



**BEAUMONT CHERRY VALLEY RECREATION & PARK DISTRICT**  
**NOTICE AND AGENDA OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS**  
**Tuesday March 24, 2020 5:00pm**  
[www.bcvparks.com](http://www.bcvparks.com)

**PUBLIC PARTICIPATION BY TELECONFERENCE ONLY**

Due to the spread of COVID-19 and in accordance with the Governor's Executive Order N-29-20 (a copy of which is attached to this agenda), the Beaumont Cherry Valley Recreation & Park District will be conducting this meeting by teleconference only. Public comments on matters listed on the agenda or on any matter within the District's jurisdiction will be received during Public Comments, Agenda Item No. 1. There will be no public physical location for attending this meeting in person. The District's Board meeting room will be closed to the public until further notice.

If you are unable to participate by telephone, you may submit comments and/or questions in writing for the Board's consideration by sending them to [janet@bcvparks.com](mailto:janet@bcvparks.com). Submit your written inquiry prior to the start of the meeting. All public comments received prior to the start of the meeting will be provided to the Board and may be read into the record or compiled as part of the record.

**This meeting is available by calling: 1(623) 404-9000**  
**Meeting ID: 471 749 1599#**  
**Participant ID: 9555#**  
**Password: 834201#**

**You can also join the meeting from PC, Mac, Linux, iOS or Android:**

**<https://meetings.ringcentral.com/j/4717491599?pwd=ajhCeU1ld0ZyMVdiSWtjakFYMIkrQT09>**

**SPECIAL SESSION** Special Session to begin at 5:00 p.m. Noble Creek Community Center

Roll Call:

Director De La Cruz \_\_\_\_\_ Director Ward \_\_\_\_\_ Treasurer Diercks \_\_\_\_\_  
Vice Chair/Secretary Flores \_\_\_\_\_ Chairman Hughes \_\_\_\_\_

Invocation:

Pledge of Allegiance:

**Adjustments to Agenda:** Government code sec 54954.5(b) (2) provides "upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or if less than two-thirds of the members are present, a unanimous vote of those member present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a) "

**Presentations:** None

- 1. PUBLIC COMMENT:**
- 2. DISTRICT CLOSED SESSION - None**
- 3. ACTION ITEMS**
  - 3.1 Emergency Admin Leave Policy
  - 3.2 Resolution # 2020-01 Proclaiming a Local Emergency

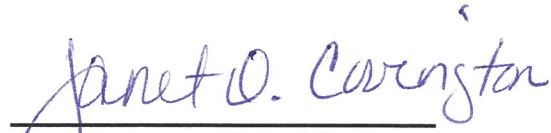
4. NEXT MEETING: April 8, 2020

5. DIRECTORS MATTERS:

6. ADJOURNMENT:

**Any person with a disability who requires accommodations in order to participate in the meeting should telephone Janet Covington at 951-845-9555 prior to the meeting in order to make a request for a disability-related modification or accommodation**

Cherry Valley Recreation and Park District and the foregoing agenda was posted at the District office and web site on March 23, 2020.

  
\_\_\_\_\_  
Janet Covington, Clerk of the Board

EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA

EXECUTIVE ORDER N-29-20

**WHEREAS** on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

**WHEREAS** despite sustained efforts, the virus continues to spread and is impacting nearly all sectors of California; and

**WHEREAS** the threat of COVID-19 has resulted in serious and ongoing economic harms, in particular to some of the most vulnerable Californians; and

**WHEREAS** time bound eligibility redeterminations are required for Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries to continue their benefits, in accordance with processes established by the Department of Social Services, the Department of Health Care Services, and the Federal Government; and

**WHEREAS** social distancing recommendations or Orders as well as a statewide imperative for critical employees to focus on health needs may prevent Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries from obtaining in-person eligibility redeterminations; and

**WHEREAS** under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

**NOW, THEREFORE, I, GAVIN NEWSOM**, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following order to become effective immediately:

**IT IS HEREBY ORDERED THAT:**

1. As to individuals currently eligible for benefits under Medi-Cal, CalFresh, CalWORKs, the Cash Assistance Program for Immigrants, the California Food Assistance Program, or In Home Supportive Services benefits, and to the extent necessary to allow such individuals to maintain eligibility for such benefits, any state law, including but not limited to California Code of Regulations, Title 22, section 50189(a) and Welfare and Institutions Code sections 18940 and 11265, that would require redetermination of such benefits is suspended for a period of 90 days from the date of this Order. This Order shall be construed to be consistent with applicable federal laws, including but not limited to Code of Federal Regulations, Title 42, section 435.912, subdivision (e), as interpreted by the Centers for Medicare and Medicaid Services (in guidance issued on January 30, 2018) to permit the extension of

otherwise-applicable Medicaid time limits in emergency situations.

