



SPECIAL MEETING AGENDA

Date: 5/1/2020

Time: 3:30 pm

Meeting Location: JoinWebinar.com – ID# 336-758-411

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

On March 19, 2020, the Governor ordered a statewide stay-at-home order calling on all individuals living in the State of California to stay at home or at their place of residence to slow the spread of the COVID-19 virus. Additionally, the Governor has temporarily suspended certain requirements of the Brown Act. For the duration of the shelter in place order, the following public meeting protocols will apply.

Teleconference meeting: All members of the City Council, city staff, applicants, and members of the public will be participating by teleconference. To promote social distancing while allowing essential governmental functions to continue, the Governor has temporarily waived portions of the open meetings act and rules pertaining to teleconference meetings. This meeting is conducted in compliance with the Governor Executive Order N-25-20 issued March 12, 2020, and supplemental Executive Order N-29-20 issued March 17, 2020.

- How to participate in the meeting
 - Submit a written comment online: menlopark.org/publiccommentMay1 *
 - Record a comment or request a call-back when an agenda topic is under consideration: Dial 650-474-4071 *
 - Access the special meeting real-time online at: joinwebinar.com – Regular Meeting ID 336-758-411
- *Written and recorded public comments and call-back requests are accepted up to 1 hour before the meeting start time. Written and recorded messages are provided to the City Council at the appropriate time in their meeting. Recorded messages may be transcribed using a voice-to-text tool.
- Watch special meeting:
 - Cable television subscriber in Menlo Park, East Palo Alto, Atherton, and Palo Alto: Channel 26
 - Online: menlopark.org/streaming

Note: City Council closed sessions are not broadcast online or on television and public participation is limited to the beginning of closed session.

Subject to Change: Given the current public health emergency and the rapidly evolving federal, state, county and local orders, the format of this meeting may be altered or the meeting may be canceled. You may check on the status of the meeting by visiting the City's website www.menlopark.org. The instructions for logging on to the webinar and/or the access code is subject to change. If you have difficulty accessing the webinar, please check the latest online edition of the posted agenda for updated information (menlopark.org/agenda).

According to City Council policy, all regular meetings of the City Council are to end by midnight unless there is a super majority vote taken by 11:00 p.m. to extend the meeting and identify the items to be considered after 11:00 p.m.

Special Session ([JoinWebinar.com](https://www.joinwebinar.com) – ID# 336-758-411)

A. Call To Order

B. Roll Call

C. Consent Calendar

C1. Review and confirm the need for continuing the local emergency ([Staff Report #20-097-CC](#))

D. Regular Business

D1. Provide direction on re-activating construction work and related inspections
([Staff Report #20-098-CC](#))

D. Adjournment

At every regular meeting of the City Council, in addition to the public comment period where the public shall have the right to address the City Council on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Council on any item listed on the agenda at a time designated by the chair, either before or during the City Council's consideration of the item.

At every special meeting of the City Council, members of the public have the right to directly address the City Council on any item listed on the agenda at a time designated by the chair, either before or during consideration of the item. For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or prior to, the public hearing.

Any writing that is distributed to a majority of the City Council by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available by request by emailing the city clerk at jaherren@menlopark.org. Persons with disabilities, who require auxiliary aids or services in attending or participating in City Council meetings, may call the City Clerk's Office at 650-330-6620.

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at [menlopark.org/agenda](https://www.menlopark.org/agenda) and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at [menlopark.org/notifyme](https://www.menlopark.org/notifyme). Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 4/30/2020)

**STAFF REPORT****City Council**

Meeting Date: 5/1/2020
Staff Report Number: 20-097-CC

Consent Item: **Review and confirm the need for continuing the local emergency**

Recommendation

Staff recommends that the City Council review and confirm the need for continuing the local emergency originally established in Resolution No. 6550, urgency resolution of the City Council of the City of Menlo Park ratifying the proclamation of existence of local emergency issued by the director of emergency services and further proclaiming the continued existence of the emergency.

Policy Issues

Chapter 2.44 of the City's Municipal Code authorizes the director of emergency services ("Director") to proclaim a local emergency subject to ratification by the City Council within 24 hours. On March 11, the Director proclaimed a local emergency based on conditions of extreme peril to the safety of persons and property within City resulting from COVID-19. On March 11, the City Council ratified the Director's proclamation. As part of the resolution ratifying the proclamation of a local emergency, the City Council resolved to review the local emergency within 60 days: "This Local Emergency shall continue until it is terminated by proclamation of the City Council. Pursuant to Section 8630 of the Government Code, the City Council shall proclaim the termination of a local emergency at the earliest possible date that conditions warrant. The need for this continuing local emergency shall be reviewed within 60 days by the City Council." A copy of the Resolution No. 6550 is attached hereto as Attachment A. The decision to continue the declaration of a local emergency is a policy decision for the City Council.

Background

The Center for Disease Control and Prevention has stated that COVID-19 is a serious public health threat. The World Health Organization has declared COVID-19 constituted a world pandemic. In response, state and local government have taken steps to slow the transmission of COVID-19.

State action

On March 4, the Governor of the State of California declared a state of emergency. On March 19, Governor Newsom issued Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors.

County action

On March 3, the San Mateo County Health Officer ("Health Officer") declared a local health emergency throughout San Mateo County related to COVID-19. On March 10, the Health Officer issued a statement that evidence exists of widespread community transmission of COVID-19. On March 10, the San Mateo County board of supervisors ratified and extended the declaration of a local health emergency. On March

14, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancellation of all gatherings of 10 or more people in a single confined space. On March 16, the County Health Officer issued an order that, among other things, directed all individuals currently living within San Mateo County to shelter in their place of residence and authorized individuals to leave their residences only for certain essential activities. Recognizing the need to continue to limit the transmission of COVID-19, April 29, the County Health Officer ordered the shelter-in-place to continue through May 31.

City action

On March 11, the Director proclaimed the existence of a local emergency in the City of Menlo Park based on COVID-19. On March 11, the City Council of the City of Menlo Park ratified the Director's proclamation. As a result of the local emergency, the City is empowered to take actions to preserve and protect the health and safety of the community. On March 23, the Director issued the City of Menlo Park director of emergency services/city manager order ("Order") No. 1 temporarily suspending all construction activity in the City of Menlo Park. On March 27, the Director issued Order No. 2 closing certain public facilities for the duration of the local emergency. On April 17, the Director issued Order No. 3 closing additional public facilities (Bedwell Bayfront Park.)

Analysis

City Council Resolution No. 6550 and Government Code Section 8630(c) both require the City Council to review the need for continuing the local emergency at least once every 60 days until it the City Council terminates the emergency. The City Council originally proclaimed the local emergency March 11. Therefore, the City Council needs to review the need for continuing the local emergency.

Given the continuance of shelter-in-place orders from both the Governor of the State of California and the Health Officer, there is evidence that there continues to be a local emergency regarding COVID-19. In fact, the recent Health Officer order April 29, states: "The primary intent of this Order is to ensure that County residents continue to shelter in their places of residence to slow the spread of COVID-19 and mitigate the impact on delivery of critical healthcare services. ... Failure to comply with any of the provisions of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine imprisonment, or both."

If the City Council upon its review determines that there is a need to continue the local emergency, there is no need to take any formal action -- the local emergency remains. It is only upon the decision that there is no longer a local emergency that the City Council would need to adopt a resolution proclaiming the termination of the local emergency.

Impact on City Resources

The City Council action to review the need for continuing the local emergency would not have a direct impact on City resources.

Public Engagement

There was no public engagement process conducted in the preparation of this report beyond posting on the agenda.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines Sections 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

A. Resolution No. 6550

Report prepared by:
Leigh F. Prince, Assistant City Attorney

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RESOLUTION NO. 6550

**URGENCY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
RATIFYING THE PROCLAMATION OF EXISTENCE OF LOCAL EMERGENCY
ISSUED BY THE DIRECTOR OF EMERGENCY SERVICES AND FURTHER
PROCLAIMING THE CONTINUED EXISTENCE OF THE EMERGENCY**

WHEREAS, Chapter 2.44 of the Municipal Code of the City of Menlo Park authorizes the Director of Emergency Services ("Director") of the City of Menlo Park ("City") to proclaim a local emergency when the City is threatened by conditions of a disaster or extreme peril to safety persons and property with the City that are likely to be beyond the control of the services, personnel, equipment and facilities of the City and require the combined forces of other political subdivisions to combat and the City Council is not in session; and subject to ratification by the City Council within twenty four (24) hours; and

WHEREAS, on March 11, 2020, the Director proclaimed a local emergency based on conditions of extreme peril to the safety of persons and property within City resulting from COVID-19 and the Director's March 11, 2020 proclamation is Exhibit A to this resolution; and

WHEREAS, said City Council does hereby find that the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency; and

NOW, THEREFORE, the City Council of Menlo Park does hereby:

1. Ratify and confirm the proclamation of existence of a Local Emergency, as issued by the Director of Emergency Services for the City of Menlo Park, as attached in Exhibit A, and a Local Emergency now exists throughout the City of Menlo Park, California;
2. During the existence of this Local Emergency, the Director of Emergency Services shall have the authority to adopt emergency orders or regulations to ensure the health and wellbeing of the public and mitigate the effects of the Local Emergency;
3. During the existence of this Local Emergency, the powers, functions and duties of the Director of Emergency Services and the City Council shall be those prescribed by state law, by the existing ordinances and resolutions of the City Council as well as this resolution and any subsequent emergency orders or regulations adopted by the City Council or Director of Emergency Services.
4. This Local Emergency shall continue until it is terminated by proclamation of the City Council. Pursuant to Section 8630 of the Government 5 Code, the City Council shall proclaim the termination of a local emergency at the earliest possible date that conditions warrant. The need for continuing this local emergency shall be reviewed within 60 days by the City Council.

