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7

8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11
12 JANICE ALTMAN, et al.,
13 Plaintiffs,
14 v.
15 COUNTY OF SANTA CLARA, *et al.*,
16 Defendants.

Case No.: 4:20-cv-02180-JST

**REPLY DECLARATION OF COUNSEL
RAYMOND L. MACKAY TO
OPPOSITION TO DISMISS PLAINTIFFS'
FIRST AMENDED COMPLAINT**
[FRCP Rule 12(b)(1) and (b)(6)]

Hearing Date: August 12, 2020
Hearing Time: 2 PM
Courtroom: 6, 2nd Floor
Location: 1301 Clay St., Oakland, CA
Judge: The Hon. Jon S. Tigar

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19 I, Raymond L MacKay, declare:

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21 1. I am an attorney at law duly licensed to practice before this Court and a Senior Deputy
22 with the Office of the County Counsel, counsel of record for Defendants County of Alameda, Gregory
23 J. Ahern, and Erica Pan, M.D. This Reply Declaration is respectfully submitted to Plaintiff's
24 Opposition to Defendants' Motion to Dismiss Plaintiffs' First Amended Complaint (ECF No. 19).

25 2. Attached hereto as **Exhibit K** is a true and correct copy of the June 29, 2020 Statement
26 of Neetu Balram, Public Information Manager, Public Health Department, Alameda County Care
27 Health Services Agency which is also found at <http://www.acphd.org/2019-ncov/press-releases.aspx>.
28

EXHIBIT K



ALAMEDA COUNTY COVID-19 HEALTH EMERGENCY PRESS RELEASE

COUNTY OF ALAMEDA ★ CALIFORNIA

Office of Emergency Services
4985 Broder Blvd, Dublin, CA 94568

Alameda County Health Care Services Agency

FOR IMMEDIATE RELEASE
June 29, 2020

Neetu Balram, Public Information Manager
Alameda County Public Health Department

Statement from the Alameda County Health Care Services Agency: Alameda County Hits Pause on Reopening

ALAMEDA COUNTY – Given recent increases in COVID-19 case and hospitalization rates in our county and region, we are temporarily pausing our reopening plans. This means extending the timeline for the next phase of reopening in Alameda County and pulling back our request for the Board of Supervisors to support a Variance Attestation on June 30th.

A safe reopening of businesses in our county is critical for both public health and economic recovery. To guide reopening, Alameda County health officials rely on the following data indicators to measure our progress against the pandemic: 1) rates of new cases and hospitalizations, 2) hospital inpatient bed capacity and surge capacity, 3) testing capacity, 4) disease containment capacity, and 5) supply of personal protective equipment for health care providers. While indicators 2, 3, 4, and 5 have moved in the positive direction or remained stable over the past several weeks, we are seeing unfavorable trends for cases and hospitalizations.

Alameda County’s case rate per 100,000 people has increased from 63.2 to 71.1 over the past 7 days. Daily hospitalizations were decreasing through June 22nd, but since then we have seen a daily increase in hospitalizations. While Variance Attestation offers a path to greater alignment with the State’s pace for reopening, it requires counties to attest only when the data show that it is safe to do so. We are concerned by the increase in local cases, disproportionate impact on communities of color, local impact of the outbreak at San Quentin State Prison, and the alarming disease trends we see in counties that have opened at a faster rate. This week and next will be critical for assessing the impact of activities authorized to resume in Alameda County on June 19th, and we will continue to closely monitor our data to inform next steps regarding reopening and attestation.

We recognize the multifaceted challenges presented by a slow reopening and are grateful for the sustained effort and sacrifices made by our residents and businesses. As the pandemic evolves, we will need to remain flexible and nimble in our response. We all play a part in safely reopening our communities and protecting people at high risk for COVID-19 infection and death. Please continue to protect yourself and others by wearing face coverings and staying six feet away from others in public, staying home as much as possible and particularly when ill, and washing your hands frequently.

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EXHIBIT L



ALAMEDA COUNTY COVID-19 HEALTH EMERGENCY PRESS RELEASE

COUNTY OF ALAMEDA ★ CALIFORNIA

Office of Emergency Services
4985 Broder Blvd, Dublin, CA 94568

Alameda County Health Care Services Agency

FOR IMMEDIATE RELEASE
July 11, 2020

Neetu Balram, Public Information Manager
Alameda County Public Health Department

Statement from Alameda County Health Care Services Agency

ALAMEDA COUNTY – Yesterday, July 10th, we learned the State issued updated guidance, dated July 9, prohibiting outdoor dining in non-variance counties, including Alameda County. While Alameda County’s Health Officer Order allowed for outdoor dining, under this stricter State guidance, all restaurants, wineries and bars in Alameda County may only be open for drive-through or pick-up/delivery options. Updated state guidance for restaurants providing takeout, drive-through, and delivery is available here <https://files.covid19.ca.gov/pdf/guidance-takeout-restaurants.pdf>.