2. Through June 17, 2020, any month or partial month in which California Work Opportunity and Responsibility to Kids (CalWORKs) aid or services are received pursuant to Welfare and Institutions Code Section 11200 et seq. shall not be counted for purposes of the 48-month time limit set forth in Welfare and Institutions Code Section 11454. Any waiver of this time limit shall not be applied if it will exceed the federal time limits set forth in Code of Federal Regulations, Title 45, section 264.1.
3. Paragraph 11 of Executive Order N-25-20 (March 12, 2020) is withdrawn and superseded by the following text:

Notwithstanding any other provision of state or local law (including, but not limited to, the Bagley-Keene Act or the Brown Act), and subject to the notice and accessibility requirements set forth below, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.

In particular, any otherwise-applicable requirements that

- (i) state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- (ii) each teleconference location be accessible to the public;
- (iii) members of the public may address the body at each teleconference conference location;
- (iv) state and local bodies post agendas at all teleconference locations;
- (v) at least one member of the state body be physically present at the location specified in the notice of the meeting; and
- (vi) during teleconference meetings, a least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction

are hereby suspended.

A local legislative body or state body that holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements set forth below, shall have satisfied any requirement that the body allow

members of the public to attend the meeting and offer public comment. Such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

Accessibility Requirements: If a local legislative body or state body holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the body shall also:

- (i) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act and resolving any doubt whatsoever in favor of accessibility; and
- (ii) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to subparagraph (ii) of the Notice Requirements below.

Notice Requirements: Except to the extent this Order expressly provides otherwise, each local legislative body and state body shall:

- (i) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and
- (ii) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in such means of public observation and comment, or any instance prior to the issuance of this Order in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of such means, a body may satisfy this requirement by advertising such means using "the most rapid means of communication available at the time" within the meaning of Government Code, section 54954, subdivision (e); this shall include, but need not be limited to, posting such means on the body's Internet website.

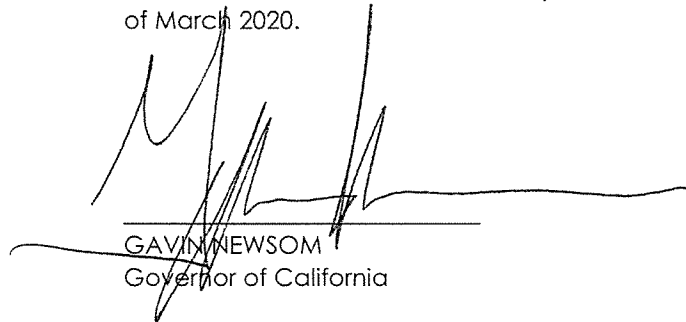
All of the foregoing provisions concerning the conduct of public meetings shall apply only during the period in which state or local public health officials have imposed or recommended social distancing measures.

All state and local bodies are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Bagley-Keene Act and the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.

**IT IS FURTHER ORDERED** that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

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 State of California, its agencies, departments, entities, officers, employees, or any other person.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 17th day of March 2020.



A handwritten signature in black ink, appearing to read 'Gavin Newsom', is written over a horizontal line. The signature is stylized and somewhat abstract.

GAVIN NEWSOM  
Governor of California

**ATTEST:**

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ALEX PADILLA  
Secretary of State

BEAUMONT-CHERRY VALLEY RECREATION & PARK DISTRICT  
EMERGENCY ADMIN LEAVE POLICY

**Emergency Administrative Leave**

Beaumont-Cherry Valley Recreation & Park District (District) strives to be prepared for catastrophic events that may force shutdown, or partial shutdown, of operations. This policy grants discretionary access to up to ten (10) days (defined with a value of the affected employee's average shift) of Emergency Administrative Leave ("EAL") to cover employee absences due to work unavailability because of a Major Public Disaster. Understanding that the provision of some basic services may require some level of skeletal or flex staffing, the General Manager is authorized to provide EAL on an intermittent or staggered basis.

*"Major Public Disaster"*: A "Major Public Disaster" is an incident that is of the severity and magnitude that effective response is beyond the capability of the state or affected local governments. In order to qualify as a "Major Public Disaster" under this policy, the event must have caused a governmental authority, such as the Governor of California or the President of the United States, to declare a formal state of emergency. This definition shall be interpreted consistently with 44 CFR § 206.2(a)(17), which includes events such as hurricane, tornado, tsunami, earthquake, volcanic eruption, or pandemic.