I, Judi Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the eleventh day of March, 2020, by the following votes:

||

||

AYES: Carlton, Combs, Mueller, Nash, Taylor

NOES: None

ABSENT: None

ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City
on this eleventh day of March, 2020



Judi A. Herren, City Clerk

PROCLAMATION OF LOCAL EMERGENCY BY THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF MENLO PARK

WHEREAS, Chapter 2.44 of the Municipal Code of the City of Menlo Park empowers the Director of Emergency Services ("Director") of the City of Menlo Park ("City") to proclaim the existence or threatened existence of a local emergency when the City is threatened by conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of the City that are likely to be beyond the control of the services, personnel, equipment, and facilities of the City and require the combined forces of other political subdivisions to combat, and the City Council is not in session; subject to ratification by the City Council within twenty four (24) hours; and

WHEREAS, the Director hereby finds conditions of extreme peril to the safety of persons and property have arisen within the City due to the following:

The Centers for Disease Control and Prevention has stated that a novel coronavirus named "COVID-19" is a serious public health threat, based on current information.

The County of San Mateo's Health Officer issued a statement on March 10, 2020, that evidence exists of widespread community transmissions of COVID-19 in San Mateo County. The Health Officer further clarified that implementation of activities prescribed in his statement March 5, 2020, is now critical; and

WHEREAS, implementation of the Health Officer's direction may have immediate or future impacts on the City's ability to provide services to the community as follows:

Urgent modification to City services, including temporary closure of the Menlo Park Senior Center, cancellation of upcoming non-essential City sponsored events and meetings, temporary suspension of all employee travel, and increase telework by city employees; and

Additional service impacts such as temporary closure of the following facilities and/or temporary cancellation of programs and services impacting the Arrillaga Family Recreation Center, Arrillaga Family Gymnastics Center, Arrillaga Family Gymnasium, Belle Haven after school program, Belle Haven Child Development Center, Belle Haven Pool, Burgess Pool, Menlo Children's Center, Onetta Harris Community Center, main library, branch library, and city hall including planning and building services; and

Reassignment of available staff to deliver the following essential services necessary to protect life and property of the Menlo Park community: police patrol, police dispatch and records, potable water to Menlo Park Municipal Water customers, emergency building inspections, public works emergency response, public information and City Council support, and the internal services necessary to support essential services including payroll, accounts payable, procurement, information technology, and critical fleet maintenance; and

Reassignment of staff may impair ability to make progress on City Council priorities and work plan and comply with mandated state and federal reporting; and

WHEREAS, the economic impact of COVID-19 is projected to cause significant reductions in City transient occupancy tax, sales tax, property transfer tax, permits and licenses, and fees for service revenues; and

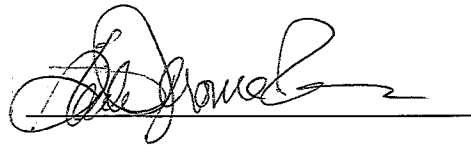
WHEREAS, City commits to meet and confer in good faith with employee bargaining groups regarding impacts on working conditions resulting from the City's emergency response or potential economic downturn; the commitment to meet and confer in good faith shall not impede the City's ability to protect life and safety of the Menlo Park community; and

WHEREAS, That the aforesaid conditions of extreme peril warrant and necessitate the proclamation of a Local Emergency;

NOW, THEREFORE, the Director of Emergency Services does hereby proclaim:

1. The existence of a local emergency within the City of Menlo Park on the eleventh day of March, 2020 and;
2. That during the existence of said Local Emergency, the powers, functions and duties of the Director of Emergency Services shall be those prescribed by state law and the ordinances, resolutions, and approved plan of the City in order to mitigate the effects of said Local Emergency, and
3. That the Local Emergency shall be deemed to continue to exist for the next seven (7) days, and hereafter by ratification of the City Council, until its termination is proclaimed by the City Council of the City of Menlo Park.

Dated:



Director of Emergency Services

**STAFF REPORT****City Council**

Meeting Date: 5/1/2020
Staff Report Number: 20-098-CC

Regular Business: Provide direction on re-activating construction work and related inspections

Recommendation

Staff recommends that the City Council provide direction on re-activating construction work and related inspections as described in the proposed director of emergency services Order No. 4. (Attachment A.)

Policy Issues

Chapter 2.44 of the City's Municipal Code authorizes the director of emergency services ("Director") to proclaim a local emergency subject to ratification by the City Council within 24 hours. On March 11, the Director proclaimed a local emergency based on conditions of extreme peril to the safety of persons and property within City of Menlo Park resulting from COVID-19. On March 11, the City Council ratified the Director's proclamation.

During the existence of this local emergency, the Director is empowered to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency. On March 23, the Director issued the City of Menlo Park Director of emergency services/city manager order ("Order") No. 1 temporarily suspending all construction activity in the City of Menlo Park based upon policy direction from the City Council. A copy of Order No. 1 is attached hereto as Attachment B. The decision to resume construction activity is a policy decision for the City Council.

Background

The Center for Disease Control and Prevention has stated that COVID-19 is a serious public health threat. The World Health Organization has declared COVID-19 constituted a world pandemic. In response, state and local government have taken steps to slow the transmission of COVID-19.

State action

On March 4, the Governor of the State of California declared a state of emergency. On March 19, Governor Newsom issued Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors.

County action

On March 3, the San Mateo County Health Officer ("Health Officer") declared a local health emergency throughout San Mateo County related to COVID-19. On March 10, the Health Officer issued a statement that evidence exists of widespread community transmission of COVID-19. On March 10, the San Mateo County board of supervisors ratified and extended the declaration of a local health emergency. On March

14, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancellation of all gatherings of 10 or more people in a single confined space. On March 16, the County Health Officer issued an order that, among other things, directed all individuals currently living within San Mateo County to shelter in their place of residence and authorized individuals to leave their residences only for certain essential activities. Recognizing the need to continue to limit the transmission of COVID-19, April 29, the County Health Officer ordered the shelter-in-place to continue through May 31. However, the order also allows some businesses to open that could not operate under the previous order and allows some low-risk activities to resume (e.g., outdoor businesses, landscapers and gardeners.) Specifically, with regard to construction, the order allows for construction so long as the project complies with specific safety protocols. Those safety protocols are included as Appendices B-1 and B-2 to the April 29 order (Attachment C.)

City action

On March 11, the Director proclaimed the existence of a local emergency in the City of Menlo Park based on COVID-19. On March 11, the City Council of the City of Menlo Park ratified the Director's proclamation. As a result of the local emergency, the City is empowered to take actions to preserve and protect the health and safety of the community. On March 23, the Director issued the City of Menlo Park director of emergency services/city manager order ("Order") No. 1 temporarily suspending all construction activity in the City of Menlo Park. On March 27, the Director issued Order No. 2 closing certain public facilities for the duration of the local emergency. On April 17, the Director issued Order No. 3 closing additional public facilities (Bedwell Bayfront Park.)

Analysis

Order No. 1 indicates that the Director will regularly review the need to suspend all construction activity in the City of Menlo Park and may elect to modify it should local circumstances or applicable law change. Although COVID-19 remains a local emergency, the County Health Officer's recent order suggests that there are changes that may allow modification of the order to allow construction to resume consistent with safety protocols in the County Health Officer's order.

Building construction requires regular inspection services to ensure that completed work complies with both issued permits and applicable building standards. Waiving such inspections increases the risk of defective and unsafe construction. The City has limited construction inspection services and protective gear for inspectors, but is prepared to offer inspections beginning May 4. City Hall will continue to remain closed with limited access for active permit holders through appointments only.

Finally, Order No. 1 recognized that housing is a priority for the community and a desire to resume housing construction at the earliest opportunity. Therefore, if construction activity is re-activated, staff is seeking feedback from the City Council on what, if any, priority order would be appropriate for construction projects. The priority order is important because of the yet unknown capacity for inspection. Generally, construction falls into broad categories including residential (single family, multifamily) and non-residential construction (office, life science, hotel.)

An updated order resuming construction is attached for the City Council's discussion.

Impact on City Resources

The City Council action to re-activate construction and related inspections would not have a direct impact on City resources.

Public Engagement

The building official has received approximately 120 emails from contractors interested in resuming construction. The City has also received numerous emails from residents requesting the relaxing of the construction ban.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines Sections 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 24 hours prior to the meeting.

