



AD HOC COMMITTEE ON COVID-19 ECONOMIC IMPACTS AND RECOVERY

RECORD OF ACTION FOR
May 21, 2020

Supervisor Candace Andersen, Chair
Supervisor Karen Mitchoff, Vice Chair

Present: Candace Andersen, Chair
Karen Mitchoff, Vice Chair

Staff Present: Dr. Chris Farnitano, County Health Officer
Julie DiMaggio Enea, Senior Deputy County Administrator

1. Introductions

Chair Andersen called the meeting to order at 1:34 p.m.

2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).

No one requested to speak during the general public comment period.

3. RECEIVE and APPROVE the partial Record of Action for the May 14, 2020 meeting.

No action was taken on the partial record of action for the prior meeting.

4. CONSIDER the impacts of COVID-19 on the following business sectors and discuss pathways that may allow these business to resume, if possible, within the limitations established by the County Health Officer:

1. Recreation/Lifestyle Services

- a. Health Clubs/Gyms
- b. Camping/RV Parks
- c. Swimming Schools
- d. Municipal Parks and Recreation Programs

2. Curbside Retail and Associated Warehousing / Manufacturing

Chair Andersen asked Dr. Farnitano to address some questions that she and Supervisor Mitchoff had received during the previous week. She asked about private sports clubs and private neighborhood pools, and why the health order is not allowing adult lap swimming and when we might see it being allowed.

Dr. Farnitano explained that the State health order does not currently permit

community pools outside of a family backyard pool. The County health order cannot be less restrictive than the State order. Until the State lifts this restriction, the only public pool exception is for children's day camps that are specifically structured to comply with State and County guidelines.

Chair Andersen next asked about children's swimming lessons and described how many people feel such lessons are a health and safety necessity, especially with summer months approaching. She asked when swim lessons might be allowed and if some dedicated swim camps could be permitted.

Dr. Farnitano explained that swimming lessons could be provided in a structured children's day camp setting as previously described. However, the State order does not currently permit swim lessons outside of the camp setting.

Chair Andersen suggested that many recreational activities could be administered using the same model as the children's day camp, such as a sports league with training classes. She asked if a sports league could operate if it complied with the 12:1 stable group to stable adult ratio.

Dr. Farnitano clarified that the activity could only be permitted for children of working adults in a setting where the same adult is supervising the same group of children for the entire duration of the camp, rather than changing week to week. While there are no minimum requirements for the duration of a camp, the objective is to not expose adults or the kids to different people, in order to minimize risk of transmission of the virus.

Chair Andersen asked how the health order is being enforced.

Dr. Farnitano explained that the health department is not certifying operating plans. Each business is responsible for reading and complying with the legal requirements of the health order. The health officer can assist with interpreting the health orders, as is being done in this meeting.

Chair Andersen provided an update of the County's virus statistics, noting that three more deaths have occurred, and more cases have been identified.

Dr. Farnitano noted that with additional testing, the County had seen a 4% jump this week and that neighboring Alameda County's cases have increased significantly, so caution is still required to prevent another surge.

Chair Andersen asked, in response to people who want to see the State and County jump ahead to Phase 2, how much time is needed to assess the impact of the loosened restrictions.

Dr. Farnitano responded that at least a couple of weeks are needed and probably somewhat more to study the effect of a change in restrictions due to the lengthy incubation period of the virus.

Chair Andersen moved on to discuss the importance of business and community activities to begin planning how they can meet health guidelines once the State and

County eventually move fully to Phase 2 and then 3. She asked how they might best provide input into how their businesses can resume operations in compliance with the health order.

Dr. Farnitano said that input to the health officer and to Sacramento (legislators) would be helpful towards incorporating ideas into the ultimate plan and to achieve better consistency across the state. He said that the Bay Area is like one big ecosystem and must cooperate for the best outcome. He discussed the five indicators used by the health officers to determine direction. He said that testing had been ramped up as well as contact tracing to interrupt the spread. Very few hospitals have certified that they have access to PPE (person protective equipment) sufficient to meet their needs. There are many metrics that must be considered. He opined that counties that have chosen to disregard the health orders are taking big risks and any consequences won't be known for weeks.