Our decision to permit outdoor dining was based on the Health Officer’s assessment that outdoor activities, with appropriate protective measures, carry less risk than indoor activities. At the time, many other counties had applied for a variance alongside or shortly after opening outdoor dining without consequences, and Alameda County took that same approach. At that time the State did not differentiate dining guidance by indoor/outdoor as it now does. With the new guidance dated yesterday and enforcement actions observed last week in Santa Clara County, the State is demonstrating a new approach.

We are moving toward obtaining a variance from the State, and a letter of support for a variance is on the agenda for next Tuesday’s Board of Supervisors’ meeting. Alameda County hit pause on reopening on June 29th due to rising case rates and hospitalizations, and delayed plans to apply for variance.

While the data have not become more favorable, applying for a variance is a procedural action that would provide us with the flexibility to ensure that we can continue to allow the activities that the Health Officer determines are lower risk for our community. Approval of a variance is not an indication that we will pursue additional re-openings of other industries or sectors at this time. We plan to continue to make reopening decisions based on our COVID-19 indicators and data, science, and disease conditions in the County.

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EXHIBIT M



ALAMEDA COUNTY COVID-19 HEALTH EMERGENCY PRESS RELEASE

COUNTY OF ALAMEDA ★ CALIFORNIA

Office of Emergency Services
4985 Broder Blvd, Dublin, CA 94568

Alameda County Health Care Services Agency

FOR IMMEDIATE RELEASE
July 15, 2020

Neetu Balram, Public Information Manager
Alameda County Public Health Department

Variance Approved: Outdoor Dining and Outdoor Operations of Oakland Zoo Now Allowed Alameda County Remains on State Monitoring List: Indoor Worship Services and Indoor Malls are Required to Close

Additional reopening continues to be paused as case rates and hospitalizations remain high

ALAMEDA COUNTY – Alameda County’s attestation to become a variance county was approved today by the State, which means:

1. The **Oakland Zoo** can open for outdoor activities with appropriate safety measures in place
2. **Outdoor dining** can resume. Please note that face coverings are required at ALL times and may only be removed during the physical act of eating or drinking.

Not all State websites may reflect this update at this moment, approved plan is posted at the [CDPH variance](#) site.

Additionally, today is Alameda County’s third day on [the State’s County Monitoring List](#), which means that we are subject to restrictions per [State Health Officer Orders issued on July 13th](#). The State requires that beginning today:

1. **Places of worship** can hold outdoor services only and will not be able to hold indoor services
2. **Indoor malls** will be required to close. This does not impact other indoor retail at this time.

While Alameda County remains on California’s Monitoring List because [local case rates remain higher than 100 per 100,000 per day](#), we will remain paused in our reopening plans and will continue to align with the [State’s orders for Monitoring List counties](#).

We are updating our local orders and communication materials to reflect these changes and reduce confusion.

It is critical we all do our part to save lives and slow the spread of COVID-19. Residents and those who work in Alameda County can help by staying home as much as possible and especially when you’re sick, wearing a face covering whenever you leave home, maintaining at least 6 feet of distance from anyone outside of your household and washing or sanitizing your hands frequently.

Employers can help stop the spread of COVID-19 by supporting employees’ decisions to stay home, and ensuring that they follow the state and local guidelines in implementing [Site-Specific Protection Plans](#). A negative test result or doctor’s note is not required to return to work if an employee is ordered to isolate or quarantine under the County’s [blanket Isolation/Quarantine Orders](#). Local employers must demonstrate their commitment to keeping their staff, customers, and communities safe by complying with their Site-Specific Protection Plan.

Our city partners have a role to play in enforcement and ensuring local businesses and residents are educated on health and safety practices and compliance with both local and state orders.

For more information about the State orders, visit <https://covid19.ca.gov/roadmap-counties/>.

For more information about Alameda County, visit <http://acphd.org/2019-ncov.aspx>

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Alameda County
Health Care Services Agency



EXHIBIT N



HEALTH OFFICER ORDER NO. 20-14b

ORDER OF THE HEALTH OFFICER OF THE COUNTY OF ALAMEDA DIRECTING ALL INDIVIDUALS IN THE COUNTY TO CONTINUE TO COMPLY WITH SOCIAL DISTANCING MEASURES AND OTHER RESTRICTIONS NECESSARY TO CONTROL THE SPREAD OF COVID- 19

DATE OF ORDER: JUNE 5, 2020 (Revised June 18, 2020 and July 19, 2020)

Summary of Order: This Order of the County of Alameda’s Public Health Officer continues to maintain restrictions on movement and public and private gatherings set forth in the Health Officer’s May 18, 2020 Shelter in Place Order. However, in light of the continued progress toward controlling the spread of COVID-19 in the County of Alameda and neighboring jurisdictions, this Order allows certain additional business, recreational, social, and cultural activities to resume. The Order:

1. Allows for small gatherings of individuals from different households or living units to take place in outdoor spaces, subject to certain conditions;
2. Allows childcare providers to provide care to all children, not just children of essential workers, and establishes conditions under which youth extracurricular activities may resume;
3. Allows educational institutions to offer career internship and pathways programs;
4. Allows libraries to open for curbside pickup of books and other media;
5. Replaces the Prior Order’s Social Distancing Protocol with a Site-Specific Protection Plan (Appendix A) for businesses allowed to operate under the Order; and
6. Allows certain business providing services with limited person-to-person contact, including appliance repair and pet grooming services, to resume operations.

Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295)

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101475 AND 120175, THE HEALTH OFFICER OF THE COUNTY OF ALAMEDA (“HEALTH OFFICER”) ORDERS:

1. This Order supersedes the May 18, 2020 Order of the Health Officer directing all individuals to shelter in place (“Prior Order”). This Order amends, clarifies, and continues certain terms of the Prior Order to ensure continued social distancing and limit

Order of the County of Alameda’s Health Officer
(Revised July 19, 2020)



person-to-person contact to reduce the rate of transmission of Novel Coronavirus Disease 2019 (“COVID-19”). This Order continues to restrict activity, travel, and governmental and business functions. But in light of progress achieved in slowing the spread of COVID-19 in the County of Alameda (the “County”) and neighboring jurisdictions, the Order allows certain additional business, recreational, social, and cultural activities to resume, subject to the limitations set forth herein.

2. The primary intent of this Order is for Alameda County to slow the spread of COVID-19 and mitigate the impact on delivery of critical healthcare services. All provisions of this Order must be interpreted to effectuate this intent. However, this Order allows a limited number of business, recreational, social, and cultural activities to resume while the Health Officer continues to assess the transmissibility and clinical severity of COVID-19 and monitors indicators described in Section 11. Failure to comply with any of the provisions of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.
3. Except as otherwise provided in this Order, no public or private gathering of individuals who are not members of the same household or living unit is permitted. Individuals who do not currently reside in the County must comply with all applicable requirements of the Order when in the County. Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter. Governmental and other entities are strongly urged to, as soon as possible, make such shelter available and provide handwashing or hand sanitation facilities to persons who continue experiencing homelessness.
4. When people need to leave their place of residence for the limited purposes allowed in this Order, they must strictly comply with Social Distancing Requirements as defined in Section 15.k, except as expressly provided in this Order, and must wear Face Coverings as provided in, and subject to the limited exceptions in, the Health Officer Order 20-13 dated June 5, 2020 (the “Face Covering Order”).
5. The following business and activities are permitted within the County of Alameda and may operate or be carried out consistent with the requirement of this Order:
 - a. Essential Activities, as defined in Section 15.a.
 - b. Healthcare Operations, as defined in Section 15.b.
 - c. Essential Infrastructure, as defined in Section 15.c.
 - d. Essential Governmental Functions, as defined in Section 15.d
 - e. Essential Businesses, as defined in Section 15.f.
 - f. Essential Travel, as defined in Section 15.i.

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- g. Outdoor Businesses, as defined in Section 15.l.
- h. Outdoor Activities, as defined in Section 15.m.
- i. Additional Businesses and Additional Activities, as set forth in Section 15.n-15.o and Appendix C.

Nothing in this Order prevents personnel, volunteers, or contractors from performing activities at their own residences (i.e., working from home). Further, businesses not otherwise permitted to operate under this Order may perform Minimum Basic Operations as defined in Section 15.g. All businesses, including Essential Businesses, must maximize the number of personnel who work from home, and may only assign those personnel who cannot perform their job duties from home to work outside the home.

- 6. All businesses operating under this Order must prepare or update, post, implement, and distribute to their personnel a Site-Specific Protection Plan for each of their facilities in the County frequented by personnel or members of the public, as specified in Section 15.h. In addition to the Site-Specific Protection Plan, all businesses allowed to operate under this Order must follow any industry-specific guidance issued by the Health Officer related to COVID-19 and any conditions on operation specified in this Order, including those specified in Appendix C, or in industry guidance issued by the California Department of Public Health and Department of Industrial Relations (<https://covid19.ca.gov/industry-guidance/>). Except as otherwise provided in this Order, businesses that include an Essential Business or Outdoor Business component at their facilities alongside other components must, to the extent feasible, scale down their operations to the Essential Business and Outdoor Business components only; provided, however, mixed retail businesses that are otherwise allowed to operate under this Order may continue to stock and sell non-essential products.
- 7. Notwithstanding the requirements of Section 3, small public and private gatherings comprised of individuals within a Social Bubble, or comprised of children and adults within a single Childcare or Youth Extracurricular Activity Unit, are permitted, subject to the requirements of this Order. For purposes of this Section:
 - a. A “Social Bubble” means a stable group of not more than 12 individuals, who may attend outdoor social or other outdoor events together. A Social Bubble may be comprised of a combination of households, but no household or individual may participate in more than one Social Bubble, except as described in this Paragraph 7.
 - b. A Childcare or Youth Extracurricular Activity Unit means a group of not more than 12 children/youth and an appropriate number of supervising adults that is formed for the purpose of providing childcare or for the purpose of allowing children and youth to engage in extracurricular activities. If more than one group



of children or youth is at one facility, each group shall be in a separate room or area. Groups shall not mix with each other.

