



Legislation Details (With Text)

File #: 2020-353 **Version:** 1 **Name:**
Type: Discussion **Status:** Agenda Ready
File created: 5/27/2020 **In control:** City Council
On agenda: 6/2/2020 **Final action:**
Title: CONSIDER DIRECTION TO STAFF TO PREPARE A REOPENING PLAN TO SUBMIT TO THE COUNTY OF LOS ANGELES FOR CONSIDERATION TO ALLOW THE CITY TO REOPEN FASTER THAN THE COUNTY (CITY COUNCIL)

Sponsors:

Indexes:

Code sections:

Attachments: 1. File ID #2020-353 - Variance - E1 pg 6-26, 2. File ID #2020-353 - Variance - E2 pg 27-68, 3. File ID #2020-353 - Variance - E3 pg 69-84

Date	Ver.	Action By	Action	Result
6/2/2020	1	City Council		

Report to Mayor and City Council

Tuesday, June 02, 2020

Consent

SUBJECT:

CONSIDER DIRECTION TO STAFF TO PREPARE A REOPENING PLAN TO SUBMIT TO THE COUNTY OF LOS ANGELES FOR CONSIDERATION TO ALLOW THE CITY TO REOPEN FASTER THAN THE COUNTY (CITY COUNCIL)

I. SUMMARY

Governor Newsom's phased plan for reopening allows for counties to apply for a variance to reopen at an accelerated rate. A number of cities in Los Angeles County are seeking permission from the County to reopen at a rate faster than the County's by submitting detailed reopening plans. Staff is seeking direction from the City Council relating to the preparation of an accelerated reopening plan for the City of Carson.

II. RECOMMENDATION

TAKE the following actions:

1. DISCUSS the preparation of a reopening plan to submit to the County of Los Angeles that would provide for an accelerated schedule.
2. AUTHORIZE the Disaster Council to prepare a plan for reopening and submit the plan

to the County of Los Angeles Health Department and Supervisor Ridley-Thomas.

III. ALTERNATIVES

TAKE any other action the Council deems appropriate.

IV. BACKGROUND

The Emergency Services Act, Gov't Code § 8550 et seq. confers broad powers on the governor of California to enact such orders as may be necessary, in situation of great peril, to protect life and property.

Issues of public health are of statewide importance, and a State's declaration of emergency, and its concomitant power to enact executive orders to protect the public health during a pandemic, is afforded great deference by the courts, even where constitutional rights are being affected. It is therefore unlikely then, that even a charter city can adopt guidelines that are in conflict with the State's orders.

The Governor has issued guidelines for a phased plan to reopen the State, which includes the option for Counties to submit a plan to reopen at an accelerated rate. The counties that wish to do so must meet certain criteria relative to metrics, preparedness, and response. Currently only counties have the ability to accelerate the phased reopening plan articulated by the Governor.

However, a number of cities in Los Angeles County would like to implement their own plans based on local circumstances. (Specifically, the Cities of: Rancho Palos Verdes, Temecula, Murrieta, Santa Clarita, Lancaster, Palmdale and Temecula Wine Country.) These cities, alone or in conjunction with their neighbors, have submitted their own suggested plans to the County's health officer for consideration.

V. DISCUSSION

The Governor's phased plane includes the following stages:

STAGE 1: Safety and preparedness; Make workplaces safe for our essential workers.

STAGE 2: Lower-risk workplaces; Gradually reopen retail (curbside only), child care, manufacturing & logistics. Later, relax retail restrictions, adapt & reopen schools, offices & limited hospitality, personal services.

STAGE 3: Higher-risk workplaces; Adapt and reopen movie theaters, religious services, and more personal & hospitality services.

STAGE 4: End of Stay Home Order; Reopen areas of highest risk: e.g. concerts, conventions, sports arenas.

County Variances:

Local health jurisdictions that meet the criteria set forth by the California Department of Public Health and follow the process in the county guidance may move further ahead in Stage 2 of the resilience roadmap. (<https://covid19.ca.gov/roadmap/>) If a county decides to pursue a variance to move further into Stage 2, the local public health officer must: Notify the California Department of Public Health (CDPH). Certify through submission of a written attestation to CDPH that the county has met the readiness criteria (outlined below), including guidance to be issued by the county and detailed plans, and that the county is designed to mitigate the spread of COVID-19.

Specific guidance is available for counties to be able to meet the criteria. The website also provides guidance for restaurants and shopping malls for counties that obtain approval to reopen faster. The following businesses are not permitted to open statewide: Personal services such as hair and nail salons, tattoo parlors, gyms and fitness studios; Hospitality services, such as bars, wineries, tasting rooms and lounges; Entertainment venues, such as movie theaters, gaming, gambling, and arcade venues, and pro sports, indoor museums and gallery spaces, zoos, and libraries; Community centers, public pools, playgrounds, and picnic areas; Religious services and cultural ceremonies; Nightclubs; Concert venues; Live audience sports; Festivals; Theme parks; Hotels/lodging for leisure and tourism.

