

September 14, 2021

NB-39

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Confirm the City Manager's promulgation of the revised Safer at Home Quarantine and Public Health Emergency Isolation Orders for the Control of COVID-19, issued on September 9, 2021, by the City of Long Beach Health Officer as a regulation. (Citywide)

DISCUSSION

On March 19, 2020, the City's Health Officer issued the "Safer at Home Order for Control of COVID-19" (Health Order) to mitigate the effects of COVID-19 within Long Beach. The City's Health Officer has revised the Health Order from time to time, as necessary, to protect public health and safety during this ongoing emergency. On September 9, 2021, the City's Health Officer issued revisions to the Health Order, pursuant to the Beyond the State's Blueprint for a Safer Economy, and a mandate by Governor Gavin Newsom and the State Health Officer. The revised Quarantine and Public Health Emergency Isolation Orders (attached) were issued to update protocols for quarantine and isolation to align with Center for Disease Control (CDC) guidance.

On May 12, 2020, the City Council adopted Long Beach Municipal Code (LBMC) Chapter 8.120, "Temporary Enforcement of Long Beach Health Orders Related to COVID-19," which became effective immediately as an urgency Ordinance. Chapter 8.120 requires, where practicable, the City Council to confirm COVID-19 Health Orders for the sole purpose of authorizing the City Manager's promulgation of such Health Orders. In the event it is not feasible to do this, Chapter 8.120, as amended on January 19, 2021, requires the City Manager to, within 14 days of promulgation of said Health Orders or at the next duly noticed public meeting of the City Council, request the City Council to confirm the City Manager's promulgation of the Health Order. The City Manager's promulgation of the Health Order, and City Council's confirmation of such orders, authorizes enforcement authority of the Health Orders under the Proclamation of Local Emergency and provisions of Chapter 8.120.

This process recognizes the potential need for the City's Health Officer to quickly amend or update, and the City Manager to promulgate as a regulation under the LBMC, City Health Orders that protect life and property as affected by the COVID-19 emergency. The process allows for the City to respond to the rapid development of COVID-19, while ensuring the City Council maintains oversight of the COVID-19 local emergency and the City Manager's promulgation of related orders.

This matter was reviewed by Deputy City Attorney Monica J. Kilaita on September 10, 2021 and by Budget Manager Grace H. Yoon on September 9, 2021.

TIMING CONSIDERATIONS

City Council action is requested on September 14, 2021. Confirmation by the City Council of the revised Health and Quarantine Orders is a requirement of LBMC Chapter 8.120.

STATEMENT OF URGENCY

LBMC Chapter 8.120 requires the City Manager to, within 14 days of promulgation of said Health Orders or at the next duly noticed public meeting of the City Council, request the City Council to confirm the City Manager's promulgation of the Health Order. The Safer at Home Quarantine and Public Health Emergency Orders were revised and promulgated on September 9, 2021.

EQUITY LENS

The City has incorporated the Equity Toolkit into the City's Emergency Operations Center, as requested by the City Council on April 21, 2020. The revised Health Order takes the City's equity approach into consideration when the Health Order is drafted and implemented. The City's enforcement model for compliance with the Health Order prioritizes education with the community first.

FISCAL IMPACT

The full fiscal impact of the implementation and enforcement of the revised Health Order is unknown at this time, due to the unprecedented and quickly changing nature of the response to the pandemic. The Health Order and its amendments have an inherent impact on the health of the community and economic activity of Long Beach. There is substantial evidence provided through various public City reporting that the Health Order and its amendments are positively impacting the health and safety of Long Beach residents; and, there is substantial evidence, also provided through other public documents issued by the City, that the Health Order and its amendments are negatively impacting the economy and the City's financial status. As the Health Order is modified from time to time, the modifications are intended to ensure compliance with State directives and to strike a balance, appropriate at the time of modification, between the safety and well-being of residents and other important considerations such as economic impacts. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



THOMAS B. MODICA
CITY MANAGER

ATTACHMENTS: QUARANTINE ORDER – 9-9-21
PUBLIC HEALTH EMERGENCY ISOLATION – 9-9-21

HEALTH OFFICER ORDER FOR THE CONTROL OF COVID-19

Quarantine Order

Revised Order Issued: **September 9, 2021**

This Order supersedes the prior Quarantine Order issued by the Long Beach Health Officer (Health Officer) on **March 10, 2021**. This Order is in effect until rescinded in writing by the Health Officer.