- c. No person may be a member of more than one Social Bubble during any three-week period, except that a child who resides in more than one dwelling unit as part of a shared custody arrangement may be part of the Social Bubbles of each of the child's parents or guardians.
- d. No person may be a member of more than one Childcare or Youth Extracurricular Activity Unit during any three-week period.
- e. Members of a Social Bubble or Childcare or Youth Extracurricular Activity Unit are strongly encouraged to comply with Social Distancing Requirements and wear face covering to the extent feasible. Children 2 years or younger should not wear face coverings, and the use of face coverings in children under the age of 12 must be subject to adult supervision.

Nothing in this Order prevents any person from being a member of both a Social Bubble and a Childcare or Youth Extracurricular Activity Unit during any three-week period. Further, nothing in this Order prohibits members of a Social Bubble from engaging in Essential Travel, Essential Activities, Outdoor Activities, or Additional Activities together.

8. All travel, except Essential Travel, as defined below in Section 15.i, is prohibited. People may use public transit only for purposes of performing activities permitted under this Order. Transit agencies and people riding on public transit must comply with Social Distancing Requirements, as defined in Section 15.k, to the greatest extent feasible, and personnel and passengers must wear Face Coverings as required by the Face Covering Order. Any travel into or out of the County not expressly permitted by this Order is prohibited.
9. This Order is issued based on evidence of continued significant community transmission of COVID-19 within the County and throughout the Bay Area; continued uncertainty regarding the degree of undetected asymptomatic transmission; scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically; evidence that the age, condition, and health of a significant portion of the population of the County places it at risk for serious health complications, including death, from COVID-19; and further evidence that others, including younger and otherwise healthy people, are also at risk for serious outcomes. Due to the outbreak of the COVID-19 disease in the general public, which is a pandemic according to the World Health Organization, there is a public health emergency throughout the County. Making the problem worse, some individuals who contract the virus causing the COVID-19 disease have no symptoms or have mild symptoms, which means they may not be aware they carry the virus and are transmitting it to others. Further, evidence shows that the virus can survive for hours to days on

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surfaces and be indirectly transmitted between individuals. Because even people without symptoms can transmit the infection, and because evidence shows the infection is easily spread, gatherings and other direct or indirect interpersonal interactions can result in preventable transmission of the virus.

10. The collective efforts taken to date regarding this public health emergency have slowed the virus' trajectory, but the emergency and the attendant risk to public health remain significant. As of July 17, 2020, there are 8,797 confirmed cases of COVID-19 in the County and 161 deaths. The cumulative number of confirmed cases continues to increase. Evidence suggests that the restrictions on mobility and social distancing requirements imposed by the Prior Order continue to be necessary to slow the rate of increase in community transmission and confirmed cases by limiting interactions among people, consistent with scientific evidence of the efficacy of similar measures in other parts of the country and world.
11. The Health Officer will continue to monitor several key indicators (“COVID-19 Indicators”) to inform their decision as to whether to modify the restrictions in this Order. The Health Officer will continually review whether modifications to the Order are warranted based on (1) progress on the COVID-19 Indicators; (2) developments in epidemiological and diagnostic methods for tracing, diagnosing, treating, or testing for COVID-19; and (3) scientific understanding of the transmission dynamics and clinical impact of COVID-19. The COVID-19 Indicators include, but are not limited to, the following:
 - a. The trend of the number of new COVID-19 cases and hospitalizations per day.
 - b. The capacity of hospitals and the health system in the County and region, including acute care beds and Intensive Care Unit beds, to provide care for COVID-19 patients and other patients, including during a surge in COVID-19 cases.
 - c. The supply of personal protective equipment (PPE) available for hospital staff and other healthcare providers and personnel who need PPE to safely respond to and treat COVID-19 patients.
 - d. The ability and capacity to quickly and accurately test persons to determine whether they are COVID-19 positive, especially those in vulnerable populations or high-risk settings or occupations.
 - e. The ability to conduct case investigation and contact tracing for the volume of cases and associated contacts that will continue to occur, isolating confirmed cases and quarantining persons who have had contact with confirmed cases.
12. Scientific evidence shows that at this stage of the emergency, it remains essential to continue to slow virus transmission to help (a) protect the most vulnerable; (b) prevent

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the health care system from being overwhelmed; (c) prevent long-term chronic health conditions, such as cardiovascular, kidney, and respiratory damage and loss of limbs from blood clotting; and (d) prevent deaths. This Order is necessary to slow the spread of the COVID-19 disease, preserving critical and limited healthcare capacity in the County and advancing toward a point in the public health emergency where transmission can be controlled. At the same time, since the Prior Order was issued, the County has continued to make progress in expanding health system capacity and healthcare resources and in controlling community transmission of COVID-19. In light of progress on these indicators, and subject to continued monitoring and potential public health-based responses, the Health Officer has identified additional business and activities that may resume operations under this Order, taking into account health-related considerations and transmission risk factors including, but not limited to, the intensity and quantity of contacts and the ability to substantially mitigate transmission risks associated with the operations.

