

May 3, 2022

C-25

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Confirm the City Manager's promulgation of the revised Quarantine Order for the Control of COVID-19, issued on April 21, 2022, by the City of Long Beach Health Officer as a regulation. (Citywide)

DISCUSSION

On March 19, 2020, the City's Health Officer issued a Public Health Emergency Order to mitigate the effects of COVID-19 within Long Beach. The City's Health Officer has revised the Quarantine Order from time to time, as necessary, to protect public health and safety during this ongoing emergency. On April 21, 2022, the City's Health Officer issued revisions to the Quarantine Order. The revised Quarantine Order (attached) issued includes:

- Quarantine is no longer required for close contacts, regardless of vaccination status, unless they live or work in a high-risk setting.
- Close Contacts who live or work in a high-risk setting and are unvaccinated or not fully vaccinated, and who have not been infected with COVID-19 within the prior 90 days, are required to quarantine in accordance with CDPH's "Guidance for Local Health Jurisdiction on Isolation and Quarantine of the General Public."
- The "Close Contact" definition was updated to a person who shared the same indoor airspace (e.g., home, clinic waiting room, airplane) for a cumulative total of 15 minutes or more over a 24-hour period with a COVID-19 positive person during their infectious period.

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 Quarantine

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 Taylor M. Anderson and by Budget Manager Grace H. Yoon on April 28, 2022.

TIMING CONSIDERATIONS

City Council action is requested on May 3, 2022. Confirmation by the City Council of the revised Quarantine Order 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 Quarantine 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 Quarantine Order. The Quarantine Order was revised and promulgated on April 21, 2022.

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 Quarantine Order takes the City's equity approach into consideration when the Quarantine Order is drafted and implemented. The City's enforcement model for compliance with the Quarantine Order prioritizes education with the community first.

FISCAL IMPACT

The full fiscal impact of the implementation and enforcement of the revised Quarantine Order is unknown at this time, due to the unprecedented and quickly changing nature of the response to the pandemic. The Quarantine 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 Quarantine 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 Quarantine Order and its amendments are negatively impacting the economy and the City's financial status. As the Quarantine 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.

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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'T.B. Modica', is positioned above the printed name of the City Manager.

THOMAS B. MODICA
CITY MANAGER

ATTACHMENT: QUARANTINE ORDER – 4-21-22

HEALTH OFFICER ORDER FOR THE CONTROL OF COVID-19

Quarantine Order

Revised Order Issued: **April 21, 2022**

This Order supersedes the prior Quarantine Order issued by the Long Beach Health Officer (Health Officer) on January 18, 2022. This Order is in effect until rescinded in writing by the Health Officer.

A digital copy of this Order may be found at www.longbeach.gov/covid19 or by scanning the QR Code below.



**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. Definitions.** For purposes of this Order, the following definitions apply:
- A. **“Asymptomatic”** means that the person does not develop symptoms of COVID-19.
 - B. **“Booster”** means an additional dose of the COVID-19 vaccine received after a person completes the primary COVID-19 vaccination series.
 - C. **“Boosted”** means a person that has received an additional dose of the COVID-19 vaccine received after a person completes the primary COVID-19 vaccination series.
 - D. **“Close Contact”** is any of the following people who were exposed to a COVID-19 positive person:
 - 1. A person who **shared the same indoor airspace (e.g., home, clinic waiting room, airplane) for a cumulative total of 15 minutes or more over a 24-hour period with a COVID-19 positive person during their infectious period.**
 - 2. 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).

- E. **“COVID-19 Symptoms”** means 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.
- F. **“Fully Vaccinated Person” or “Fully Vaccinated”** is person that has completed their primary COVID-19 vaccination series (i.e. is 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).

II. No Quarantine for Close Contacts Exposed to COVID-19 Regardless of Vaccination Status.

The following requirements shall apply to all Close Contacts, regardless of vaccination status, who are not subject to the requirements of Section III of this Order:

- A. Regardless of vaccination status, Close Contacts do not need to quarantine as long as they remain asymptomatic.
- B. Close Contacts may choose to quarantine to limit their possible exposure to other people.
- C. It is recommended that Close Contacts test within 3-5 days after last exposure.
- D. Close Contacts are strongly recommended to wear a well-fitting mask around others for a total of 10 days, especially in indoor settings and when near those at higher risk for severe disease.
- E. Any person that experiences symptoms of COVID-19 should self-isolate immediately and test as soon as possible. If positive for COVID-19, such individuals must comply with Section V of this Order.