HEALTH OFFICER ORDERS

- I. Definition of Close Contact. For purposes of this Order, a “close contact” is defined as any of the following people who were exposed to a COVID-19 positive person:
 - a. A person who was within 6 feet of a COVID-19 positive person for a total of 15 minutes or more over a 24-hrs period; or
 - b. A person who had unprotected contact with a COVID-19 positive person’s body fluids and/or secretions, such as, hugs or kisses, being coughed or sneezed on, sharing cups or utensils, or providing care without wearing appropriate protective equipment (e.g. facemask and gloves).
- II. Quarantine for Unvaccinated Individuals After Close Contact with a COVID-19 Positive Person.

Unvaccinated individuals who have had close contact with a **suspected or confirmed** COVID-19 positive person must quarantine for at least **7** days and up to 14 days after COVID-19 exposure. Individuals may discontinue quarantine **within the timeframes below** if they **remain asymptomatic (i.e. do not develop symptoms)**:

- **After Day 10 from the date of the last exposure. Testing 5 to 7 days after exposure is strongly recommended but not required; OR**
- **After Day 7 if the individual tests by having a diagnostic specimen collected after Day 5 from the date of last exposure and the test is negative.**

Asymptomatic contacts that discontinue quarantine before Day 14 from the last known exposure must:

- **Self-monitor for COVID-19 symptoms** (fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea) **through Day 14 from the last known exposure**; AND
- **Strictly adhere to all recommended non-pharmaceutical interventions** (e.g. consistent use of face coverings, **avoiding crowds, avoiding poorly ventilated indoor spaces**, maintaining a distancing of at least 6 ft from others, frequent handwashing).

Day 0 of quarantine is the day of the last close contact the individual had with a COVID-19 positive person. Day 1 of quarantine begins the following day. Persons required to quarantine by this Order must follow all directions in the "Home Quarantine Guidance for Close Contacts to Coronavirus Disease 2019 (COVID-19)," which is available in [English](#), [Spanish](#), [Khmer](#), and [Tagalog](#).

Given the higher risk and impact of transmission in high risk congregate living settings, people who live in Congregate Care Facilities, correctional facilities, or dormitories must quarantine for 14 days after their last close contact with a COVID-19 positive person.

For purposes of this Order, "Congregate Care Facilities" include the following facilities within the City: Adult Residential Care Facilities (ARF) all license types; Chronic Dialysis Clinic; Continuing Care Retirement Communities; Hospice Facilities; Intermediate Care Facilities of all license types; Psychiatric Health Facilities; Residential Care Facilities for the Elderly; Residential Facility Chronically III; Skilled Nursing Facilities (SNFs); and Social Rehabilitation Facilities.

Private and public K-12 within Long Beach may implement modified quarantine protocol for unvaccinated students in accordance with the CDPH's guidance titled "COVID-19 Public Health Guidance for K-12 Schools in California, 2021-22 School Year", which may be found at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/K-12-Guidance-2021-22-School-Year.aspx>.

III. Quarantine for Vaccinated or Previously Infected Persons After Close Contact with a COVID-19 Positive Person

Vaccinated persons with an exposure to someone with suspected or confirmed COVID-19 are not required to quarantine if they meet all the following criteria:

- Are fully vaccinated from COVID-19 (i.e., more than 2 weeks following receipt of the second dose in a 2-dose series COVID-19 vaccine, or more than 2 weeks following receipt of one dose of a single-dose COVID-19 vaccine); AND
- Have remained asymptomatic (i.e. have not developed any symptoms) since the current COVID-19 exposure

Fully vaccinated persons who do not quarantine should still watch for symptoms of COVID-19 for 14 days following an exposure. Fully vaccinated persons should get tested within 3 to 5 days after their exposure even if they do not have symptoms. Fully vaccinated persons should also strictly adhere to all recommended non-pharmaceutical interventions (e.g. consistent use of face coverings, avoiding crowds, avoiding poorly ventilated indoor spaces, maintaining a distancing of at least 6 ft from others, frequent handwashing) for 14 days following an exposure. If a vaccinated person experiences symptoms of COVID-19, they should self-isolate and be clinically evaluated for COVID-19 by a medical provider, including testing.

Individuals who have tested positive for COVID-19 within the past 3 months and have recovered are not required to quarantine or get tested if they have had close contact with a COVID-19 positive person, as long as they do not develop new symptoms. Individuals who develop symptoms again within 3 months after first testing positive for COVID-19 may need to be tested again if there is no other cause identified for their symptoms. If an individual who has tested positive for COVID-19 within the past 3 months experiences symptoms of COVID-19, they should self-isolate and be clinically evaluated by a medical provider for COVID-19, including testing.