13. This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the Declarations of Local Health Emergency issued by the Health Officer on March 1 and 5, the March 10, 2020 Resolution of the Board of Supervisors of the County of Alameda Ratifying the Declarations of Local Health Emergency, and the March 17, 2020 Resolution of the Board of Supervisors Ratifying the Declaration of Local Emergency.
14. This Order is also issued in light of the March 19, 2020 Order of the State Public Health Officer (the “State Shelter Order”), which set baseline statewide restrictions on non-residential business activities, and subsequent orders and guidance issued by the Governor, the State Health Officer, and the California Department of Public Health and Department of Industrial Relations. This Order adopts in certain respects more stringent restrictions addressing the particular facts and circumstances in this County, which are necessary to control the public health emergency as it is evolving within the County and the Bay Area. Without this tailored set of restrictions that further reduces the number of interactions between persons, scientific evidence indicates that the public health crisis in the County will worsen to the point at which it may overtake available health care resources within the County and increase the death rate. Where a conflict exists between this Order and any state public health order related to the COVID-19 pandemic, the most restrictive provision controls.
15. Definitions and Exemptions.
 - a. Individuals may leave their residence to perform the following “Essential Activities.” However, people at high risk of severe illness from COVID-19 and people who are sick are strongly urged to stay in their residence to the extent possible, except as necessary to seek or provide medical care or Essential Governmental Functions. Essential Activities are as follows:



- i. To engage in activities or perform tasks important to their health and safety, or to the health and safety of their family or household members (including pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, or visiting a health care professional.
- ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, or products necessary to maintain the habitability, sanitation, and operation of residences.
- iii. To engage in outdoor recreation activity, including, by way of example and without limitation, walking, hiking, bicycling, and running, in compliance with Social Distancing Requirements and with the following limitations:
 1. Outdoor recreation activity at parks, beaches, and other open spaces must comply with any restrictions on access and use established by the Health Officer, government, or other entity that manages such area to reduce crowding and risk of transmission of COVID-19. Such restrictions may include, but are not limited to, restricting the number of entrants, closing the area to vehicular access and parking.
 2. Use of outdoor recreational areas and facilities with high-touch equipment or that encourage gathering, including, but not limited to, playgrounds, gym equipment, climbing walls, picnic areas, pools, spas, and barbecue areas, is prohibited outside of residences, and all such areas shall be closed to public access including by signage and, as appropriate, by physical barriers.
 3. Except as expressly allowed under this Order, sports or activities that include the use of shared equipment or physical contact between participants may only be engaged in by members of the same household or living unit.
 4. Use of shared outdoor facilities for recreational activities that may occur outside of residences consistent with the restrictions set forth in subsections 1, 2, and 3, above, including, but not limited to, skate parks, athletic fields, and tennis and pickleball courts, must, before they may begin, comply with social distancing and



health/safety protocols posted at the site and any other restrictions, including prohibitions, on access and use established by the Health Officer, government, or other entity that manages such area to reduce crowding and risk of transmission of COVID-19. Tennis and pickleball courts may be used by members of different households or living units so long as no more than two people are present (i.e., singles tennis or pickleball).

- iv. To perform work for or access an Essential Business, Outdoor Business, or Additional Business; or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations, as defined in this Section.
 - v. To provide necessary care for a family member or pet in another household who has no other source of care.
 - vi. To attend a funeral with no more than 25 individuals present.
 - vii. To move residences. When moving into or out of the Bay Area region, individuals are strongly urged to quarantine for 14 days. To quarantine, individuals should follow the guidance of the United States Centers for Disease Control and Prevention.
- b. Individuals may leave their residence to work for, volunteer at, or obtain services at “Healthcare Operations,” including, without limitation, hospitals, clinics, COVID-19 testing locations, dentists, pharmacies, blood banks and blood drives, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption for Healthcare Operations shall be construed broadly to avoid any interference with the delivery of healthcare, broadly defined. “Healthcare Operations” excludes fitness and exercise gyms and similar facilities.
- c. Individuals may leave their residence to provide any services or perform any work necessary to the operation and maintenance of “Essential Infrastructure,” including airports, utilities (including water, sewer, gas, and electrical), oil refining, roads and highways, public transportation, solid waste facilities (including collection, removal, disposal, recycling, and processing facilities), cemeteries, mortuaries, crematoriums, and telecommunications systems (including the provision of essential global, national, and local infrastructure for internet, computing services, business infrastructure, communications, and web-based services).



