

MEMORANDUM

Office of the City Manager



DATE: September 11, 2020

TO: Mayor and Council

THROUGH: Steve McHarris, City Manager *Steve McHarris*

FROM: Ashwini Kantak, Assistant City Manager *Ashwini Kantak*

SUBJECT: Novel Coronavirus/COVID-19 Update #22

The health of our employees, residents, and businesses remains the highest priority for the City of Milpitas.

Overview:

The City of Milpitas continues to implement its response to the outbreak of the novel coronavirus and the COVID-19 disease in Santa Clara County, in collaboration with the Santa Clara County Department of Public Health. The previous Council update on August 29 discussed updates to the State's "Blueprint for a Safer Economy" (replacing the prior "County Monitoring List") and food distribution.

As the lead agency on public health, the County is regularly updating its guidance, which is available in five different languages and can be viewed [here](#). The County also has a [data dashboard](#) that is updated with all the latest information. The City continues to work closely with the County to ensure the safety and security of our community.

Key Updates:

On August 28, Gov. Gavin Newsom announced the "Blueprint for a Safer Economy" to reopen businesses during COVID-19. This framework replaces the former "County Monitoring List" and classifies counties into four color-coded categories depending on the number of COVID-19 cases per 100,000 residents and the county positivity rate (defined as the percentage of tests that come back positive). The categories — purple (widespread risk), red (substantial risk), orange (moderate risk), and yellow (minimal risk) in descending order of business restrictions — determine how much of a county's economy can be open. Tiers are updated every Tuesday and the fastest a county can be moved to a less restrictive tier is three weeks. Where county and state rules conflict, the stricter rule will apply. A new website has been launched at covid19.ca.gov/safer-economy explaining the framework in greater detail.

On Tuesday, September 9, the State of California announced that Santa Clara County has moved from the Purple Tier (Tier 1) to the Red Tier (Tier 2), effective immediately.

Counties assigned to the Red Tier are still experiencing "substantial" spread of COVID-19. However, the State's framework allows counties moving from the Purple to Red Tier to reopen indoor operations at some additional businesses and allows certain activities to resume, as long as appropriate protocols and protective measures are strictly followed.

The tier modification allows certain indoor operations at reduced capacity that are permitted under both State and County Orders. **Movie theaters, indoor gatherings, and indoor dining are not permitted under the County Public Health Order.** As always, Santa Clara County residents and businesses must follow both the State and County Health Officer Orders, and where there is a conflict between the two, the stricter Order must be followed.

The following businesses and activities are now allowed to resume under the State's framework as well as the County's [Risk Reduction Order](#). Businesses and activities must be in compliance with all industry-specific mandatory directives set forth by the County and State, including having a Social Distancing Protocol displayed.

- Schools: K-12 schools can open after the County has been in the Red Tier for 14 days. All schools must follow mandatory guidance set by the [County of Santa Clara](#) and the [State of California](#)
- Personal care services: allowed to open indoors with modifications
- Gyms and fitness centers: allowed to open indoors at 10% capacity
- Shopping malls: allowed to open indoors at 50% capacity (previously allowed to open at 25% capacity)

Hair salons and barbershops were previously allowed to open indoors with reduced capacity. Indoor dining, indoor movie theaters, and indoor gatherings remain prohibited in Santa Clara County under the County's Risk Reduction Order. Other activities that the County had previously allowed but the State had prohibited can now resume. The stricter of the State or local order must always be followed.

The move to the Red Tier was based on daily case rates and test positivity. The State framework gives counties credit toward their case rate if they test more people than the state average. Using this calculation, the high number of tests performed in our area gave Santa Clara County a significant credit, allowing the County to move to the Red Tier. If these metrics continue to improve, the County would be eligible to move forward in the framework to a less restrictive tier after three weeks. If these metrics worsen, the County would revert into a more restrictive tier as soon as two weeks from now.

Eviction Moratorium

On August 31, Governor Newsom signed [AB3088](#), which was passed by the California state legislature, into law, effective immediately. The bill grants tenants who have lost income because of the coronavirus pandemic a reprieve on missed rent and gives them five months from the passage of the bill before they must start paying again in full. The bill does allow landlords to begin collecting some rent from tenants impacted by COVID-19, but if renters declare they can't pay rent because of the coronavirus and pay a quarter of their rent from September through January, the unpaid rent can't be used as grounds to evict them. Any missed rent would be converted to civil debt, which landlords could pursue in small claims court beginning March 1, 2021.

COVID-19 Testing

The City of Milpitas halted its mobile testing unit in August due to the urgent response required by the SCU Lightning Complex fires. Other fires burning across the state have also required deployment of fire personnel from the City of Milpitas, and a date for resuming mobile COVID-19 testing is currently not determined.

After closing pop-up testing centers in response to the fires, Santa Clara County reopened a pop-up testing center on September 9 at the Milpitas Sports Center. County pop-up sites are expected to continue operating approximately one day per week with support from city staff.

Food Distribution

Since the Shelter-In-Place Order went into effect, over 125 new seniors have signed up for the Senior Nutrition Program and have started receiving meals. As of this week, more than 9,700 hot and healthy lunches have been served to seniors since March 17. The Nutrition Program also offers seniors the option to order additional meals on Friday to take home for the weekend. One hundred thirty-two seniors have also been registered for Meals on Wheels with the assistance of Recreation and Community Services staff, and twenty-four are signed up for Friendly Visitor calls. The Great Plates Delivered program has been extended for an additional 30 days and will now run through October 9. There are 74 Milpitas residents currently taking advantage of this program.