Persons who do not meet the criteria above should continue to follow the "Home Quarantine Guidance for Close Contacts to Coronavirus Disease 2019 (COVID-19)," which is available in [English](#), [Spanish](#), [Khmer](#), and [Tagalog](#), after exposure to someone with suspected or confirmed COVID-19.

This exemption shall not apply to inpatients and residents in Congregate Care Facilities.

IV. Isolation Required if Any Person in Quarantine Develops Symptoms of COVID-19

Any individual that develops symptoms must immediately self-isolate, seek COVID-19 testing, and contact their healthcare provider with any questions regarding their care. The requirements in this Section apply to vaccinated individuals as well as unvaccinated individuals and applies regardless of testing or earlier quarantine release. Any person who develops symptoms or tests positive for COVID-19 must follow the [Long Beach Isolation Order](#). The Long Beach Isolation Order and a list of testing sites may be found at www.longbeach.com/covid19.

BACKGROUND AND PURPOSE OF THIS ORDER

The spread of Coronavirus Disease 2019 (COVID-19) remains a substantial threat to the public's health. Long Beach is currently subject to a declared local health emergency and a proclaimed local emergency due to the COVID-19 pandemic, and the Governor of the State of California proclaimed a state of emergency. All people are at risk for becoming ill with COVID-19, but some people are more vulnerable to serious illness as a result of COVID-19 due to age or underlying health conditions.

The purpose of this Order is to help slow the spread of COVID-19, to protect individuals against serious illnesses and death, and to protect the health care system from a surge of cases into emergency rooms and hospitals. This Order requires that people quarantine at home after close contact with someone with COVID-19. This Order is also issued to align with updated CDC and CDPH guidance.

Quarantine is used to keep someone who has been exposed to COVID-19 and might be infected away from others to prevent COVID-19 from spreading further. Since a significant number of COVID-19 infections are caused by people with no symptoms, quarantining people who have been exposed to COVID-19 is essential to stop the spread of COVID-19.

The CDC and CDPH currently still recommend a quarantine period of 14 days after COVID-19 exposure, based on estimates of the upper bounds of the COVID-19 incubation period. LBDHHS, like CDC and CDPH, recognizes the long duration of quarantine creates economic and personal hardship, impacts people's compliance with quarantine, and may impact the willingness of cases to name close contacts. Therefore, a shorter quarantine is permitted. This Order is amended to align with updated CDC and CDPH Guidance for Fully Vaccinated People, which recommends testing and masking after an exposure if vaccinated. This symptom-based strategy will prevent most, but not all, instances of secondary transmission.

Balancing the burdens of quarantine with the need to prevent spread of COVID-19, CDC the recently gave local public health departments shorter options for quarantine. The CDPH subsequently changed State recommendations for quarantine based on this information from the CDC. Links to CDC and CDPH recommendations may be found below in "Resources".

CDPH recommendations maintain stricter guidelines for those who live or work in higher risk congregate environments such as Congregate Care Facilities, correctional facilities, dormitories given the catastrophic impact of outbreaks in these settings.

This Order does not apply to government employees and other critical infrastructure workers, if the agency, in consultation with the Health Officer, has made a determination that due to CDC guidance that an alternate approach to COVID-19 transmission prevention is necessary in order to ensure continuity of critical services to the community. Healthcare facilities may also adapt their quarantine protocols in **to mitigate critical staffing** shortages.

LEGAL AUTHORITY

This Order is made under the authority of California Health and Safety Code Sections 101040, 101475, 101085, 120175, 120215, 120220, and 120225. The Health Officer may take additional action(s), which may include civil detention or requiring a person to stay a health facility or other location to protect the public's health if an individual who is subject to this Order violates or fails to comply with this Order.

Violation of this Order is a misdemeanor punishable by imprisonment, fine or both pursuant to California Health and Section Code Section 120275 et seq and Long Beach Municipal Code sections 8.120.030.A and 8.120.030.E.3. Further, pursuant to Section 41601 of the California Government Code, the Health Officer requests that the Chief of Police in the City of Long Beach ensure compliance with and enforcement of this Order. The violation of any provision of this Order constitutes an imminent threat and creates an immediate menace to public health.