- d. Individuals may leave their residences to perform or access “Essential Governmental Functions,” as determined by the governmental entity performing those functions in the County, including election related activities such as signature gathering. Each governmental entity shall identify and designate appropriate personnel, volunteers, or contractors to continue providing and carrying out any Essential Governmental Functions, including the hiring or retention of new personnel or contractors to perform such functions. Each governmental entity and its contractors must employ all necessary emergency protective measures to prevent, mitigate, respond to, and recover from the COVID-19 pandemic, and all Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements to the greatest extent feasible. For the purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others who need to perform essential services are categorically exempt from this Order to the extent they are performing those essential services.
- e. For the purposes of this Order, a “business” includes any for-profit, non-profit, or educational entity, whether a corporate entity, organization, partnership or sole proprietorship, and regardless of the nature of the service, the function it performs, or its corporate or entity structure.
- f. Essential Businesses may operate in the County of Alameda. For the purposes of this Order, “Essential Businesses” are as follows:
 - i. Healthcare Operations and businesses that operate, maintain, or repair Essential Infrastructure.
 - ii. Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of unprepared food, canned food, dry goods, non-alcoholic beverages, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, as well as hygienic products and household consumer products necessary for personal hygiene or the habitability, sanitation, or operation of residences, or to enable work from home. The businesses included in this subparagraph (ii) include establishments that sell multiple categories of products provided that they sell a significant amount of essential products identified in this subparagraph, such as liquor stores that also sell a significant amount of food.
 - iii. Food cultivation, including farming, livestock, and fishing.
 - iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.



- v. Construction, but only as permitted under the State Shelter Order and only pursuant to the Construction Safety Protocols listed in Appendix B and incorporated into this Order by this reference. Public works projects shall also be subject to Appendix B, except if other protocols are specified by the Health Officer.
- vi. Newspapers, television, radio, and other media services.
- vii. Gas stations and auto-supply, auto-repair (including, but not limited to, for cars, trucks, motorcycles and motorized scooters), and automotive dealerships, but only for the purpose of providing auto-supply and auto-repair services. This subparagraph (vii) does not restrict the on-line purchase of automobiles if they are delivered to a residence or Essential Business.
- viii. Bicycle repair and supply shops.
- ix. Banks and money remittance services, financing services at pawn shops, check cashing services, money lenders, and similar financial institutions. For businesses that mix a financial service component with a retail or other component, only the financial service can be open.
- x. Service providers that enable real estate transactions (including rentals, leases, and home sales), including, but not limited to, real estate agents, escrow agents, notaries, and title companies, provided that appointments and other residential real estate viewings must only occur virtually or, if a virtual viewing is not feasible, by appointment with no more than two visitors at a time residing within the same household or living unit and one individual showing the unit (except that in person visits are not allowed when the occupant is present in the residence).
- xi. Hardware stores.
- xii. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the habitability, sanitation, or operation of residences and Essential Businesses.
- xiii. Businesses providing mailing and shipping services, including post office boxes.
- xiv. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of conducting in-class summer school instruction, facilitating distance learning or career internship and pathways, conducting or participating in COVID-19 related research, or performing essential functions, or as allowed under subparagraph xxvi,



provided that social distancing of six feet per person is maintained to the greatest extent possible.

- xv. Laundromats, drycleaners, and laundry service providers.
- xvi. Restaurants and other facilities that prepare and serve food, but only for Outdoor Dining (as described in Appendix C), delivery, or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site.
- xvii. Funeral home providers, mortuaries, cemeteries, and crematoriums, to the extent necessary for the transport, preparation, or processing of bodies or remains.
- xviii. Businesses that supply other Essential Businesses, Outdoor Businesses, or Additional Businesses with the support or supplies necessary to operate, but only to the extent that they support or supply these businesses. This exemption shall not be used as a basis for engaging in sales to the general public from retail storefronts that are not otherwise authorized under this Order.
- xix. Businesses that have the primary function of shipping or delivering groceries, food, or other goods directly to residences or businesses. This exemption shall not be used to allow for other functions besides those necessary to the delivery operation.
- xx. Airlines, taxis, rental car companies, rideshare services (including shared bicycles and scooters), and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order.
- xxi. Home-based care for seniors, adults, children, and pets.
- xxii. Residential facilities and shelters for seniors, adults, and children.
- xxiii. Professional services, such as legal, notary, or accounting services, when necessary to assist in compliance with non-elective, legally required activities or in relation to death or incapacity.
- xxiv. Services to assist individuals in finding employment with Essential Businesses.



- xxv. Moving services that facilitate residential or commercial moves that are allowed under this Order.
 - xxvi. Childcare establishments, summer camps, and other educational or recreational institutions or programs providing care or supervision for children of all ages, subject to the requirements of Section 7. Childcare establishments may also be required to comply with other applicable federal, state, and local requirements. To the extent there is any inconsistency between the different regulations, the strictest rule governs. For additional guidance from the state regarding childcare licensing, please visit:
https://www.cdss.ca.gov/Portals/9/CCLD/PINs/2020/CCP/PIN_20-06-CCP.pdf.
 - xxvii. The operation of public libraries for curbside pickup of books and other media.
- g. Businesses not otherwise permitted to operate under this Order may nonetheless carry out Minimum Basic Operations. For the purposes of this Order, “Minimum Basic Operations” means the following activities for businesses, provided that owners, personnel, and contractors comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:
- i. The minimum necessary activities to maintain and protect the value of the business’s inventory and facilities; ensure security, safety, and sanitation; process payroll and employee benefits; provide for the delivery of existing inventory directly to residences or businesses; and related functions. Curbside pickup to goods is permitted only to the extent permitted and subject to the conditions set forth in Appendix C.
 - ii. The minimum necessary activities to facilitate owners, personnel, and contractors of the business being able to continue to work remotely from their residences, and to ensure that the business can deliver its service remotely.
- h. For the purposes of this Order, all businesses that are operating at facilities in the County visited or used by the public or personnel must, as a condition of such operation, prepare and post a “Site-Specific Protection Plan ” for each of these facilities; provided, however, that construction activities shall instead comply with the Construction Project Safety Protocols set forth in Appendix B and not the Site-Specific Protection Plan . The Site-Specific Protection Plan must be substantially in the form attached to this Order as Appendix A, and it must be updated from prior versions to address new requirements listed in this Order or in related guidance or directives from the Health Officer. The Site-Specific Protection Plan must be posted at or near the entrance of the relevant facility, and