Chair Andersen asked Dr. Farnitano to speak to the weighing of loss of life metrics with the loss of economic productivity and the loss of livelihoods, and the mental and physical toll of the SIP (shelter in place) rules.

Dr. Farnitano agreed that we need to find the balance but didn't attribute all of the economic downturn to the pandemic. Towards finding that balance, the health orders have been loosened somewhat, but even if all business could fully resume, he said people won't patronize them if they don't feel safe.

Vice Chair Mitchoff commented that it's difficult to respond to the frustration vented by people who want the economic recovery to proceed faster because we cannot know what the impact would have been if we had been less restrictive sooner. How many more deaths might have occurred had we been less cautious? She said that she hears concerns about both the tight restrictions and, on the flip side, fears about the health risks of loosening them.

Chair Andersen opened the public comment period for issues pertinent to recreation, curbside retail, and associated warehousing / manufacturing. The following individuals commented:

- Michael Wiseman commented about contradictions between operating rules for stores like Home Depot vs. his own hair salons, and how fear of the virus has had a more devastating effect than the virus itself.*
- Michelle Lacy asked how frequently childcare workers should be tested, to which Dr. Farnitano advised at least monthly for people who work with high-risk individuals or in high-contact activities.*
- Stan Gibson questioned the constitutionality of the health orders and the validity of the health data, to which Vice Chair Mitchoff responded that under the police powers of the State Constitution, the health officer does have the authority to state what he has stated. She advised that we are legally obligated to follow the orders of the health officer.*
- Eli Friedman commented on the negative impact of the health orders on the economy and questioned whether the quarantine is saving lives.*
- Jerry Thomsen commented about churches that are disobeying the health order and asked for guidance about how to provide counsel and encouragement to*

people without violating the health order, to which Chair Andersen noted that religious services would be a topic on the next meeting agenda.

- *Susan Morgan commented about the need for a better balance between health safety and economic viability, and asked the Board of Supervisors to take a more active role in finding that balance.*
- *Elizabeth Bowles asked about salons and how rules will be applied, and observed that salons vary greatly in size and their ability to socially distance.*
- *Jen Juroff asked why we are not meeting the daily testing goal of 2,200 tests.*
- *Vicki commented that the health order directives don't seem responsive to the current situation and that the economy should not be effectively shut down over what she characterized as an unattainable metric.*

•
Chair Andersen clarified the sequence of health orders as they applied to senior care facilities.

- *Mike McDermott asked for guidance on setting up a vehicle-based church gathering.*
- *Loren Burns asked on what date guidelines might be published for businesses to plan for reopening.*
- *Wendy Dahlstrom commented that most of the reported deaths were of people aged over 80 with underlying health conditions and that children need to get back to school. She complained that people's rights are being violated.*
- *Shannon Friedman commented about negative effect the SIP order on people's emotional and psychological wellbeing.*
- *Betty McNely commented that we've taken enough time in Phase 2 and need to move to Phase 3 and that her own business may now be in jeopardy.*
- *Christine commented about what she perceives to be contradictions in rules about patronizing grocery stores vs. other retail stores. She was concerned that the County isn't recovering quickly enough economically and cited Napa County's more liberal interpretation of the State order.*

Dr. Farnitano then discussed in some detail:

- *antibody testing and its accuracy*
- *ways of providing church services in compliance with the order, specifically virtual communication*
- *his expectation that the State will eventually distribute guidelines for personal care businesses such as salons*
- *the goal of 2,200 tests daily*
- *the importance of facial coverings in mitigating the spread of the virus*
- *why shelter in place is only effective when practiced by all, not just the most at risk*
- *the importance of human interaction to wellbeing*

Chair Andersen moved to the topic of recreational and lifestyle services, as a continuation of the prior week's discussion.