Virtual Programs

The City is debuting a new list of Fall Virtual classes and programs for all ages and abilities. Offerings include fitness, life skills, arts, theatre, and the return of virtual afterschool programs. The popular After the Bell afterschool program is going virtual in late September as “Virtual Kid’s Clubhouse!” Youth will spend time with the After the Bell staff up to four days a week, and enjoy crafts, games, virtual field trips, cooking, in a safe and fun virtual environment. Milpitas Assistance Program funds can be used to offset costs of class and program costs for those Milpitas families in need.

Community Partnerships

The City continues its community partner outreach to provide first responders with needed protective equipment, including hand sanitizer, sanitizing wipes, non-latex gloves, N95 face masks, and simple face masks in their original packaging. All donations for first responders can be dropped off at any Milpitas fire station.

Milpitas Response and Preparations

The City of Milpitas continues to operate at Stage 5 (Extremely High Response) of our Pandemic Management Plan. Operating at Stage 5 translates into the suspension of all non-essential City programs and services, the closure of City facilities, and full activation of the City's Emergency Operations Center (EOC).

Our City's response will enable us to fulfill the four priorities of our Pandemic Response Plan:

1. **Protecting Our People:** Ensuring the safety and well-being of our employees.
2. **Continuity of Essential City Operations:** Sustaining delivery of critical City services.
3. **Effective Communication:** Ensuring timely and consistent communication internally with our employees and externally with our community.
4. **Support the Santa Clara County Public Health Department:** Provide resource and communication support to assist the County Public Health Officer, the County, and all our partners in mutual commitment to protect the people of our communities.

Current Status on City Services and Operations:

All City facilities are closed to the public until further notice. The Office of Emergency Services continues to operate the Emergency Operations Center (EOC) at a full activation level.

- **Police Department Public Lobby:** The Milpitas Police Department lobby is open during business hours, 8 AM to 5 PM. Supplemental safety measures are in place to ensure the safety of our staff and visitors. Community members can contact the non-emergency number (408-586-2400) for any further questions.
- **Public Meetings:** City Council meetings will continue to be set up for Council and required staff to call in. Due to the State's relaxation of the Brown Act, there will be no publicly accessible gathering space arrangements. The public may livestream the meeting on the City's [Website](#), [Facebook](#), and [YouTube channel](#), as well as virtually provide [public comments](#) during the meeting. Board, Commission, and Committee meetings will also be conducted virtually. Accommodations are being made to hold any essential meeting virtually.
- **City Employees:** The City is continuing to have employees work in person or remotely on essential services and other City functions. City staff has developed a self-check protocol that enables the safety of all employees. The protocols apply to all employees who are regularly coming to work to perform an essential service and may interact with the community or with other employees. Each City Department is responsible to coordinate the process for their respective employees. The self-check protocols are based on guidance from the Center for Disease Control and Prevention and will be updated according to any changes to CDC guidance.
- **Permit Center and Inspection Services:** Although the Permit Center located at City Hall is closed for in-person services, staff continues to provide permit and plan review services via email, website information, telephone, and tele or web conferencing. All construction is currently allowed in Santa Clara County. However, construction activities must implement mandatory risk reduction measures

and comply with the [Mandatory Directive for Construction Projects](#). For detailed City service descriptions, refer to the latest [Permit Center and Inspection Services Information Flyer](#).

- **Recreation and Community Services:** All Recreation programs, classes, and facilities have been carefully evaluated to ensure public safety as programming restarts. The City has developed [an approach](#) for summer Recreation programming to restart that upholds guidance and best practices from County public health authorities. Parks are available for passive recreation only, and all Park playgrounds, picnic areas, and other shared spaces are taped off and closed to the public. All community programs and gatherings are cancelled until further notice, including private rentals in City facilities and park picnic areas. The Senior Center remains closed for programming. The center offers “to-go” lunches, as a continuation of its Senior Nutrition Lunch Program.
- **Other City Services:** Water, sewer, stormwater, and traffic signal operation services continue to operate at normal levels. Staff also continues to provide maintenance services for facilities, fleet, parks, enhanced cleaning for some City facilities, emergency services for trees and streets, and Underground Service Alert services for construction projects that are allowed under the County order. Staff continues to work with Milpitas Sanitation to ensure adequate staffing is available for solid waste collection in the City. Public Works staff are also working to ensure compliance with local, state, and federal regulations for all public works services. The City has established a virtual Utility Call Center from employees’ homes to ensure continuity of services. Meter reading staff will continue to respond to water service calls and maintain the City’s meter reading schedule.
- **Volunteers:** The City’s Milpitas Volunteer Program (MVP) continues to recruit volunteers for various community support efforts during the COVID-19 pandemic. Community members looking to register as a volunteer and receive regular monthly updates on local volunteer needs can [visit our volunteer page](#).

Public Information:

The City will continue to update its [COVID-19 webpage](#) that has been established specifically for information about coronavirus. We will also be providing regular public updates through our social media accounts on Facebook, Nextdoor, and Twitter.