RESOURCES

- Home Quarantine Instructions for Close Contacts to COVID
- Home Isolation Instructions for People with COVID-19
- Public Health Emergency Isolation Order
- California Department of Public Health (CDPH) Guidance
 -
 - Guidance on Isolation and Quarantine for COVID-19 Contact Tracing (updated on September 1, 2021) <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Guidance-on-Isolation-and-Quarantine-for-COVID-19-Contact-Tracing.aspx>
- Centers for Disease Control (CDC) Guidance
 - Interim Clinical Considerations for Use of mRNA COVID-19 Vaccines Currently Authorized in the United States (issued on February 10, 2021) - <https://www.cdc.gov/vaccines/covid-19/info-by-product/clinical-considerations.html>
 - CDC Guidance: When to Quarantine (updated **July 29, 2021**) - <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/quarantine.html>
 - Options to Reduce Quarantine for Contacts of Persons with SARS-CoV-2 Infection Using Symptom Monitoring and Diagnostic Testing (updated December 2, 2020) - <https://www.cdc.gov/coronavirus/2019-ncov/more/scientific-brief-options-to-reduce-quarantine.html>

IT IS SO ORDERED:



Anissa Davis, MD, DrPH,

Health Officer, City of Long Beach

Date: September 9, 2021

PROMULGATION OF EMERGENCY REGULATIONS

As Director of Civil Defense for the City of Long Beach pursuant to Long Beach Municipal Code ("LBMC") section 2.69.060.A, and in accordance with the provisions of LBMC Chapter 8.120, I am authorized to promulgate regulations for the protection of life and property as affected by the COVID-19 emergency pursuant to Government Code section 8634, and LBMC sections 2.69.070.A and 8.120.020. The following shall be in effect for the duration of the Long Beach Health Officer Order, HEALTH OFFICER ORDER FOR CONTROL OF COVID-19: Quarantine Order, issued above, which is incorporated in its entirety by reference.

The Long Beach Health Officer Order, HEALTH OFFICER ORDER FOR CONTROL OF COVID-19: Quarantine Order, shall be promulgated as a regulation for the protection of life and property.

Any person who, after notice, knowingly and willfully violates or refuses or neglects to conform to the above referenced lawfully issued Health Order shall be guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000), by imprisonment for a period not exceeding six (6) months, or by both such fine and imprisonment. (Long Beach Municipal Code sections 8.120.030.A and 8.120.030.E.3.)

IT IS SO ORDERED:



Thomas B. Modica

City Manager, City of Long Beach

Date: September 9, 2021

HEALTH OFFICER ORDER FOR THE CONTROL OF COVID-19

Public Health Emergency Isolation

Order Date Order Issued: **September 9, 2021**

This Order is in effect until rescinded in writing by the Health Officer.

This updated Isolation Order amends, restates, and supersedes the previous Isolation Order issued by the Long Beach Health Officer from **June 28, 2020**. The changes to this Order are intended to align with Center for Disease Control (CDC) guidance for community-related exposure to COVID-19, which changes the criteria for discontinuing isolation. Changes are highlighted in **yellow**.

UNDER THE AUTHORITY OF THE CALIFORNIA HEALTH AND
SAFETY CODE SECTIONS 101040, 101085, 120175, 120215, 120220, AND
120225 THE CITY OF LONG BEACH HEALTH OFFICER ORDERS:

I. INSTRUCTIONS

All individuals who have been diagnosed with or who are likely to have COVID-19 must isolate themselves. These persons are required to follow all instructions in this Order and the Public Health guidance documents referenced in this Order.

All individuals who have been diagnosed with or are likely to have COVID-19 must immediately take the following actions:

1. Isolate themselves in a residence until:
 - a. At least 10 days have passed since symptom onset; AND
 - b. At least 24 hours have passed since resolution of fever without the use of fever-reducing medications; AND
 - c. Other symptoms have improved.

Persons infected with SARS-CoV-2 who are asymptomatic (e.g. never develop COVID-19 symptoms) may discontinue isolation and other precautions 10 days after the date of their first positive RT-PCR test for SARS-CoV-2 RNA.

Until an individual is recovered and at least 10 days has passed since symptoms first appeared, whichever is later, the isolated individual may not leave their place of isolation or enter any other public or private place, except to receive necessary medical care.

An asymptomatic person may discontinue self-isolation if at least 10 days have passed since the date of the first positive COVID-19 diagnostic (federally approved Emergency Use Authorized molecular assay) test. If an individual develops symptoms, then the strategies for discontinuing self-isolation for symptomatic

persons (above) should be used.