Attachments

- A. Proposed director of emergency services Order No. 4
- B. Director of emergency services Order No. 1
- C. April 29, County Health Officer Order

Report prepared by:

Leigh F. Prince, Assistant City Attorney
Cara E. Silver, Interim City Attorney

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DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER EMERGENCY ORDER NO.4

WHEREAS, the Centers for Disease Control and Prevention has stated that based on current information a novel coronavirus named “COVID-19” is a serious public health threat;

WHEREAS, a complete clinical picture of this respiratory disease is not yet fully understood;

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (the “Health Officer”) declared a local health emergency throughout San Mateo County related to the novel coronavirus (“COVID-19”);

WHEREAS, on March 10, 2020, the San Mateo County Board of Supervisors ratified and extended this declaration of local health emergency;

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to help the state prepare for the spread of COVID-19;

WHEREAS, the San Mateo County Health Officer issued a statement on March 10, 2020, that evidence exists of widespread community transmissions of COVID-19 in San Mateo County;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 constituted a world pandemic;

WHEREAS, on March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the current COVID-19 world pandemic;

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space;

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directs all individuals currently living within San Mateo County to shelter in their place of residence (“Shelter-in-Place Order”), and authorizes individuals to leave their residences only for certain “Essential Activities,” Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Shelter-in Place;

WHEREAS, on March 19, 2020, Governor Newsom issue Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors;

WHEREAS, on March 23, 2020, the Director issued the City of Menlo Park Director of Emergency Services/City Manager Order (“Order”) No. 1 temporarily suspending all construction activity in the City of Menlo Park. The Order was based in part on the City’s lack of personal protective gear (PPE) to protect its employees from the spread of the COVID 19 virus, the lack of established construction project safety protocols and the inability of adequate supervision and deployment of building inspectors;

WHEREAS, recognizing the need to continue to limit the transmission of COVID-19, on April 29, 2020, the County Health Officer ordered the shelter-in-place to continue through May 31, 2020. However, the order also allows some businesses to open that could not operate under the

previous order and allows some low-risk activities to resume (e.g. outdoor businesses, landscapers and gardeners). Specifically, with regard to construction, the order allows for construction so long as the project complies with specific safety protocols;

WHEREAS, given the County of San Mateo's recent publication of construction project safety protocols, to the extent the city is able to provide sufficient PPE and building inspector personnel, the City Manager would like to re-activate construction activity in the city with a phased in approach giving priority to projects that were already scheduled for an inspection the first week of the shut down (3/16 - 3/20), existing projects that have been granted emergency status, any project that effects the livability of the house (water heater, furnace, plumbing repair, sewer main, water piping, etc.) and other single family residential projects and public works projects. Thereafter providing the city has adequate PPE and inspector capacity it would begin scheduling inspections for multi-family and commercial projects starting; and

WHEREAS, during the existence of this local emergency, pursuant to Municipal Code Chapter 2.44, the City Manager as Director of Emergency Services is empowered to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency.

NOW, THEREFORE, the Director of Emergency Services does hereby make the following order:

1. Effective 11:59 p.m. on May 3, 2020 Order Number 1 is hereby rescinded and superseded by this Order No. 4.
2. Construction activity in the City will be permitted to resume provided it complies with the applicable construction project safety protocol published in the County of San Mateo Health Officer Order dated April 29, 2020.
3. The City Manager reserves the right to modify this order if any of the following conditions occur:
 - a. The City is not able to secure adequate PPE for its building inspectors;
 - b. The City is not able to provide sufficient building inspectors to satisfy the demand;
 - c. Construction projects are not complying with the required safety protocols;
 - d. The number of COVID 19 cases increases significantly;
 - e. Other operational constraints make building inspection unsafe or infeasible.

Dated: _____

City Manager

Approved as to Form:

Interim City Attorney

DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER EMERGENCY ORDER NO.1

WHEREAS, the Centers for Disease Control and Prevention has stated that based on current information a novel coronavirus named “COVID-19” is a serious public health threat;

WHEREAS, a complete clinical picture of this respiratory disease is not yet fully understood;

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (the “Health Officer”) declared a local health emergency throughout San Mateo County related to the novel coronavirus (“COVID-19”);

WHEREAS, on March 10, 2020, the San Mateo County Board of Supervisors ratified and extended this declaration of local health emergency;

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to help the state prepare for the spread of COVID-19;

WHEREAS, the San Mateo County Health Officer issued a statement on March 10, 2020, that evidence exists of widespread community transmissions of COVID-19 in San Mateo County;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 constituted a world pandemic;

WHEREAS, on March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the current COVID-19 world pandemic;

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space;

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directs all individuals currently living within San Mateo County to shelter in their place of residence (“Shelter-in-Place Order”), and authorizes individuals to leave their residences only for certain “Essential Activities,” Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Shelter-in Place;

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors; and

WHEREAS, the Governor empowered local cities to take actions to preserve and protect the health and safety of their communities in light of their own circumstances;

WHEREAS, building construction requires regular inspection services to ensure that completed work complies with both issued permits and applicable building standards and waiving such inspections increases the risk of defective and unsafe construction;

WHEREAS, the City has extremely limited construction inspection services and protective gear to prevent inspectors from contaminated job sites and the Federal and State governments have requested that such protective gear be preserve for essential health workers;

WHEREAS, the Council desires to do what it can to help slow the spread of COVID-19, reduce the load on local hospitals and emergency rooms, prevent unnecessary deaths and preserve construction inspection services and the related administrative resources for the most critical projects;

WHEREAS, the Council also recognizes that housing is indeed a priority for our community and the region, but the immediacy of curbing the current health emergency must take precedence to prevent further spread of the virus;

WHEREAS, the Council desires to resume housing construction at the earliest opportunity; and

WHEREAS, during the existence of this local emergency, pursuant to Municipal Code Chapter 2.44, the City Manager as Director of Emergency Services is empowered to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency.

NOW, THEREFORE, the City Manager does hereby make the following order:

1. Effective immediately and until this order is terminated by the City Manager, all construction activity in the City of Menlo Park shall be temporarily suspended.
2. The City Manager will regularly review the need for this order to be in place and may elect to modify it should local circumstances or applicable law change.
3. Upon approval of the City Manager, construction activity in the government facilities and water and wastewater systems sector may be performed provided adequate social distancing mitigation measures can be achieved during both construction and inspection work.
4. The City Manager or designee may authorize limited exceptions to Section 1 of this order to protect life, health or safety provided they are consistent with Executive Order No. N-33-20 and/or subsequent applicable State or County orders.

Dated: 3/23/2020

DocuSigned by:
Starla Jerome Robinson
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City Manager



**ORDER No. c19-5c (REVISED) OF THE HEALTH OFFICER
OF THE COUNTY OF SAN MATEO DIRECTING
ALL INDIVIDUALS IN THE COUNTY TO CONTINUE SHELTERING AT THEIR
PLACE OF RESIDENCE EXCEPT FOR ESSENTIAL NEEDS AND IDENTIFIED
OUTDOOR ACTIVITIES IN COMPLIANCE WITH SPECIFIED REQUIREMENTS;
CONTINUING TO EXEMPT HOMELESS INDIVIDUALS FROM THE ORDER BUT
URGING GOVERNMENT AGENCIES TO PROVIDE THEM SHELTER; REQUIRING
ALL BUSINESSES AND RECREATION FACILITIES THAT ARE ALLOWED TO
OPERATE TO IMPLEMENT SOCIAL DISTANCING, FACE COVERING, AND
CLEANING PROTOCOLS; AND DIRECTING ALL BUSINESSES, FACILITY
OPERATORS, AND GOVERNMENTAL AGENCIES TO CONTINUE THE
TEMPORARY CLOSURE OF ALL OTHER OPERATIONS NOT ALLOWED UNDER
THIS ORDER**

DATE OF ORDER: APRIL 29, 2020

Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295, *et seq.*; Cal. Penal Code §§ 69, 148(a)(1))

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE COUNTY OF SAN MATEO (“HEALTH OFFICER”) ORDERS:

1. This Order supersedes the March 31, 2020 Order of the Health Officer directing all individuals to shelter in place (“Prior Order”). This Order amends, clarifies, and extends certain terms of the Prior Order to ensure continued social distancing and limit person-to-person contact to reduce the rate of transmission of Novel Coronavirus Disease 2019 (“COVID-19”). This Order continues to restrict most activity, travel, and governmental and business functions. But in light of progress achieved in slowing the spread of COVID-19 in the County of San Mateo (the “County”) and neighboring counties, the Order allows a limited number of additional Essential Businesses and certain lower risk Outdoor Businesses (both as defined in Section 16 below) to resume operating. This initial, measured resumption of those activities is designed to keep the overall volume of person-to-person contact very low to prevent a surge in COVID-19 cases in the County and neighboring counties. The activities allowed by this Order will be assessed on an ongoing basis and may need to be modified if the risk associated with COVID-19 increases in the future. As of the effective date and time of this Order set forth in Section 19 below, all



individuals, businesses, and government agencies in the County are required to follow the provisions of this Order.

2. The primary intent of this Order is to ensure that County residents continue to shelter in their places of residence to slow the spread of COVID-19 and mitigate the impact on delivery of critical healthcare services. This Order allows a limited number of additional essential and outdoor business activities to resume while the Health Officer continues to assess the transmissibility and clinical severity of COVID-19 and monitors indicators described in Section 11. All provisions of this Order must be interpreted to effectuate this intent. Failure to comply with any of the provisions of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.
3. All individuals currently living within the County are ordered to shelter at their place of residence. They may leave their residence only for Essential Activities as defined in Section 16.a and Outdoor Activities as defined in Section 16.m, Essential Governmental Functions as defined in Section 16.d, Essential Travel as defined in Section 16.i, to work for Essential Businesses as defined in Section 16.f, and Outdoor Businesses as defined in Section 16.l, or to perform Minimum Basic Operations for other businesses that must remain temporarily closed, as provided in Section 16.g. For clarity, individuals who do not currently reside in the County must comply with all applicable requirements of the Order when in the County. Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to, as soon as possible, make such shelter available and provide handwashing or hand sanitation facilities to persons who continue experiencing homelessness.
4. When people need to leave their place of residence for the limited purposes allowed in this Order, they must strictly comply with Social Distancing Requirements as defined in Section 16.k, except as expressly provided in this Order, and must wear Face Coverings as provided in Health Officer Order No. c19-8 (the “Face Covering Order”), including in connection with accessing or working for an Outdoor Business.
5. All businesses with a facility in the County, except Essential Businesses and Outdoor Businesses, as defined in Section 16, are required to cease all activities at facilities located within the County except Minimum Basic Operations, as defined in Section 16.g. For clarity, all businesses may continue operations consisting exclusively of owners, personnel, volunteers, or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open. But all businesses are directed to maximize the number of personnel who work from home. Essential Businesses and Outdoor Businesses may only assign those personnel who cannot perform their job duties from home to work outside the home. Outdoor Businesses must conduct all business and transactions involving members of the public outdoors.
6. As a condition of operating under this Order, the operators of all businesses must prepare or update, post, implement, and distribute to their personnel a Social Distancing Protocol for each of their facilities in the County frequented by personnel or members of the public, as specified in Section 16.h. Businesses that include an Essential Business or Outdoor Business component at their facilities



alongside other components must, to the extent feasible, scale down their operations to the Essential Business and Outdoor Business components only; provided, however, mixed retail businesses that are otherwise allowed to operate under this Order may continue to stock and sell non-essential products. All businesses allowed to operate under this Order must follow any industry-specific guidance issued by the Health Officer related to COVID-19.

