

MEMORANDUM

Office of the City Manager



DATE: August 25, 2021
TO: Mayor and Council
THROUGH: Steve McHarris, City Manager *Steve McHarris*
FROM: Ashwini Kantak, Assistant City Manager
SUBJECT: COVID-19 Protocols at City Facilities

In response to requests from members of the Council, this Information Memorandum provides COVID-19 protocols related to City facilities and employees in the context of public health directives and guidelines and practices in the community at large. Further, it provides a chronology of events regarding a potential COVID-19 exposure at the August 17 City Council meeting.

Public Health Directives and COVID-19 Metrics

On June 15, due to decreased COVID-19 cases and test positivity rates, and increased vaccination rates, the State ended the COVID-19 tier system included in the Blueprint for a Safer Economy, that had been in place since August 30, 2020. This resulted in the lifting of a majority of social distancing, capacity, and other restrictions. However, since June, due to the Delta variant, the number of cases and the test positivity rate have both continued to steadily increase. In response to the increased rates, the State and County have issued new public health orders regarding testing, vaccinations, and the wearing of masks indoors as reported in the [Information Memorandum COVID-19 #43 Update](#) dated August 6, 2021. They have also issued guidance encouraging employers to require full vaccinations and/or weekly testing.

According to the [Center for Disease Control's Level of Transmission Map](#), for the 7-day moving average ending August 23rd, Santa Clara County is classified as one of the areas with "high" transmission with a percentage rate increase in number of cases, utilization of hospital beds and ICU beds approximately equivalent to last fall. With these similar metrics, under the tiered system, which was in place until June 2021, the County would be classified in the purple tier. Under the purple tier, everyone, to the greatest extent possible, was encouraged to work remotely; retail and shopping centers had a 25% capacity restriction; and restaurants, gyms, and movie theaters were only allowed to operate outdoors.

Additionally, new evidence shows that while fully vaccinated individuals are protected against severe disease from the Delta variant, they can transmit it to unvaccinated individuals more easily than other strains of the virus. However, per the data available on the CDC's transmission map, deaths are much lower compared to fall 2020.

City COVID-19 Protocols

On June 15, the City Council approved a [Return to the Workplace plan](#) which provided detailed information about City COVID-19 protocols. Staff also continues to update the [COVID-19 Prevention Program](#), based on updated state and County guidance. As noted in the June 15 staff report, employees who have been fully teleworking have begun to transition back to the workplace over the month of August, with full on-site work scheduled to begin by August 30.

In order to keep employees safe, mandatory weekly testing for all employees (except those covered by specific accommodations) that are not fully vaccinated began on August 23. Additionally, the City will be

requiring all employees to be fully vaccinated by October 15 and has begun negotiating the effects of this requirement with its bargaining units. Although this has been strongly recommended and implemented by the County, Milpitas is one of only two cities moving forward with this mandate currently; yet another example of the City leading on employee safety measures while striving to return to pre-pandemic City operations to the extent possible.

With the gradual opening of City Hall, the City hosted its first hybrid City Council meeting on August 5 providing for in-person and virtual attendance and participation. Since then, two more City Council hybrid meetings have been held, on August 9 and August 17. Hybrid meetings require a significant amount of preparation and staff support, compared to in person or fully virtual meetings. City facilities are scheduled to be open to the public beginning August 30.

Visitors to all City facilities are required to wear masks and masks will be made available for those who need them. For everyone's safety and protection, sanitizer stations are available throughout City facilities; frequent cleaning and disinfecting of common areas have been scheduled; acrylic shields have been installed in public facing counters and frequently visited areas, and HVAC improvements completed.

It is important to note that the City does not intend to measure the temperature nor collect contact information when members of the public enter City facilities. This is in line with the protocols in place across the community. Restaurants, retail, movie theaters, personal care salons, and all other businesses are open to the public and such measures are not undertaken at any of these venues. Lastly, virtual services will continue to be provided and are encouraged at this time.

Potential COVID-19 Exposure at the August 17 City Council Meeting

The August 17 meeting required a substantial amount of additional staff work and preparation to enable on site and virtual translation in three different languages for an item of community interest. Although there are no required social distancing requirements or capacity limitations, staff had made only every other chair available for the public, with most of the staff attending virtually. However, due to the many recognition items and other items on the agenda, over 60 people were in attendance and staff had to quickly make adjustments to accommodate the large number of people, allowing members of the same household to sit in adjacent chairs. Further, some members of the public were in attendance for recognition items who were expected to participate virtually.

On August 18th, City staff was informed about a potential exposure of two members of the Council at the August 17 meeting. The City Manager interviewed both members who were allegedly exposed and determined there was not a known exposure based on the information provided by the individuals and the Santa Clara County Public Health criteria. An exposure is defined by Santa Clara County Public Health when one is for 15 minutes within 6 feet from a person who has tested positive, within a contagion period of 48 hours before such person tested positive. Only when a person tests positive does the Santa Clara County Public Health COVID Support Team conduct contact tracing. Key questions are asked such as where the person has been in close contact with others over the previous 48 hour period. This Support Team then contacts anyone that may have been exposed.

Although no contact tracing or notification process was required, due to media coverage and some mischaracterization of the situation, the City Manager sent a courtesy email to the City Council, staff, and those community members that had previously confirmed their attendance in person, and suggested those in attendance to consider taking a COVID-19 test as an extra precaution. It is important to note that in-person attendance of the City Council meeting is not required because staff implemented hybrid Council meetings as discussed above.

Conclusion

The City's COVID-19 protocols for employees and members of the public entering City facilities are consistent with CDC guidelines. Having even more staff resources dedicated for hybrid meetings is not recommended. As stated earlier, staff and visitors are required to wear masks. Masks are available for those who need them. Hand sanitizers are available in multiple locations, including at the podium. This allows all speakers to sanitize their hands before and after speaking. Additionally, so as to minimize further risk, future commendations and proclamations will be held virtually as long as the rate of COVID-19 transmission remains a concern.

Since members of the public will still be allowed to attend in person, there will continue to be some risk of exposure. No in-person meetings or events, especially indoors, will be 100% protected against COVID-19 exposure. If Council wishes for this level of safety, staff recommends moving back to virtual City Council meetings and closing indoor City facilities to the public. However, it is important to note that this may not be in alignment with public expectations as the rest of the economy is largely open.

c: Senior Advisory Commission
Energy and Environmental Sustainability Commission