*Qualifying Circumstances*: Access to up to ten (10) days of EAL shall be provided per affected employee at the discretion of the General Manager only in circumstances that meet the following criteria:

- A Major Public Disaster has caused or could cause the unavoidable closure of all or part of the District's operations in a manner that could result in layoff or furlough. Circumstances causing such closure include but are not limited to (1) destruction or severe damage of District's facilities or infrastructure; (2) inability or severe difficulty accessing District's facilities due to destruction or damage of transportation corridors; or (3) unavailability of sufficient personnel to operate the affected facility or department because of illness or injury associated with the Major Public Disaster.
- The General Manager has adopted an Emergency Operations Plan that utilizes EAL in a manner to (1) best serve District's operations; (2) address public health or safety concerns associated with the Major Public Disaster; (3) maintain necessary staffing while limiting the need for permanent layoffs or furloughs; and (4) best maintain the District's ability to resume full operations and services when possible.
- The intended employee-recipient's workload has been severely impacted by the Major Public Disaster such that the employee-recipient is either unable to report to work or there is insufficient work within the relevant department or facility to warrant full staffing.
- The intended employee-recipient of the EAL is either not eligible for another paid leave (such as sick leave) or has exhausted all available accruals.

EAL may be provided increments consistent with other leaves provided pursuant to District's policies. Unused EAL does not carry over year to year and is not paid out upon termination of employment.

**Note: The leave provided in this policy shall be counted toward the satisfaction of any paid leave required by law in response to the Major Natural Disaster, including but not limited to paid leave required to address the 2020 COVID-19 pandemic. Legal mandates shall supersede this policy.**

**RESOLUTION NO. 2020-01****RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
BEAUMONT-CHERRY VALLEY RECREATION & PARK DISTRICT  
PROCLAIMING A LOCAL EMERGENCY**

**WHEREAS**, the governing body of the Beaumont-Cherry Valley Recreation & Park District (“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 has historically provided and may need to provide resources and facilities necessary for the provision of emergency services, including but not limited to lighting, space, and emergency disaster facilities deemed as an essential public service; 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 the District has shut down non-essential Park and Recreation facilities and services in order to make itself available for emergency services if mutual aid of in-county resources are needed, 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**, a Local Health Emergency was proclaimed by the County of Riverside Public Health Officer on March 8, 2020, and ratified by the Board of Supervisors on March 10, 2020; and

**WHEREAS**, a Local Emergency was proclaimed by the County of Riverside Board of Supervisors on March 10, 2020; and

**WHEREAS**, the CDC confirmed person-to-person transmission of COVID-19 in the United States, raising the possibility of community transmission occurring in the general public. This has resulted in a Federal Declaration of National Emergency as declared by President Donald Trump on March 13, 2020; 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**, these conditions warrant and necessitate that the District proclaim the existence of a local emergency; now, therefore,

**BE IT RESOLVED** that the Board of Directors of the District hereby proclaims the existence of a local emergency and directs District staff to take the necessary steps for the protection of life, health and safety.

**IT IS FURTHER RESOLVED** that during the existence of said local emergency, the powers, functions, and duties of the District shall be those prescribed by state law and by ordinances and resolutions of the District Board.

**IT IS FURTHER RESOLVED** that all departments of the District shall review and revise their department emergency and contingency plans to address the risks COVID-19 poses to their critical functions in coordination with the District's Emergency Management Department/Manager.

**IT IS FURTHER RESOLVED** that all District departments shall track costs for staffing, supplies, and equipment related to COVID-19 preparation and prevention and forward that information to the District's finance department; and complete an Initial Damage Estimate (IDE) Category B, and forward that information to the Riverside County Emergency Management Department (EMD) on a daily basis.

**IT IS FURTHER RESOLVED** that the District's internal departments shall coordinate District-wide planning, preparedness and response efforts regarding COVID-19 with the Riverside County EMD.

**IT IS FURTHER RESOLVED** that this Resolution shall take effect immediately and that widespread publicity and notice shall be given said Proclamation through the most feasible and adequate means of disseminating such notice throughout the District.

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

**ADOPTED** this 24 day of March 2020.

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Board Chairman  
Beaumont-Cherry Valley Recreation &  
Park District

**ATTEST:**

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District Secretary  
Beaumont-Cherry Valley Recreation & Park District