7. All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes expressly permitted in this Order. Nothing in this Order prohibits members of a single household or living unit from engaging in Essential Travel, Essential Activities, or Outdoor Activities together.
8. All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, except Essential Travel, as defined below in Section 16.i, is prohibited. People may use public transit only for purposes of performing Essential Activities and Outdoor Activities, or to travel to and from work for Essential Businesses or Outdoor Businesses, to maintain Essential Governmental Functions, or to perform Minimum Basic Operations at non-essential businesses. Transit agencies and people riding on public transit must comply with Social Distancing Requirements, as defined in Section 16.k, to the greatest extent feasible, and personnel and passengers must wear Face Coverings as required by the Face Covering Order. This Order allows travel into or out of the County only to perform Essential Activities and Outdoor Activities, to operate or perform work for Essential Businesses or Outdoor Businesses, to maintain Essential Governmental Functions, or to perform Minimum Basic Operations at non-essential businesses.
9. This Order is issued based on evidence of continued significant community transmission of COVID-19 within the County and throughout the Bay Area; continued uncertainty regarding the degree of undetected asymptomatic transmission; scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically; evidence that the age, condition, and health of a significant portion of the population of the County places it at risk for serious health complications, including death, from COVID-19; and further evidence that others, including younger and otherwise healthy people, are also at risk for serious outcomes. Due to the outbreak of the COVID-19 disease in the general public, which is now a pandemic according to the World Health Organization, there is a public health emergency throughout the County. Making the problem worse, some individuals who contract the virus causing the COVID-19 disease have no symptoms or have mild symptoms, which means they may not be aware they carry the virus and are transmitting it to others. Further, evidence shows that the virus can survive for hours to days on surfaces and be indirectly transmitted between individuals. Because even people without symptoms can transmit the infection, and because evidence shows the infection is easily spread, gatherings and other direct or indirect interpersonal interactions can result in preventable transmission of the virus.
10. The collective efforts taken to date regarding this public health emergency have slowed the virus' trajectory, but the emergency and the attendant risk to public health remain significant. As of April 27, 2020, there are 1,099 confirmed cases of COVID-19 in the County (up from 41 on March 15, 2020, just before the first shelter-in-place order) as well as at least 7,273 confirmed cases (up from 258 confirmed



cases on March 15, 2020) and at least 266 deaths (up from 3 deaths on March 15, 2020) in the seven Bay Area jurisdictions jointly issuing this Order. The cumulative number of confirmed cases continues to increase, though the rate of increase has slowed in the days leading up to this Order. Evidence suggests that the restrictions on mobility and social distancing requirements imposed by the Prior Order (and the March 16, 2020 shelter-in-place order) are slowing the rate of increase in community transmission and confirmed cases by limiting interactions among people, consistent with scientific evidence of the efficacy of similar measures in other parts of the country and world.

11. The local health officers who jointly issued the Prior Order are monitoring several key indicators (“COVID-19 Indicators”), which are among the many factors informing their decisions whether to modify existing shelter-in-place restrictions. Progress on some of these COVID-19 Indicators—specifically related to hospital utilization and capacity—makes it appropriate, at this time, to ease certain restrictions imposed by the Prior Order to allow individuals to engage in a limited set of additional activities and perform work for a limited set of additional businesses associated with the lower risk of COVID-19 transmission, as set forth in Section 16.7 But the continued prevalence of the virus that causes COVID-19 requires most activities and business functions to remain restricted, and those activities that are permitted to occur must do so subject to social distancing and other infection control practices identified by the Health Officer. Progress on the COVID-19 Indicators will be critical to determinations by the local health officers regarding whether the restrictions imposed by this Order may be further modified. The Health Officer will continually review whether modifications to the Order are justified based on (1) progress on the COVID-19 Indicators; (2) developments in epidemiological and diagnostic methods for tracing, diagnosing, treating, or testing for COVID-19; and (3) scientific understanding of the transmission dynamics and clinical impact of COVID-19. The COVID-19 Indicators include, but are not limited to, the following:
 - a. The trend of the number of new COVID-19 cases and hospitalizations per day, and the capacity of hospitals and the health system in the County and region, including acute care beds and intensive care unit beds, to provide care for COVID-19 patients and other patients, including during a surge in COVID-19 cases.
 - b. The supply of personal protective equipment (PPE) available for hospital staff and other healthcare providers and personnel who need PPE to safely respond to and treat COVID-19 patients.
 - c. The ability and capacity to quickly and accurately test persons to determine whether they are COVID-19 positive, especially those in vulnerable populations or high-risk settings or occupations.
 - d. The ability to conduct case investigation and contact tracing for the volume of cases and associated contacts that will continue to occur, isolating confirmed cases and quarantining persons who have had contact with confirmed cases.
12. The scientific evidence shows that at this stage of the emergency, it remains essential to continue to slow virus transmission to help (a) protect the most vulnerable; (b) prevent the health care system from being



overwhelmed; (c) prevent long-term chronic health conditions, such as cardiovascular, kidney, and respiratory damage and loss of limbs from blood clotting; and (d) prevent deaths. Extension of the Prior Order is necessary to slow the spread of the COVID-19 disease, preserving critical and limited healthcare capacity in the County and advancing toward a point in the public health emergency where transmission can be controlled. At the same time, since the Prior Order was issued the County has made significant progress in expanding health system capacity and healthcare resources and in slowing community transmission of COVID-19. In light of progress on these indicators, and subject to continued monitoring and potential public health-based responses, it is appropriate at this time to allow additional Essential Businesses and Outdoor Businesses to operate in the County. Outdoor Businesses, by virtue of their operation outdoors, carry a lower risk of transmission than most indoor businesses. Because Outdoor Businesses, as defined in section 16.1, generally involve only brief and limited person-to-person interactions, they also carry lower risk of transmission than business activities prohibited under the Order, which tend to involve prolonged interactions between individuals in close proximity or in confined spaces where transmission is more likely. Existing Outdoor Businesses also constitute a relatively small proportion of business activity in the County, and therefore do not substantially increase the volume of interaction between persons in the County when reopened.

13. This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the March 3, 2020 Proclamation by the Director of Emergency Services Declaring the Existence of a Local Emergency in the County, the March 3, 2020 Declaration of Local Health Emergency Regarding Novel Coronavirus 2019 (COVID-19) issued by the Health Officer, the March 10, 2020 Resolution of the Board of Supervisors of the County of San Mateo Ratifying and Extending the Declaration of a Local Health Emergency, the April 7, 2020, Board of Supervisors' Resolution Further Extending the Proclamation of Local Health Emergency Until the County Takes Action to Terminate the Local Emergency, the April 15, 2020 Order of the Health Officer No. c19-1b extending and revising the Order restricting visitors to skilled nursing facilities to all residential type facilities, the April 13, 2020 Order of the Health Officer No. c19-3c extending and revising the School Operations Modification Order, the March 24, 2020 Order of the Health officer No. c19-4 directing all laboratories conducting COVID-19 diagnostic tests to report COVID-19 test information, the April 6, 2020 Orders of the Health Officer Nos. c19-6 and c19-7 requiring isolation for COVID-19 positive individuals and quarantine of Close Contacts of COVID-19 positive individuals, and the April 18, 2020 Order of the Health Officer No. c19-8 requiring members of the public and workers to wear face coverings.
14. This Order comes after the release of substantial guidance from the Health Officer, the Centers for Disease Control and Prevention, the California Department of Public Health, and other public health officials throughout the United States and around the world, including the widespread adoption of orders imposing similar social distancing requirements and mobility restrictions to combat the spread and harms of COVID-19. The Health Officer will continue to assess the quickly evolving situation and may modify or extend this Order, or issue additional Orders, related to COVID-19, as changing circumstances dictate.
15. This Order is also issued in light of the March 19, 2020 Order of the State Public Health Officer (the "State Shelter Order"), which set baseline statewide restrictions on non-residential business activities,



effective until further notice, as well as the Governor’s March 19, 2020 Executive Order N-33-20 directing California residents to follow the State Shelter Order. The State Shelter Order was complementary to the Prior Order and is complementary to this Order. This Order adopts in certain respects more stringent restrictions addressing the particular facts and circumstances in this County, which are necessary to control the public health emergency as it is evolving within the County and the Bay Area. Without this tailored set of restrictions that further reduces the number of interactions between persons, scientific evidence indicates that the public health crisis in the County will worsen to the point at which it may overtake available health care resources within the County and increase the death rate. Also, this Order enumerates additional restrictions on non-work-related travel not covered by the State Shelter Order; sets forth mandatory Social Distancing Requirements for all individuals in the County when engaged in activities outside their residences; and adds a mechanism to ensure that all businesses with facilities that are allowed to operate under the Order comply with the Social Distancing Requirements. Where a conflict exists between this Order and any state public health order related to the COVID-19 pandemic, the most restrictive provision controls. Consistent with California Health and Safety Code section 131080 and the Health Officer Practice Guide for Communicable Disease Control in California, except where the State Health Officer may issue an order expressly directed at this Order and based on a finding that a provision of this Order constitutes a menace to public health, any more restrictive measures in this Order continue to apply and control in this County. In addition, to the extent any federal guidelines allow activities that are not allowed by this Order, this Order controls and those activities are not allowed.