- *Liz Claytor commented about swim lessons and how they don't seem to have been considered under the State order, to which Dr. Farnitano reiterated the State's rules pertaining to child day camps. Discussion ensued about whether San Mateo County's interpretation was in violation of the State order and how inconsistencies between counties causes problems. Chair Andersen*

recommended that Ms. Claytor contact Senator Glazer's office or Assemblyman Grayson's office. Vice Chair Mitchoff said it was important to report violators of the health order.

- Framework Fitness commented that people are eager and anxious to return to patronizing local businesses. She suggested that the County proactively propose industry guidelines to the State. She contrasted studio fitness centers and gyms.*
- Clayton Loosli commented that it is a mistake to prohibit group swim lessons for children, and that a more practical solution is needed to help people continue with their lives.*

Chair Andersen emphasized that the health officer relies on a way array of expertise in the medical field and coordinates with Bay Area health officers. He is not making decisions for Contra Costa County in a vacuum.

- Jeanann asked when the 12:1 ratio for children's camps might be increased and by what duration will the County continue to trail behind the State recovery plan, to which Dr. Farnitano reiterated that counties may be ahead or trail behind the State's recovery pace based on local health statistics and the population density. The Bay Area is trailing behind the State's pace by a couple of weeks and sufficient time must be allowed to study the effects of changed standards. He could not give hard timelines but said that if the County's indicators are moving in the right direction, we can probably advance further into Phase 2. As to the 12:1 ratio, we must observe the State order.*
- Garrett Shelley requested clarification on team swim camp requirements because people hold differing interpretations.*
- Ann Mason also commented on adult lap swim, to which Chair Andersen reiterated that adult lap swim is not currently authorized under the State order, only childcare day camps for children of working parents.*

Vice Chair Mitchoff reiterated the importance of reporting people who do not observe the health order in order to preserve a level playing field. There followed some discussion about an allegation that Roundhill Country Club was advertising adult lap swimming. Dr. Farnitano agreed to follow up on that claim.

Vice Chair Mitchoff then discussed the seriousness of the virus and how it is unlike other flus and causes not just deaths but agonizing deaths. She mentioned some businesses who claimed they had certification to operate from the County health officer, but the health officer makes no such certifications.

- Hillary clarified that Roundhill Country Club is not allowing adult lap swimming and has not yet started children's camps. The letter that was sent to the County was a draft proposal and not something being currently done. The letter should have been prefaced by a transmittal email that was not included in the meeting record.*

Chair Mitchoff asked staff to add the transmitting email to the record and explained that correspondence was being sent to staff via multiple channels.

Chair Andersen moved onto the curbside retail and warehousing/manufacturing business sectors and mentioned the FAQs on the County's website.

- *Nicole K. asked for guidance about how to resume thrift shop operations safely, once permitted, and what it would look like for their 65 and older volunteers.*

Dr. Farnitano clarified that nothing in the health order precludes the acceptance of donations. He recommended setting up processes that maintain social distancing, wiping down hard surfaces, and letting items sit in a temporary space before anyone handles them if they cannot be easily wiped down. He suggested also examining ways to mimic current protocols around essential retail like supermarkets in preparation for the time when thrift stores can reopen.

Chair Andersen commented that people who are sheltering in place are reorganizing closets and households and need to know that donations can be accepted and where to donate. She asked for this information to be added to the County's FAQs.

5. The next meeting is currently scheduled for May 28, 2020.

The start time of the May 28th meeting was changed from 1:30 p.m. to 1:00 p.m.

6. Adjourn

Chair Andersen thanked everyone who participated in the meeting and said we can find wisdom in the Constitution that appoints a health officer to make these decisions rather than relying on politics. She thanked Vice Chair Mitchoff and Dr. Farnitano and announced that the next meeting would focus on religious gatherings.

The meeting was adjourned at 3:50 p.m.

For Additional Information Contact:

Julie DiMaggio Enea, Committee Staff
Phone (925) 335-1077, Fax (925) 646-1353
julie.enea@cao.cccounty.us