

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMMERCE, CALIFORNIA, AUTHORIZING THE CONTINUING OF
OPERATIONS INTO FISCAL YEAR 2020-2021 AT FISCAL YEAR 2019-
2020 APPROPRIATIONS LEVELS**

WHEREAS, the City of Commerce (“City”), like all cities in the country, has been significantly impacted by the novel coronavirus known as COVID-19, which was first identified in the United States in early January 2020, and by March 4, 2020, resulted in California Governor Gavin Newsom proclaiming a “state of emergency” throughout California; and

WHEREAS, on March 16, 2020, the City Council for the City of Commerce proclaimed a “local emergency” in the City pursuant to Resolution No. 20-23; and

WHEREAS, in efforts to slow-the-spread of COVID-19, on March 19, 2020, Governor Newsom issued Executive Order N-33-20 ordering all California residents to “stay at home,” with the exception only of “essential workers and businesses” (“Safer at Home Order”), and though local jurisdictions are slowly progressing through the State’s “reopening plan,” as of the date of this Resolution the Safer at Home Order remains largely in effect, and most recently on June 28, 2020, Governor Newsom has ordered bars, wineries, etc., to reclose in the County of Los Angeles and other counties in California due to a resurgence of positive COVID-19 tests. Further, beaches have also been ordered to close for the fourth of July weekend as a result of the continuous spike in confirmed COVID-19 cases, indicating that said patterns translates to continuous instability; and

WHEREAS, consistent with said Orders and Resolution No. 20-23, multiple businesses have been closed, ceased operations, or have opened at partial capacity, for over ninety (90) days, including but not limited to, the two largest economic generators in the City, the Commerce Casino, which closed on March 14, 2020, and the Citadel Outlets, which closed on March 18, 2020, and most recently re-opened at partial capacity; and

WHEREAS, accordingly, the closure of local businesses in response to COVID-19 has significantly impacted the amount and predictability of revenues to the City, including, but not limited to, in the form of sales, use, transient occupancy taxes, deferred utility payments, etc.; and

WHEREAS, the City of Commerce is experiencing serious and detrimental financial and budgetary impacts because of the COVID-19 pandemic and the resulting closure of the City’s businesses, including the two main sources of the City’s General Fund revenue; and

WHEREAS, pursuant to Resolution No. 20-24, the City declared an Economic Emergency due the economic impacts directly caused by the COVID-19 pandemic, and City continues to assess all potential cost-saving measures on a continuous basis in an effort to address the imminent financial emergency, while also making law enforcement, fire protection, public safety, and public infrastructure a priority which must be maintained at the highest service levels to protect the City's residents and neighborhoods, especially during this state of local emergency; and

WHEREAS, the City has incurred significant and unanticipated expenses in responding to COVID-19 crisis without the ability to identify any new sources of revenue; and

WHEREAS, given these circumstances, the completion and presentation to the City Council of the Fiscal Year 2020-2021 Budget has been delayed, and in order to prepare a reasonably accurate projection of the anticipated revenues and expenditures for said year, additional time is necessary; and

WHEREAS, the City Council has duly passed and approved the Fiscal Year 2019-2020 Budget, which ends on June 30, 2020; and

WHEREAS, the City Council finds and determinates that, based on existing circumstances and the attendant fiscal uncertainty, it is not currently possible to adopt a reasonably accurate budget for Fiscal Year 2020-2021, and accordingly it is necessary and appropriate to adopt this Resolution continuing appropriations under the Fiscal Year 2019-2020 Budget into Fiscal Year 2020-2021.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE HEREBY RESOLVES, DECLARES, AND DETERMINES AS FOLLOWS:

SECTION 1. Based on facts and circumstances presented to the City Council in connection with its consideration of this matter, the City Council finds and declares the foregoing recitals true and correct, and incorporates same as a substantive part of this Resolution.

SECTION 2. The City Council for the City of Commerce does hereby continue the 2019 - 2020 Budget in full force and effect until August 31, 2020, or the adoption of the Fiscal Year 2020 - 2021 Budget, whichever occurs first, and further authorizes and directs the continued appropriation of City funds at such levels as are set forth in said 2019-2020 Budget.

SECTION 3. Any section of the Commerce Municipal Code, or any other rule or policy, that sets a deadline for the preparation or presentation of the budget to the City Council by the City Manager, Finance Director, or otherwise, or that sets a deadline by which the City Council must approve the budget, is hereby stayed for the duration of this Resolution.

SECTION 4. If any section, subsection, paragraph, sentence, clause, phrase, or portion thereof, of this Resolution is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council declares that it would have adopted this Resolution, and each section, subsection, paragraph, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, phrases, or portions thereof, be declared invalid or unconstitutional. To this end, the provisions of this Resolution are declared to be severable.

SECTION 5. The City Clerk shall certify to the adoption of this Resolution, and it shall become immediately effective. The duration of this Resolution may be extended by majority vote of the City Council.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, this 7th day of July, 2020.

Ivan Altamirano, Mayor

ATTEST:

Lena Shumway, City Clerk