16. Definitions and Exemptions.

- a. For the purposes of this Order, individuals may leave their residence only to perform the following “Essential Activities.” But people at high risk of severe illness from COVID-19 and people who are sick are strongly urged to stay in their residence to the extent possible, except as necessary to seek or provide medical care or Essential Governmental Functions. Essential Activities are:
 - i. To engage in activities or perform tasks important to their health and safety, or to the health and safety of their family or household members (including pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, or visiting a health care professional.
 - ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, products needed to work from home, or products necessary to maintain the habitability, sanitation, and operation of residences.
 - iii. To engage in outdoor recreation activity, including, by way of example and without limitation, walking, hiking, bicycling, and running, in compliance with Social Distancing Requirements and with the following limitations:
 1. Outdoor recreation activity must take place within 10 miles of a person’s residence. For clarity, this restriction applies not only to San Mateo County residents, but equally to residents of other counties who wish to travel to the



- County for outdoor recreation. While residents of other counties are not prohibited from entering the County for other activities allowed by the Order, this provision does, consistent with the State's Shelter in Place Order issued on March 19, 2020, prohibit those living more than 10 miles from San Mateo County from traveling to the County for recreation;
2. Outdoor recreation activity at parks, beaches, and other open spaces must comply with any restrictions on access and use established by the Health Officer, government, or other entity that manages such area to reduce crowding and risk of transmission of COVID-19. Such restrictions may include, but are not limited to, restricting the number of entrants, closing the area to vehicular access and parking, or closure to all public access. Parks, beaches, and other open spaces that remain open must be actively monitored and managed by the appropriate authority;
 3. Beach parking must be closed to the public. Further, local authorities are authorized and encouraged to close and/or prohibit as much parking in areas adjacent to beaches as necessary to prevent crowds that cannot feasibly comply with the requirements of this Order. Additionally, the following items are prohibited for use or possession on a beach: umbrellas; shade structures; tents; BBQs and grills; coolers; chairs, hammocks, and other conveyances designed to sit and or lounge;
 4. Use of outdoor recreational areas and facilities with high-touch equipment or that encourage gathering, including, but not limited to, playgrounds, gym equipment, climbing walls, picnic areas, dog parks, pools, spas, and barbecue areas, is prohibited outside of residences, and all such areas shall be closed to public access including by signage and, as appropriate, by physical barriers;
 5. Sports or activities that include the use of shared equipment or physical contact between participants may only be engaged in by members of the same household or living unit;
 6. Use of shared outdoor facilities for recreational activities that may occur outside of residences consistent with the restrictions set forth in subsections 1 through 5, above, including, but not limited to, golf courses, skate parks, and athletic fields, must, before they may begin, be in compliance with social distancing and health/safety protocols posted at the site and any other restrictions, including prohibitions, on access and use established by the Health Officer, government, or other entity that manages such area to reduce crowding and risk of transmission of COVID-19; and
- iv. To perform work for or access an Essential Business, Outdoor Business, or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations, as defined in this Section.
 - v. To provide necessary care for a family member or pet in another household who has no other source of care.
 - vi. To attend a funeral with no more than 10 individuals present.



- vii. To move residences. When moving into or out of the Bay Area region, individuals are strongly urged to quarantine for 14 days. To quarantine, individuals should follow the guidance of the United States Centers for Disease Control and Prevention.

- b. For the purposes of this Order, individuals may leave their residence to work for, volunteer at, or obtain services at “Healthcare Operations,” including, without limitation, hospitals, clinics, COVID-19 testing locations, dentists, pharmacies, blood banks and blood drives, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption for Healthcare Operations shall be construed broadly to avoid any interference with the delivery of healthcare, broadly defined. “Healthcare Operations” excludes fitness and exercise gyms and similar facilities.

- c. For the purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operation and maintenance of “Essential Infrastructure,” including airports, utilities (including water, sewer, gas, and electrical), oil refining, roads and highways, public transportation, solid waste facilities (including collection, removal, disposal, recycling, and processing facilities), cemeteries, mortuaries, crematoriums, and telecommunications systems (including the provision of essential global, national, and local infrastructure for internet, computing services, business infrastructure, communications, and web-based services).

- d. For the purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others who need to perform essential services are categorically exempt from this Order to the extent they are performing those essential services. Further, nothing in this Order shall prohibit any individual from performing or accessing “Essential Governmental Functions,” as determined by the governmental entity performing those functions in the County. Each governmental entity shall identify and designate appropriate personnel, volunteers, or contractors to continue providing and carrying out any Essential Governmental Functions, including the hiring or retention of new personnel or contractors to perform such functions. Each governmental entity and its contractors must employ all necessary emergency protective measures to prevent, mitigate, respond to, and recover from the COVID-19 pandemic, and all Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements to the greatest extent feasible.

- e. For the purposes of this Order, a “business” includes any for-profit, non-profit, or educational entity, whether a corporate entity, organization, partnership or sole proprietorship, and regardless of the nature of the service, the function it performs, or its corporate or entity structure.

- f. For the purposes of this Order, “Essential Businesses” are:
 - i. Healthcare Operations and businesses that operate, maintain, or repair Essential Infrastructure;



- ii. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of unprepared food, canned food, dry goods, non-alcoholic beverages, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, as well as hygienic products and household consumer products necessary for personal hygiene or the habitability, sanitation, or operation of residences. The businesses included in this subparagraph (ii) include establishments that sell multiple categories of products provided that they sell a significant amount of essential products identified in this subparagraph, such as liquor stores that also sell a significant amount of food.
- iii. Food cultivation, including farming, livestock, and fishing;
- iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- v. Construction, but only as permitted under the State Shelter Order and only pursuant to the Construction Safety Protocols listed in Appendix B and incorporated into this Order by this reference. Public works projects shall also be subject to Appendix B, except if other protocols are specified by the Health Officer;
- vi. Newspapers, television, radio, and other media services;
- vii. Gas stations and auto-supply, auto-repair (including, but not limited to, for cars, trucks, motorcycles and motorized scooters), and automotive dealerships, but only for the purpose of providing auto-supply and auto-repair services. This subparagraph (vii) does not restrict the on-line purchase of automobiles if they are delivered to a residence or Essential Business;
- viii. Bicycle repair and supply shops;
- ix. Banks and related financial institutions;
 - x. Service providers that enable real estate transactions (including rentals, leases, and home sales), including, but not limited to, real estate agents, escrow agents, notaries, and title companies, provided that appointments and other residential real estate viewings must only occur virtually or, if a virtual viewing is not feasible, by appointment with no more than two visitors at a time residing within the same household or living unit and one individual showing the unit (except that in person visits are not allowed when the occupant is present in the residence);
- xi. Hardware stores;
- xii. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the habitability, sanitation, or operation of residences and Essential Businesses;
- xiii. Businesses providing mailing and shipping services, including post office boxes;
- xiv. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, or as allowed under subparagraph xxvi, provided that social distancing of six feet per person is maintained to the greatest extent possible;
- xv. Laundromats, drycleaners, and laundry service providers;
- xvi. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the



- food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
- xvii. Funeral home providers, mortuaries, cemeteries, and crematoriums, to the extent necessary for the transport, preparation, or processing of bodies or remains;
 - xviii. Businesses that supply other Essential Businesses with the support or supplies necessary to operate, but only to the extent that they support or supply these Essential Businesses. This exemption shall not be used as a basis for engaging in sales to the general public from retail storefronts;
 - xix. Businesses that have the primary function of shipping or delivering groceries, food, or other goods directly to residences or businesses. This exemption shall not be used to allow for manufacturing or assembly of non-essential products or for other functions besides those necessary to the delivery operation;
 - xx. Airlines, taxis, rental car companies, rideshare services (including shared bicycles and scooters), and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
 - xxi. Home-based care for seniors, adults, children, and pets;
 - xxii. Residential facilities and shelters for seniors, adults, and children;
 - xxiii. Professional services, such as legal, notary, or accounting services, when necessary to assist in compliance with non-elective, legally required activities or in relation to death or incapacity;
 - xxiv. Services to assist individuals in finding employment with Essential Businesses;
 - xxv. Moving services that facilitate residential or commercial moves that are allowed under this Order; and
 - xxvi. Childcare establishments, summer camps, and other educational or recreational institutions or programs providing care or supervision for children of all ages that enable owners, employees, volunteers, and contractors for Essential Businesses, Essential Governmental Functions, Outdoor Businesses, or Minimum Basic Operations to work are allowed under this Order. To the extent possible, these operations must comply with the following conditions:
 - 1. They must be carried out in stable groups of 12 or fewer children (“stable” means that the same 12 or fewer children are in the same group each day).
 - 2. Children shall not change from one group to another.
 - 3. If more than one group of children is at one facility, each group shall be in a separate room. Groups shall not mix with each other.
 - 4. Providers or educators shall remain solely with one group of children.
- The Health Officer will carefully monitor the changing public health situation as well as any changes to the State Shelter Order. In the event that the State relaxes restrictions on childcare and related institutions and programs, the Health Officer will consider whether to similarly relax the restrictions imposed by this Order.