shall be easily viewable by the public and personnel. A copy of the Site-Specific Protection Plan must also be provided to each person performing work at the facility. All businesses subject to this paragraph shall implement the Site-Specific Protection Plan and provide evidence of its implementation to any authority enforcing this Order upon demand. The Site-Specific Protection Plan must explain how the business is achieving the following, as applicable:

- i. Limiting the number of people who can enter into the facility at any one time to ensure that people in the facility can easily maintain a minimum six-foot distance from one another at all times, except as required to complete Essential Business activity.
- ii. Requiring face coverings to be worn by all persons entering the facility, other than those exempted from face covering requirements (e.g., young children).
- iii. Where lines may form at a facility, marking six-foot increments at a minimum, establishing where individuals should stand to maintain adequate social distancing.
- iv. Providing hand sanitizer, soap and water, or effective disinfectant at or near the entrance of the facility and in other appropriate areas for use by the public and personnel, and in locations where there is high-frequency employee interaction with members of the public (e.g., cashiers).
- v. Providing for contactless payment systems or, if not feasible to do so, the providing for disinfecting all payment portals, pens, and styluses after each use.
- vi. Regularly disinfecting other high-touch surfaces.
- vii. Posting a sign at the entrance of the facility informing all personnel and customers that they should: avoid entering the facility if they have any COVID-19 symptoms; maintain a minimum six-foot distance from one another; sneeze and cough into one's elbow; not shake hands or engage in any unnecessary physical contact.
- viii. Any additional social distancing measures being implemented (see the Centers for Disease Control and Prevention's guidance at: <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>).
- i. Essential Travel is permitted within, or to or from, the County of Alameda. For the purposes of this Order, "Essential Travel" means travel for any of the following purposes:

Order of the County of Alameda's Health Officer
(Revised July 19, 2020)



- i. Travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, Minimum Basic Operations, Outdoor Activities, Outdoor Businesses, Additional Activities, and Additional Businesses.
 - ii. Travel to care for any elderly, minors, dependents, or persons with disabilities.
 - iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
 - iv. Travel to return to a place of residence from outside the County.
 - v. Travel required by law enforcement or court order.
 - vi. Travel required for non-residents to return to their place of residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to commencing such travel.
 - vii. Travel to manage after-death arrangements and burial.
 - viii. Travel to arrange for shelter or avoid homelessness.
 - ix. Travel to avoid domestic violence or child abuse.
 - x. Travel for parental custody arrangements.
 - xi. Travel to a place to temporarily reside in a residence or other facility to avoid potentially exposing others to COVID-19, such as a hotel or other facility provided by a governmental authority for such purposes.
- j. For purposes of this Order, “residences” include hotels, motels, shared rental units, and similar facilities. Residences also include living structures and outdoor spaces associated with those living structures, such as patios, porches, backyards, and front yards that are only accessible to a single family or household unit.
- k. For purposes of this Order, “Social Distancing Requirements” means:
- i. Maintaining at least six-foot social distancing from individuals who are not part of the same household or living unit.
 - ii. Frequently washing hands with soap and water for at least 20 seconds, or using hand sanitizer that is recognized by the Centers for Disease Control and Prevention as effective in combatting COVID-19.



- iii. Covering coughs and sneezes with a tissue or fabric or, if not possible, into the sleeve or elbow (but not into hands).
- iv. Wearing a face covering when outside the home, consistent with the orders or guidance of the Health Officer.
- v. Avoiding all social interaction outside the household when sick with a fever, cough, or other COVID-19 symptoms.

All individuals must strictly comply with Social Distancing Requirements, except to the limited extent necessary to provide care (including childcare, adult or senior care, care to individuals with special needs, and patient care); as necessary to carry out the work of Essential Businesses, Essential Governmental Functions, or provide for Minimum Basic Operations; or as otherwise expressly provided in this Order. Outdoor Activities, Outdoor Businesses, Additional Activities, and Additional Businesses must strictly adhere to these Social Distancing Requirements, except as otherwise permitted in this Order.