III. Quarantine for Certain High-Risk Settings.

- A. Healthcare personnel in any setting must comply with the State’s *Guidance on Quarantine for Health Care Personnel (HCP) Exposed to SARS-CoV-2 and Return to Work for HCP with COVID-19*, as described in [AFL 21-08](#), as it may be amended from time to time.
- B. Close Contacts who live or work in high-risk settings not covered by [AFL 21-08](#) (e.g. emergency shelters, cooling and heating centers, homeless shelters, healthcare settings, long-term care centers and adult and senior care facilities, local correctional facilities, and detention centers) who are unvaccinated or not fully vaccinated, and have not been infected with COVID-19 within the prior 90 days are required to quarantine in accordance with the CDPH’s guidance titled “Guidance for Local Health Jurisdiction on Isolation and Quarantine of the General Public”, which may be found at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Guidance-on-Isolation-and-Quarantine-for-COVID-19-Contact-Tracing.aspx> as it may be amended from time to time.
- C. Given the higher risk and impact of transmission of COVID-19 in high risk congregate living settings, people who live in Congregate Care Facilities, correctional facilities, or dormitories may be required by **LBDHHS** to complete a longer quarantine up to 10 days after their last close contact with a COVID-19 positive person and must adhere to any additional requirements issued by the CDPH, including those related to isolation, quarantine, testing, and vaccination.

- D. 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.

IV. Miscellaneous

- A. 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 at www.longbeach.gov/healthorders.
- B. Private and public K-12 schools within Long Beach must follow CDPH K-12 Guidance for quarantine protocols, and may implement modified quarantine and Group Tracing 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>, as it may be amended from time to time.
- C. Early Childhood Education (ECE) centers and preschools must follow the CDPH Guidance for Child Care Providers and Programs for quarantine protocols may implement modified quarantine and Group Tracing for participants which may be found at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Child-Care-Guidance.aspx#How%20to%20Respond%20to%20Exposure%20or%20Outbreaks%2c%20Including%20Quarantine>, as it may be amended from time to time.
- D. In workplaces, most employers and businesses are subject to the Cal/OSHA COVID-19 [Emergency Temporary Standards \(ETS\)](#) and some to the [Cal/OSHA Aerosol Transmissible Diseases Standards](#), and should consult those regulations for additional applicable requirements. The ETS allow local health jurisdictions to require more protective mandates.

V. Isolation Required if Any Person Develops Symptoms or Tests Positive for 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 fully vaccinated persons whether or not they have received a booster, unvaccinated persons, and persons previously infected with COVID-19 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.

VI. 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 BA.2 variant, which is more transmissible than the original Omicron variant, is now the dominant strain in California and makes up over 90% of cases being reported. Recent evidence also shows that vaccine effectiveness against COVID-19 infection is decreasing over time without boosters. There is still a risk for new variants to emerge, and it is important to remain vigilant at this time. On December 27, 2021, the CDC updated their Isolation and Quarantine recommendations for the general public motivated by science that indicates the majority of COVID-19 transmission occurs within the first few days after contracting the virus. On April 6, 2022, the CDPH updated its guidance to no longer recommend quarantine for the general public, but to continue quarantine for certain individuals who live or work in high-risk settings.

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 is also issued to align with updated CDC and CDPH guidance, with a focus on testing and masking to best contain the more transmissible Omicron variant. However, COVID-19 vaccination and boosters remain the most important strategy to prevent serious illness and death from COVID-19.

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 10 days after COVID-19 exposure for those who are unvaccinated and in certain high-risk settings, 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. This Order is amended to align with updated CDPH Guidance Local Health Jurisdictions on Isolation and Quarantine of the General Public, which strongly recommends testing and masking after an exposure regardless of vaccination status, where eligible. This symptom-based strategy will prevent most, but not all, instances of secondary transmission.

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.

VII. 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.

In establishments and settings with active outbreaks, quarantine and isolation may be extended for additional days by Long Beach Health and Human Services outbreak investigators to help lower the risk of ongoing transmission at the site.

VIII. 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 for Local Health Jurisdictions on isolation and Quarantine of the General Public \(April 6, 2022\) <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Guidance-on-Isolation-and-Quarantine-for-COVID-19-Contact-Tracing.aspx>](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 (updated on December 23, 2021) - <https://www.cdc.gov/vaccines/covid-19/info-by-product/clinical-considerations.html>
 - CDC Guidance: When to Quarantine (updated March 30, 2022) - <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/quarantine.html>

IT IS SO ORDERED:



Anissa Davis, MD, DrPH,

Health Officer, City of Long Beach

Date: April 21, 2022

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:

A handwritten signature in black ink, appearing to read 'T.B. Modica', with a stylized flourish at the end.

Thomas B. Modica

City Manager, City of Long Beach

Date: April 21, 2022

REQUEST TO ADD AGENDA ITEM

Date: April 28, 2022

To: Monique De La Garza, City Clerk

From: Thomas B. Modica, City Manager 

Subject: Request to Add Agenda Item to Council Agenda of May 3, 2022

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 Quarantine Order for the Control of COVID-19, issued on April 21, 2022, by the City of Long Beach Health Officer as a regulation. (Citywide)

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

Attachment: Staff Report dated May 3, 2022