- g. For the purposes of this Order, “Minimum Basic Operations” means the following activities for businesses, provided that owners, personnel, and contractors comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:



- i. The minimum necessary activities to maintain and protect the value of the business’s inventory and facilities; ensure security, safety, and sanitation; process payroll and employee benefits; provide for the delivery of existing inventory directly to residences or businesses; and related functions. For clarity, this section does not permit businesses to provide curbside pickup to customers.
 - ii. The minimum necessary activities to facilitate owners, personnel, and contractors of the business being able to continue to work remotely from their residences, and to ensure that the business can deliver its service remotely.

- h. For the purposes of this Order, all businesses that are operating at facilities in the County visited or used by the public or personnel must, as a condition of such operation, prepare and post a “Social Distancing Protocol” for each of these facilities; provided, however, that construction activities shall instead comply with the Construction Project Safety Protocols set forth in Appendix B and not the Social Distancing Protocol. The Social Distancing Protocol must be substantially in the form attached to this Order as Appendix A, and it must be updated from prior versions to address new requirements listed in this Order or in related guidance or directives from the Health Officer. The Social Distancing Protocol must be posted at or near the entrance of the relevant facility, and shall be easily viewable by the public and personnel. A copy of the Social Distancing Protocol must also be provided to each person performing work at the facility. All businesses subject to this paragraph shall implement the Social Distancing Protocol and provide evidence of its implementation to any authority enforcing this Order upon demand. The Social Distancing Protocol must explain how the business is achieving the following, as applicable:
 - i. Limiting the number of people who can enter into the facility at any one time to ensure that people in the facility can easily maintain a minimum six-foot distance from one another at all times, except as required to complete Essential Business activity;
 - ii. Requiring face coverings to be worn by all persons entering the facility, other than those exempted from face covering requirements (e.g. young children);
 - iii. Where lines may form at a facility, marking six-foot increments at a minimum, establishing where individuals should stand to maintain adequate social distancing;
 - iv. Providing hand sanitizer, soap and water, or effective disinfectant at or near the entrance of the facility and in other appropriate areas for use by the public and personnel, and in locations where there is high-frequency employee interaction with members of the public (e.g. cashiers);
 - v. Providing for contactless payment systems or, if not feasible to do so, the providing for disinfecting all payment portals, pens, and styluses after each use;
 - vi. Regularly disinfecting other high-touch surfaces;
 - vii. Posting a sign at the entrance of the facility informing all personnel and customers that they should: avoid entering the facility if they have any COVID-19 symptoms; maintain a minimum six-foot distance from one another; sneeze and cough into one’s elbow; not shake hands or engage in any unnecessary physical contact; and
 - viii. Any additional social distancing measures being implemented (see the Centers for Disease Control and Prevention’s guidance at: <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>).



- i. For the purposes of this Order, “Essential Travel” means travel for any of the following purposes:
 - i. Travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, Minimum Basic Operations, Outdoor Activities, and Outdoor Businesses.
 - ii. Travel to care for any elderly, minors, dependents, or persons with disabilities.
 - iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
 - iv. Travel to return to a place of residence from outside the County.
 - v. Travel required by law enforcement or court order.
 - vi. Travel required for non-residents to return to their place of residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to commencing such travel.
 - vii. Travel to manage after-death arrangements and burial.
 - viii. Travel to arrange for shelter or avoid homelessness.
 - ix. Travel to avoid domestic violence or child abuse.
 - x. Travel for parental custody arrangements.
 - xi. Travel to a place to temporarily reside in a residence or other facility to avoid potentially exposing others to COVID-19, such as a hotel or other facility provided by a governmental authority for such purposes.

- j. For purposes of this Order, “residences” include hotels, motels, shared rental units, and similar facilities. Residences also include living structures and outdoor spaces associated with those living structures, such as patios, porches, backyards, and front yards that are only accessible to a single family or household unit.

- k. For purposes of this Order, “Social Distancing Requirements” means:
 - i. Maintaining at least six-foot social distancing from individuals who are not part of the same household or living unit;
 - ii. Frequently washing hands with soap and water for at least 20 seconds, or using hand sanitizer that is recognized by the Centers for Disease Control and Prevention as effective in combatting COVID-19;
 - iii. Covering coughs and sneezes with a tissue or fabric or, if not possible, into the sleeve or elbow (but not into hands);
 - iv. Wearing a face covering when out in public, consistent with the orders or guidance of the Health Officer; and
 - v. Avoiding all social interaction outside the household when sick with a fever, cough, or other COVID-19 symptoms.

All individuals must strictly comply with Social Distancing Requirements, except to the limited extent necessary to provide care (including childcare, adult or senior care, care to individuals with special needs, and patient care); as necessary to carry out the work of Essential Businesses, Essential Governmental Functions, or provide for Minimum Basic Operations; or as otherwise



expressly provided in this Order. Outdoor Activities and Outdoor Businesses must strictly adhere to these Social Distancing Requirements.

1. For purposes of this Order, “Outdoor Businesses” means:
 - i. The following businesses that normally operated primarily outdoors prior to March 16, 2020 and where there is the ability to fully maintain social distancing of at least six feet between all persons:
 1. Businesses primarily operated outdoors, such as wholesale and retail plant nurseries, agricultural operations, and garden centers.
 2. Service providers that primarily provide outdoor services, such as landscaping and gardening services, and environmental site remediation services.

For clarity, “Outdoor Businesses” do not include outdoor restaurants, cafes, or bars.

- m. For purposes of this Order, “Outdoor Activities” means:
 - i. To obtain goods, services, or supplies from, or perform work for, an Outdoor Business.
 - ii. To engage in outdoor recreation as permitted in Section 16.a.

17. Government agencies and other entities operating shelters and other facilities that house or provide meals or other necessities of life for individuals experiencing homelessness must take appropriate steps to help ensure compliance with Social Distancing Requirements, including adequate provision of hand sanitizer. Also, individuals experiencing homelessness who are unsheltered and living in encampments should, to the maximum extent feasible, abide by 12 foot by 12 foot distancing for the placement of tents, and government agencies should provide restroom and hand washing facilities for individuals in such encampments as set forth in Centers for Disease Control and Prevention Interim Guidance Responding to Coronavirus 2019 (COVID-19) Among People Experiencing Unsheltered Homelessness (<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/unsheltered-homelessness.html>).
18. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code section 101029, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order. The violation of any provision of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.
19. This Order shall become effective at 11:59 p.m. on May 3, 2020 and will continue to be in effect until 11:59 p.m. on May 31, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Health Officer. However, while this Order is being extended for four weeks, it is being done so, in its current form, reluctantly. It is clear San Mateo County is moving into a different stage of this crisis and that we will require a different framework to balance many competing interests. An Order based on a framework of essential and non-essential business categories was absolutely necessary and appropriate in the earliest stages of this crisis. I am grateful that the State issued an Order based on this framework several days after we did. If we continue to have the public’s cooperation, I have great hope that the COVID-19 Indicators will continue to improve and this Order can be revised before May 31, 2020 in a manner that focuses more on behavior (social distancing, face masks, etc.) and risk of disease transmission in contrast to categories of businesses (essential vs. non-essential). However, for me to



issue such an Order, the State first needs to revise its Order to allow it. While, the Governor has indicated that the State will do so in weeks, not months, the actual date is uncertain. Modification by the State of its Order is a pre-requisite for such a change here.

20. Copies of this Order shall promptly be: (1) made available at 400 County Center, Redwood City, CA 94063; (2) posted on the County Public Health Department website (www.smchealth.org); and (3) provided to any member of the public requesting a copy of this Order.
21. If any provision of this Order or its application to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:

_____/signed/_____
Scott Morrow MD, MPH
Health Officer of the County of San Mateo

Dated: April 29, 2020

Attachments: Appendix A – Social Distancing Protocol
Appendix B1 – Small Construction Project Safety Protocol
Appendix B2 – Large Construction Project Safety Protocol



APPENDIX A: Social Distancing Protocol (Updated April 29, 2020)

Business name: Click or tap here to enter text.

Facility Address: Click or tap here to enter text.

Approximate gross square footage of space open to the public: Click or tap here to enter text.

Businesses must implement all applicable measures listed below, and be prepared to explain why any measure that is not implemented is inapplicable to the business.

Signage:

Signage at each public entrance of the facility to inform all employees and customers that they should: avoid entering the facility if they have COVID-19 symptoms; maintain a minimum six-foot distance from one another; sneeze and cough into a cloth or tissue or, if not available, into one’s elbow; wear face coverings, as appropriate; and not shake hands or engage in any unnecessary physical contact.

Signage posting a copy of the Social Distancing Protocol at each public entrance to the facility.

Measures To Protect Employee Health (check all that apply to the facility):

Everyone who can carry out their work duties from home has been directed to do so.

All employees have been told not to come to work if sick.

Symptom checks are being conducted before employees may enter the work space.

Employees are required to wear face coverings, as appropriate.

All desks or individual work stations are separated by at least six feet.

Break rooms, bathrooms, and other common areas are being disinfected frequently, on the following schedule:

Break rooms:

Bathrooms:

Other (Click or tap here to enter text.): Click or tap here to enter text.

Disinfectant and related supplies are available to all employees at the following location(s): Click or tap here to enter text.

Hand sanitizer effective against COVID-19 is available to all employees at the following location(s): Click or tap here to enter text.

Soap and water are available to all employees at the following location(s): Click or tap here to enter text.

Copies of this Protocol have been distributed to all employees.





Optional—Describe other measures: [Click or tap here to enter text.](#)

Measures To Prevent Crowds From Gathering (check all that apply to the facility):

Limit the number of customers in the store at any one time to [Click or tap here to enter text.](#), which allows for customers and employees to easily maintain at least six-foot distance from one another at all practicable times.

Post an employee at the door to ensure that the maximum number of customers in the facility set forth above is not exceeded.

