

MOTION BY SUPERVISORS KATHRYN BARGER
AND JANICE HAHN

MAY 26, 2020

SAFER AT WORK AND SAFER IN OUR COMMUNITIES

On May 4, Governor Gavin Newsom signed Executive Order N-60-20 which, among other things, instructed the State Public Health Officer to “establish criteria and procedures—determine whether or how particular local jurisdictions may implement public health measures that depart from statewide directives.” The executive order states that, “California law promotes the preservation of public health by providing for local health officers—appointed by county boards of supervisors and other local authorities—in addition to providing for statewide authority by a State Public Health Officer; and... these local health officers, working in consultation with county boards of supervisors and other local authorities, are well positioned to understand the local needs of their communities.”

The State Public Health Officer has since issued guidelines regarding the Roadmap to Modify the Stay-at-Home Order Guidance to County Governments.

To apply for a variance from the State, a number of readiness data is required, including:

1. No more than 25 new cases per 100,000 residents in the past 14 days or less than 8% testing positive in the past 7 days.
2. Stable hospitalization of COVID-19 individuals on a 7-day average of daily percent change of less than 5% or no more than 20 COVID-19 hospitalizations on any single day in the past 14 days.

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3. Daily testing volume of 1.5 per 1,000 residents per day.
4. Testing availability for at least 75% of residents within 30 minutes driving time in urban areas, and 60 minutes in rural areas.
5. For counties that have no cases, at least 15 staff per 100,000 county residents trained and available for contact tracing.
6. Hospital capacity to accommodate a 35% surge in COVID-19 cases while maintaining care to non-COVID-19 cases.
7. Sufficient protective supplies for essential workers, including having more than a 14-day supply of PPE for Skilled Nursing Facilities.
8. Temporary housing for 15% of homeless residents.

This action by the Governor acknowledges and appreciates the urban and rural diversity of California and distinct impacts of the spread of COVID-19. Similarly, Los Angeles County, covering over 4,000 square miles, is made up of vast urban and rural communities, broken up across seven valleys, several coastal regions and multiple urban centers. The 88 cities in Los Angeles County also range in density from less than 1,000 citizens per square mile to more than 40,000 citizens per square mile. Less dense areas of the county, state, and country have shown lower degrees of transmission. The Fifth District alone has incorporated cities with as few as 1,000 residents, and as many as nearly 200,000 residents. This virus is impacting each city in our County differently; some cities have zero reported cases while others have case rates greater than 700 per 100,000 residents.

The County of Los Angeles has invested heavily in PPE, testing, hospital capacity and other measures over the past sixty days to flatten the curve. Accordingly, over the last week, the average rate of hospitalization has declined 1.6% per day, and testing capacity was over 1.6 per 1000 residents per day. The County's positive test rate has dropped to 9%, down 5% in the last few weeks. Many of these data points meet or exceed the state criteria.

As the largest driver of the State's economy, the once thriving Los Angeles County economic health must be restored while simultaneously maintaining and preserving the health and safety of our residents. Current economic projections paint a dire picture. There have already been over one million unemployment claims in Los Angeles County since mid-March. Furthermore, experts predict that over 750,000 jobs will be lost from the retail and food-service industries alone, and that 75% of the total jobs lost will be those earning \$50,000 or less.

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Several cities in the County have expressed interest in a city or regional variance. All cities who believe they meet the state's variance criteria, and wish to be considered for a partial variance, should send their request initially to the County's Chief Executive Officer for submission to the County's Public Health Officer. Such submissions may include the surrounding unincorporated areas with concurrence from the respective County Supervisor.

WE, THEREFORE, MOVE that the Board of Supervisors instruct the County Health Officer, working in collaboration with the CEO and County Counsel, to:

- A. Work with the State to obtain a partial variance on behalf of interested cities and/or regions within the County; and,
- B. Immediately upon readiness under the State's variance criteria, take all steps required to pursue a variance on behalf of the County of Los Angeles as a whole.

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