2. **Carefully review and closely follow all requirements listed in the "Home Isolation Instructions for People with Coronavirus-2019 (COVID-19) Infection,"** which is available in [English](#) and [Spanish](#).
3. **Tell household contacts, intimate partner(s), their caregiver(s), and other persons who were in close contact with them 48 hours before their symptoms started or while they were symptomatic (collectively "close contacts) that they need to quarantine themselves.**
4. **Refer close contacts to the "Home Quarantine Guidance for Close Contacts to Coronavirus Disease 2019 (COVID-19)" document, which is available in [English](#) and [Spanish](#).** This document describes steps that close contacts must take to prevent spread of COVID-19. Steps described in this document are necessary because close contacts have likely been exposed to COVID-19 and, if infected, can easily spread COVID-19 to others, even if they have only mild symptoms or no symptoms.

Individuals are required to isolate themselves because they have or are likely to have COVID-19. Self-isolation is immediately required if a person meets one or more of the following factors:

- a. A positive lab test for COVID-19;
- b. Signs and symptoms that are consistent with COVID-19 within 14 days of being in close contact with a person who had or was believed to have had COVID-19; OR
- c. A physician has informed the individual that they are likely to have COVID-19.

II. PURPOSE OF THE ORDER

The purpose of this Order is to help slow the spread of COVID-19, to protect individuals at higher risk, and to protect the health care systems from a surge of cases into its emergency rooms and hospitals. COVID-19 can easily spread between people who are in close contact with one another, especially if they are not fully vaccinated.

People who are not vaccinated against COVID-19 are at the highest risk of getting infected with COVID-19. Unvaccinated older adults and unvaccinated people who have [certain medical conditions](#) are at the highest risk of severe illness from COVID-19. People with [weakened immune system](#) who are fully vaccinated might not respond as well to the vaccine so they may also be at risk for getting very sick. Fully vaccinated persons are at lowest risk of getting infected and are well protected from getting very and dying from COVID-19. A small percent of fully vaccinated person do get infected. Importantly, these post-vaccination infections usually cause only mild symptoms, if any. However, it is still possible fully vaccinated people to spread the virus to other people.

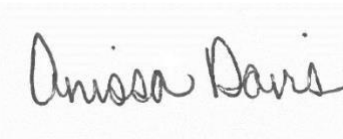
This Order is based upon scientific evidence and best practices, as currently known and available. Isolation and quarantine are recommended by the Centers for Disease Control and Prevention (CDC) and other public health experts as a proven strategy for preventing transmission of COVID-19.

III. LEGAL AUTHORITY

This Order is made under the authority of California Health and Safety Code Sections 101040, 101475, 101085, 120175, 120215, 120220, and 120225. The Health Officer may take additional action(s), which may include civil detention or requiring a person to stay a health facility or other location to protect the public's health if an individual who is subject to this Order violates or fails to comply with this Order.

Violation of this Order is a misdemeanor punishable by imprisonment, fine or both pursuant to California Health and Section Code Section 120275 et seq and Long Beach Municipal Code sections 8.120.030.A and 8.120.030.E.3. Further, pursuant to Section 41601 of the California Government Code, the Health Officer requests that the Chief of Police in the City of Long Beach ensure compliance with and enforcement of this Order. The violation of any provision of this Order constitutes an imminent threat and creates an immediate menace to public health.

IT IS SO ORDERED:



Anissa Davis, MD, DrPH,
Health Officer, City of Long Beach
Date: September 9, 2021

PROMULGATION OF EMERGENCY REGULATIONS

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Any person who, after notice, knowingly and willfully violates or refuses or neglects to conform to the above referenced lawfully issued Health Order shall be guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000), by imprisonment for a period

September 9, 2021

Page 4

not exceeding six (6) months, or by both such fine and imprisonment. (Long Beach Municipal Code sections 8.120.030.A and 8.120.030.E.3.)

IT IS SO ORDERED:

A handwritten signature in black ink, appearing to read 'T.B. Modica', with a long horizontal stroke extending to the left.

Thomas B. Modica
City Manager, City of Long Beach

Date: September 9, 2021

REQUEST TO ADD AGENDA ITEM

Date: September 10, 2021

To: Monique De La Garza, City Clerk

From: Thomas B. Modica, City Manager 

Subject: Request to Add Agenda Item to Council Agenda of September 14, 2021

Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

Confirm the City Manager's promulgation of the revised Safer at Home Quarantine and Public Health Emergency Isolation Orders for the Control of COVID-19, issued on September 9, 2021, by the City of Long Beach Health Officer as a regulation. (Citywide)

Council District	Authorizing Councilmember	Signed by
2	Cindy Allen	(Digital – attached email)
4	Daryl Supernaw	(Digital – attached email)
7	Celina Luna	(Digital – attached email)

Attachment: Staff Report dated September 14, 2021