Placing per-person limits on goods that are selling out quickly to reduce crowds and lines. Explain: [Click or tap here to enter text.](#)

Optional—Describe other measures: [Click or tap here to enter text.](#)

Measures To Keep People At Least Six Feet Apart (check all that apply to the facility)

Placing signs outside the store reminding people to be at least six feet apart, including when in line.

Placing tape or other markings at least six feet apart in customer line areas inside the store and on sidewalks at public entrances with signs directing customers to use the markings to maintain distance.

Separate order areas from delivery areas to prevent customers from gathering.

All employees have been instructed to maintain at least six feet distance from customers and from each other, except employees may momentarily come closer when necessary to accept payment, deliver goods or services, or as otherwise necessary.

Optional—Describe other measures: [Click or tap here to enter text.](#)

Measures To Prevent Unnecessary Contact (check all that apply to the facility):

Preventing people from self-serving any items that are food-related.

Lids for cups and food-bar type items are provided by staff; not to customers to grab.

Bulk-item food bins are not available for customer self-service use.

Not permitting customers to bring their own bags, mugs, or other reusable items from home.

Providing for contactless payment systems or, if not feasible, sanitizing payment systems regularly. Describe: [Click or tap here to enter text.](#)

Optional—Describe other measures (e.g. providing senior-only hours): [Click or tap here to enter text.](#)

Measures To Increase Sanitization (check all that apply to the facility):

Disinfecting wipes that are effective against COVID-19 are available near shopping carts and shopping baskets.



- Employee(s) assigned to disinfect carts and baskets regularly.
- Hand sanitizer, soap and water, or effective disinfectant is available to the public at or near the entrance of the facility, at checkout counters, and anywhere else where people have direct interactions.
- Disinfecting all payment portals, pens, and styluses after each use.
- Disinfecting all high-contact surfaces frequently.
- Optional—Describe other measures: [Click or tap here to enter text.](#)

* Any additional measures not included here should be listed on separate pages and attached to this document.

You may contact the following person with any questions or comments about this protocol:

Name: [Click or tap here to enter text.](#)

Phone number: [Click or tap here to enter text.](#)



APPENDIX B-1: Small Construction Project Safety Protocol

1. Any construction project meeting any of the following specifications is subject to this Small Construction Project Safety Protocol (“SCP Protocol”), including public works projects unless otherwise specified by the Health Officer:
 - a. For residential projects, any single-family, multi-family, senior, student, or other residential construction, renovation, or remodel project consisting of 10 units or less. This SCP Protocol does not apply to construction projects where a person is performing construction on their current residence either alone or solely with members of their own household.
 - b. For commercial projects, any construction, renovation, or tenant improvement project consisting of 20,000 square feet of floor area or less.
 - c. For mixed-use projects, any project that meets both of the specifications in subsection 1.a and 1.b.
 - d. All other construction projects not subject to the Large Construction Project Safety Protocol set forth in Appendix B-2.
2. The following restrictions and requirements must be in place at all construction job sites subject to this SCP Protocol:
 - a. Comply with all applicable and current laws and regulations including but not limited to OSHA and Cal-OSHA. If there is any conflict, difference, or discrepancy between or among applicable laws and regulations and/or this SCP Protocol, the stricter standard shall apply.
 - b. Designate a site-specific COVID-19 supervisor or supervisors to enforce this guidance. A designated COVID-19 supervisor must be present on the construction site at all times during construction activities. A COVID-19 supervisor may be an on-site worker who is designated to serve in this role.
 - c. The COVID-19 supervisor must review this SCP Protocol with all workers and visitors to the construction site.
 - d. Establish a daily screening protocol for arriving staff to ensure that potentially infected staff do not enter the construction site. If workers leave the jobsite and return the same day, establish a cleaning and decontamination protocol prior to entry and exit of the jobsite. Post the daily screening protocol at all entrances and exits to





- e. the jobsite. More information on screening can be found online at: <https://www.cdc.gov/coronavirus/2019-ncov/community/index.html>.
- f. In the event of a confirmed case of COVID-19 at any jobsite, the following must take place:
 - i. Immediately remove the infected individual from the jobsite with directions to seek medical care.
 - ii. Each location the infected worker was at must be decontaminated and sanitized by an outside vendor certified in hazmat clean ups, and work in these locations must cease until decontamination and sanitization is complete.
 - iii. The County Public Health Department must be notified immediately and any additional requirements per the County health officials must be completed, including full compliance with any tracing efforts by the County.
- g. Practice social distancing by maintaining a minimum six-foot distance between workers at all times, except as strictly necessary to carry out a task associated with the construction project.
- h. Where construction work occurs within an occupied residential unit, separate work areas must be sealed off from the remainder of the unit with physical barriers such as plastic sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative entry/exit door to the entry/exit door used by residents. Available windows and exhaust fans must be used to ventilate the work area. If residents have access to the work area between workdays, the work area must be cleaned and sanitized at the beginning and at the end of workdays. Every effort must be taken to minimize contact between workers and residents, including maintaining a minimum of six feet of social distancing at all times.
- i. Where construction work occurs within common areas of an occupied residential or commercial building or a mixed-use building in use by on-site employees or residents, separate work areas must be sealed off from the rest of the common areas with physical barriers such as plastic sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative building entry/exit door to the building entry/exit door used by residents or other users of the building. Every effort must be taken to minimize contact between worker and building residents and users, including maintaining a minimum of six feet of social distancing at all times.
- j. Prohibit gatherings of any size on the jobsite, including gatherings for breaks or eating, except for meetings regarding compliance with this protocol or as strictly necessary to carry out a task associated with the construction project.
- k. Cal-OSHA requires employers to provide water, which should be provided in single-serve containers. Sharing of any of any food or beverage is strictly prohibited and if sharing is observed, the worker must be sent home for the day.
- l. Provide personal protective equipment (“PPE”) specifically for use in construction, including gloves, goggles, face shields, and face coverings as appropriate for the



- m. activity being performed. At no time may a contractor secure or use medical-grade PPE unless required due to the medical nature of a jobsite. Face coverings must be worn in compliance with the Health Officer's Order No. C19-8, dated April 18, 2020, or any subsequently issued or amended order.
- n. Strictly control "choke points" and "high-risk areas" where workers are unable to maintain six-foot social distancing and prohibit or limit use to ensure that six-foot distance can easily be maintained between individuals.
- o. Minimize interactions and maintain social distancing with all site visitors, including delivery workers, design professionals and other project consultants, government agency representatives, including building and fire inspectors, and residents at residential construction sites.
- p. Stagger trades as necessary to reduce density and allow for easy maintenance of a minimum six-foot separation.
- q. Discourage workers from using others' desks, work tools, and equipment. If more than one worker uses these items, the items must be cleaned and disinfected with disinfectants that are effective against COVID-19 in between use by each new worker. Prohibit sharing of PPE.
- r. If hand washing facilities are not available at the jobsite, place portable wash stations or hand sanitizers that are effective against COVID-19 at entrances to the jobsite and in multiple locations dispersed throughout the jobsite as warranted.
- s. Clean and sanitize any hand washing facilities, portable wash stations, jobsite restroom areas, or other enclosed spaces daily with disinfectants that are effective against COVID-19. Frequently clean and disinfect all high touch areas, including entry and exit areas, high traffic areas, restrooms, hand washing areas, , tools, and equipment.
- t. Maintain a daily attendance log of all workers and visitors that includes contact information, including name, phone number, address, and e-mail.
- u. Post a notice in an area visible to all workers and visitors instructing workers and visitors to do the following:
 - i. Do not touch your face with unwashed hands or with gloves.
 - ii. Frequently wash your hands with soap and water for at least 20 seconds or use hand sanitizer with at least 60% alcohol.
 - iii. Clean and disinfect frequently touched objects and surfaces such as work stations, keyboards, telephones, handrails, machines, shared tools, elevator control buttons, and doorknobs.
 - iv. Cover your mouth and nose when coughing or sneezing, or cough or sneeze into the crook of your arm at your elbow/sleeve.
 - v. Do not enter the jobsite if you have a fever, cough, or other COVID-19 symptoms. If you feel sick, or have been exposed to anyone who is sick, stay at home.



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- vi. Constantly observe your work distances in relation to other staff. Maintain the recommended minimum six feet at all times. If not possible, wear the necessary PPE for working in close proximity to another person.
- vii. Do not carpool to and from the jobsite with anyone except members of your own household unit, or as necessary for workers who have no alternative means of transportation.
- viii. Do not share phones or PPE.



APPENDIX B-2: Large Construction Project Safety Protocol

1. Any construction project meeting any of the following specifications is subject to this Large Construction Project Safety Protocol (“LCP Protocol”), including public works projects unless otherwise specified by the Health Officer:
 - a. For residential construction projects, any single-family, multi-family, senior, student, or other residential construction, renovation, or remodel project consisting of more than 10 units.
 - b. For commercial construction projects, any construction, renovation, or tenant improvement project consisting of more than 20,000 square feet of floor area.
 - c. For construction of Essential Infrastructure, as defined in section 16.c of the Order, any project that requires five or more workers at the jobsite at any one time.
2. The following restrictions and requirements must be in place at all construction job sites subject to this LCP Protocol:
 - a. Comply with all applicable and current laws and regulations including but not limited to OSHA and Cal-OSHA. If there is any conflict, difference or discrepancy between or among applicable laws and regulations and/or this LCP Protocol, the stricter standard will apply.
 - b. Prepare a new or updated Site-Specific Health and Safety Plan to address COVID-19-related issues, post the Plan on-site at all entrances and exits, and produce a copy of the Plan to County governmental authorities upon request. The Plan must be translated as necessary to ensure that all non-English speaking workers are able to understand the Plan.
 - c. Provide personal protective equipment (PPE) specifically for use in construction, including gloves, goggles, face shields, and face coverings as appropriate for the activity being performed. At no time may a contractor secure or use medical-grade PPE, unless required due to the medical nature of a job site. Face Coverings must be worn in compliance with the Health Officer’s Order No. C19-8, dated April 18, 2020, or any subsequently issued or amended order.
 - d. Ensure that employees are trained in the use of PPE. Maintain and make available a log of all PPE training provided to employees and monitor all employees to ensure proper use of the PPE.
 - e. Prohibit sharing of PPE.





