Office of Emergency Services.


ADOPTED this 9th day of March, 2022 by the following roll call vote:

AYES: Director Ramirez, Director Covington, Director Skowson, Director Hoffman, ^{President} Williams
NOES:
ABSTAIN:
ABSENT:

ATTEST:



Director Lona Williams, President of the Board of Directors of the Beaumont-Cherry Valley Water District



Director David Hoffman, Secretary to the Board of Directors of the Beaumont-Cherry Valley Water District