County Criteria to move further into Stage 2:

County case metrics

Stable or down trending hospitalizations

Stable hospitalizations of COVID individuals on a 7-day average of daily percent change of less than 5% OR no more than 20 COVID hospitalizations on any single day in the past 14 days

Cases per population count and Test positivity rate

Less than 25 new cases per 100,000 residents in the past 14 days OR less than 8% testing positive in the past 7 days

County preparedness

Testing capacity

Minimum daily testing volume to test 1.5 per 1,000 residents, which can be met through a combination of testing of symptomatic individuals and targeted surveillance. The county's average daily testing volume for the past week must be provided. If the county does not believe a testing volume of 1.5 per 1,000 residents is merited, justification must be provided.

Testing availability for at least 75% of residents, as measured by a specimen collection site (including established health care providers) within 30 minutes driving time in urban areas, and 60 minutes in rural areas.

Contact Tracing

Sufficient contact tracing so public health staff work can work with a patient to help them recall everyone with whom they have had close contact during the timeframe while they may have been infectious. For counties that have no cases, there should be at least 15 staff per 100,000 county population trained and available for contact tracing; for counties with small populations, there must be at least one staff person trained and available.

Hospital Surge

County (or regional) hospital capacity to accommodate a minimum surge of 35% due to COVID-19 cases in addition to providing usual care for non-COVID-19 patients.

SNF disease outbreak prevention and containment

Must have plans to prevent and mitigate infections in skilled nursing facilities

Skilled nursing facilities (SNF) have more than a 14 day supply of PPE on hand for staff, with an established process for ongoing procurement from non-state supply chains.

County response

Counties must produce plans for the following related to county-wide containment:

Availability of temporary housing units to shelter at least 15% of county residents experiencing homelessness in case of an outbreak among this population requiring isolation and quarantine of affected individuals. The county's plans to support individuals, including those experiencing homelessness, who are not able to properly isolate in a home setting by providing them with temporary housing (including access to a private bathroom), for the duration of the necessary isolation or quarantine period must be described.

County (or regional) hospital facilities have a robust plan to protect the hospital workforce, both clinical and nonclinical, with PPE.

Guidance for employers and essential critical infrastructure workplaces on how to structure the physical environment to protect essential workers.

Availability of supplies (disinfectant, essential protective gear) to protect essential workers.

Each county must provide details on their plans to move further into Stage 2 including which sectors and spaces will be opened, in what sequence, on what timeline. Please specifically indicate where the plan differs from the state's order. Please note that this variance should not include sectors that are part of Stage 3.

County metrics that would serve as triggers for either slowing the pace through Stage 2 or tightening modifications, including the frequency of measurement, the specific actions triggered by metric changes must be described, and how the county will inform the state of emerging concerns and how it will implement early containment measures.

The county must provide details on the plan to move through opening sectors and spaces

that are part of the State's plan for Stage 2. A reminder, that this variance only covers those areas that are part of Stage 2, up to, but not including Stage 3.

Currently the only path to reopening faster than the State's phased plan is (a) open to counties, not individual cities, and (b) relies on health department findings. The state's roadmap website only refers to counties' abilities to progress faster than the state. This from the website: "Local health jurisdictions that meet the criteria set forth by the California Department of Public Health and follow the process in the county guidance may move further ahead in Stage 2 of the resilience roadmap." It should be noted that counties, themselves have to submit a plan to the Governor's office in order to be permitted to move faster. "County variance. Stage 2 expansion will be phased in gradually. Some communities may move through Stage 2 faster if they are able to show greater progress. Counties that have met the readiness criteria and worked with the California Department of Public Health can open more workplaces as outlined on the County Variance page."

Having said that, a number of cities, on their own or jointly with neighboring cities, have been lobbying their County supervisors and submitting plans to demonstrate they have met the criteria. County Counsel is analyzing whether the County may allow different reopening plans for different cities.

Staff seeks direction from the City Council regarding moving forward with creating and submitting a plan to the County's health department, based on the criteria articulated by the Governor's office, to allow the City to reopen on an accelerated schedule. Staff further seeks direction, if the Council proceeds with directing the creation of the plan, to also submit the plan to Supervisor Ridley-Thomas' office for consideration.

VI. FISCAL IMPACT

Reopening the City on an accelerated schedule will have a positive fiscal impact on the City by reactivating the economy, in an unspecified amount.

VII. EXHIBITS

1. Rancho Palos Verdes reopening plan (Pg. 6 - 26)
2. City of Temecula reopening plan (Pg. 27 - 68)
3. City of Palmdale Community Renaissance Plan (Pg. 69 - 84)

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