- f. Implement social distancing requirements including, at minimum:
- i. Stagger stop- and start-times for shift schedules to reduce the quantity of workers at the jobsite at any one time to the extent feasible.
 - ii. Stagger trade-specific work to minimize the quantity of workers at the jobsite at any one time.
 - iii. Require social distancing by maintaining a minimum six-foot distance between workers at all times, except as strictly necessary to carry out a task associated with the project.
 - iv. Prohibit gatherings of any size on the jobsite, except for safety meetings or as strictly necessary to carry out a task associated with the project.
 - v. Strictly control “choke points” and “high-risk areas” where workers are unable to maintain minimum six-foot social distancing and prohibit or limit use to ensure that minimum six-foot distancing can easily be maintained between workers.
 - vi. Minimize interactions and maintain social distancing with all site visitors, including delivery workers, design professionals and other project consultants, government agency representatives, including building and fire inspectors, and residents at residential construction sites.
 - vii. Prohibit workers from using others’ phones or desks. Any work tools or equipment that must be used by more than one worker must be cleaned with disinfectants that are effective against COVID-19 before use by a new worker.
 - viii. Place wash stations or hand sanitizers that are effective against COVID-19 at entrances to the jobsite and in multiple locations dispersed throughout the jobsite as warranted.
 - ix. Maintain a daily attendance log of all workers and visitors that includes contact information, including name, address, phone number, and email.
 - x. Post a notice in an area visible to all workers and visitors instructing workers and visitors to do the following:
 1. Do not touch your face with unwashed hands or with gloves.
 2. Frequently wash your hands with soap and water for at least 20 seconds or use hand sanitizer with at least 60% alcohol.
 3. Clean and disinfect frequently touched objects and surfaces such as workstations, keyboards, telephones, handrails, machines, shared tools, elevator control buttons, and doorknobs.
 4. Cover your mouth and nose when coughing or sneezing or cough or sneeze into the crook of your arm at your elbow/sleeve.
 5. Do not enter the jobsite if you have a fever, cough, or other COVID-19 symptoms. If you feel sick, or have been exposed to anyone who is sick, stay at home.
 6. Constantly observe your work distances in relation to other staff. Maintain the recommended minimum six-feet distancing at all times. If not possible, wear the necessary PPE for working in close proximity to another person.
 7. Do not share phones or PPE.
 - xi. The notice in section 2.f.x must be translated as necessary to ensure that all non-English speaking workers are able to understand the notice.



- g. Implement cleaning and sanitization practices in accordance with the following:
 - i. Frequently clean and sanitize, in accordance with CDC guidelines, all high-traffic and high-touch areas including, at a minimum: meeting areas, jobsite lunch and break areas, entrances and exits to the jobsite, jobsite trailers, hand-washing areas, tools, equipment, jobsite restroom areas, stairs, elevators, and lifts.
 - ii. Establish a cleaning and decontamination protocol prior to entry and exit of the jobsite and post the protocol at entrances and exits of jobsite.
 - iii. Supply all personnel performing cleaning and sanitization with proper PPE to prevent them from contracting COVID-19. Employees must not share PPE.
 - iv. Establish adequate time in the workday to allow for proper cleaning and decontamination including prior to starting at or leaving the jobsite for the day.
- h. Implement a COVID-19 community spread reduction plan as part of the Site-Specific Health and Safety Plan that includes, at minimum, the following restrictions and requirements:
 - i. Prohibit all carpooling to and from the jobsite except by workers living within the same household unit, or as necessary for workers who have no alternative means of transportation.
 - ii. Cal-OSHA requires employers to provide water, which should be provided in single-serve containers. Prohibit any sharing of any food or beverage and if sharing is observed, the worker must be sent home for the day.
 - iii. Prohibit use of microwaves, water coolers, and other similar shared equipment.
- i. Assign a COVID-19 Safety Compliance Officer (SCO) to the jobsite and ensure the SCO's name is posted on the Site-Specific Health and Safety Plan. The SCO must:
 - i. Ensure implementation of all recommended safety and sanitation requirements regarding the COVID-19 virus at the jobsite.
 - ii. Compile daily written verification that each jobsite is compliant with the components of this LCP Protocol. Each written verification form must be copied, stored, and made immediately available upon request by any County official.
 - iii. Establish a daily screening protocol for arriving staff, to ensure that potentially infected staff do not enter the construction site. If workers leave the jobsite and return the same day, establish a cleaning and decontamination protocol prior to entry and exit of the jobsite. Post the daily screening protocol at all entrances and exit to the jobsite. More information on screening can be found online at: <https://www.cdc.gov/coronavirus/2019-ncov/community/index.html>.
 - iv. Conduct daily briefings in person or by teleconference that must cover the following topics:
 - 1. New jobsite rules and pre-job site travel restrictions for the prevention of COVID-19 community spread.
 - 2. Review of sanitation and hygiene procedures.
 - 3. Solicitation of worker feedback on improving safety and sanitation.
 - 4. Coordination of construction site daily cleaning/sanitation requirements.
 - 5. Conveying updated information regarding COVID-19.
 - 6. Emergency protocols in the event of an exposure or suspected exposure to COVID-19.
 - v. Develop and ensure implementation of a remediation plan to address any non-compliance with this LCP Protocol and post remediation plan at entrance and exit of jobsite during



- remediation period. The remediation plan must be translated as necessary to ensure that all non-English speaking workers are able to understand the document.
- vi. The SCO must not permit any construction activity to continue without bringing such activity into compliance with these requirements.
 - vii. Report repeated non-compliance with this LCP Protocol to the appropriate jobsite supervisors and a designated County official.
- j. Assign a COVID-19 Third-Party Jobsite Safety Accountability Supervisor (JSAS) for the jobsite, who at a minimum holds an OSHA-30 certificate and first-aid training within the past two years, who must be trained in the protocols herein and verify compliance, including by visual inspection and random interviews with workers, with this LCP Protocol.
- i. Within seven calendar days of each jobsite visit, the JSAS must complete a written assessment identifying any failure to comply with this LCP Protocol. The written assessment must be copied, stored, and, upon request by the County, sent to a designated County official.
 - ii. If the JSAS discovers that a jobsite is not in compliance with this LCP Protocol, the JSAS must work with the SCO to develop and implement a remediation plan.
 - iii. The JSAS must coordinate with the SCO to prohibit continuation of any work activity not in compliance with rules stated herein until addressed and the continuing work is compliant.
 - iv. The remediation plan must be sent to a designated County official within five calendar days of the JSAS's discovery of the failure to comply.
- k. In the event of a confirmed case of COVID-19 at any jobsite, the following must take place:
- i. Immediately remove the infected individual from the jobsite with directions to seek medical care.
 - ii. Each location the infected worker was at must be decontaminated and sanitized by an outside vendor certified in hazmat clean ups, and work in these locations must cease until decontamination and sanitization is complete.
 - iii. The County Public Health Department must be notified immediately and any additional requirements per the County health officials must be completed, including full compliance with any tracing efforts by the County.
- l. Where construction work occurs within an occupied residential unit, any separate work area must be sealed off from the remainder of the unit with physical barriers such as plastic sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative entry/exit door to the entry/exit door used by residents. Available windows and exhaust fans must be used to ventilate the work area. If residents have access to the work area between workdays, the work area must be cleaned and sanitized at the beginning and at the end of workdays. Every effort must be taken to minimize contact between workers and residents, including maintaining a minimum of six feet of social distancing at all times.
- m. Where construction work occurs within common areas of an occupied residential or commercial building or a mixed-use building in use by on-site employees or residents, any separate work area must be sealed off from the rest of the common areas with physical barriers such as plastic



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sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative building entry/exit door to the building entry/exit door used by residents or other users of the building. Every effort must be taken to minimize contact between worker and building residents and users, including maintaining a minimum of six feet of social distancing at all times.

VIRTUAL INSPECTIONS

Community Development
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6614



A **Virtual Inspection (VI)** allows the inspector to remotely view the project site using a webcam controlled by the requester. VI is performed through a video conference by utilizing smartphones or tablets between the Building Inspector and the property owner or contractor.

We have Skype and FaceTime available at this time.

Procedures

- Utilize a smartphone or tablet with internet connectivity (***please check your area for reception prior to scheduling a VI***)
- Email a request to schedule a VI inspection at PermitTeam@menlopark.org. City staff will provide further directions for your VI inspection.
- At the scheduled date and time, connect to the VI
- Complete the inspection

Inspection

The Building Inspector will let you know immediately about the outcome of the inspection. The job card / bag would be signed at a later inspection, or another option is to come into the Permit Counter once the City is open again and the inspector and or counter staff will sign it.

The following is a list of inspections eligible for Virtual Inspection:

Sewer (not urgent)	Water service (Main)	Retaining wall footings	Shower pan and shower wall waterproofing
Gas air tests	Insulation	Non-rated Drywall	Stucco mesh/ext. lath (minor jobs)
Exterior siding	Reroofs (in- progress only)	Minor framing/shear	Slab grade

This list is subject to change at any time. Virtual inspections are at the discretion of the inspector.

These inspections can be done remotely in an effort to move projects forward. At least one trip will be required to the project site before final sign off.