- 1. Outdoors Businesses are permitted to operate in the County of Alameda consistent with the requirements of this Order. For purposes of this Order, “Outdoor Businesses” means businesses that normally operated primarily outdoors on or prior to March 16, 2020 and where there is the ability to fully maintain social distancing of at least six feet between all persons, and includes the following:
 - i. Businesses primarily operated outdoors, such as wholesale and retail plant nurseries, agricultural operations, and garden centers.
 - ii. Service providers that primarily provide outdoor services, such as landscaping and gardening services, and environmental site remediation services.

“Outdoor Businesses” does not include bars. Except as otherwise provided in Appendix C, Outdoor Businesses also do not include businesses that promote large, coordinated, and prolonged gatherings, such as outdoor concert venues and amusement parks.

- m. Individuals may leave their residence to engage in Outdoor Activities consistent with the requirements of this Order. For purposes of this Order, “Outdoor Activities” means:
 - i. To obtain goods, services, or supplies from, or perform work for, an Outdoor Business.
 - ii. To engage in outdoor recreation activity as permitted in Section 15.a.iii.



- iii. Outdoor social, childcare, or youth extracurricular activities permitted under Section 7.
 - n. Additional Businesses are permitted to operate in the County of Alameda consistent with the requirements of this Order. For purposes of this Order, “Additional Business” means any business, entity, or other organization identified as an Additional Business in Appendix C, which will be updated as warranted based on the Health Officer’s ongoing evaluation of the COVID-19 Indicators and other data. In addition to the other requirements in this Order, operation of those Additional Businesses is subject to any conditions and health and safety requirements set forth in Appendix C and in any industry-specific guidance issued by the Health Officer or by the California Department of Public Health and/or the Department of Industrial Relations.
 - o. Individuals may leave their residence to engage in Additional Activities consistent with the requirements of this Order. For purposes of this Order, “Additional Activities” means to obtain goods, services, or supplies from, or perform work for, Additional Businesses identified in Appendix C, subject to requirements in this Order, and any conditions and health and safety requirements set forth in this Order or in any industry-specific guidance issued by the Health Officer or by the California Department of Public Health and/or the Department of Industrial Relations.
16. Government agencies and other entities operating shelters and other facilities that house or provide meals or other necessities of life for individuals experiencing homelessness must take appropriate steps to help ensure compliance with Social Distancing Requirements, including adequate provision of hand sanitizer. Also, individuals experiencing homelessness who are unsheltered and living in encampments should, to the maximum extent feasible, abide by 12 foot by 12 foot distancing for the placement of tents, and government agencies should provide restroom and hand washing facilities for individuals in such encampments as set forth in Centers for Disease Control and Prevention Interim Guidance Responding to Coronavirus 2019 (COVID-19) Among People Experiencing Unsheltered Homelessness (<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/unsheltered-homelessness.html>).
17. Pursuant to Government Code Sections 26602 and 41601 and Health and Safety Code Section 101029, the Health Officer requests that the Sheriff and all Chiefs of Police in the County ensure compliance with and enforce this Order. The violation of any provision of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.
18. This Order shall become effective at 8:00 a.m. on July 20, 2020 and will continue to be in effect until it is rescinded, superseded, or amended in writing by the Health Officer.



19. Copies of this Order shall promptly be: (1) made available at the County Administration Building at 1221 Oak Street, Oakland, California 94612; (2) posted on the County Public Health Department's website (acphd.org); and (3) provided to any member of the public requesting a copy of this Order.

20. If any provision of this Order or its application to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:

A handwritten signature in black ink, appearing to read "N. J. Moss", is written over a light blue rectangular background.

Nicholas J. Moss, MD, MPH
Interim Health Officer of the County of Alameda

Dated: July 19, 2020

Attachments: Appendix A – Site-Specific Protection Plan

Appendix B-1 – Small Construction Project Safety Protocol

Appendix B-2 – Large Construction Project Safety Protocol

Appendix C – Additional Businesses & Activities Permitted



**Alameda County Health Care Services Agency
Public Health Department**

Colleen Chawla, Director
Kimi Watkins-Tartt, Director
Erica Pan, MD, Interim Health Officer

COVID-19 SITE-SPECIFIC PROTECTION PLAN GUIDANCE & TEMPLATE FOR DEVELOPING YOUR OWN PLAN

Order No. 20-14b - Appendix A

Updated on July 16, 2020

Updates are in red

PURPOSE OF THIS DOCUMENT

The purpose of this document is to provide each business with clear guidance for reopening in a manner that provides a safe, clean environment for employees and customers.

This COVID-19 Site-Specific Protection Plan (Appendix A) applies to all businesses except construction projects. Construction projects must follow Appendix B-1 or Appendix B-2.

Businesses and organizations allowed to reopen in Alameda County are **not** required to submit their COVID-19 Site-Specific Protection Plan to the State or the Alameda County Public Health Department for review and approval before reopening. Businesses and organizations may reach out to COVIDRecovery@acgov.org for technical assistance.

DESCRIPTION OF A COVID-19 SITE-SPECIFIC PROTECTION PLAN (SPP)

The Site-Specific Protection Plan (SPP) template below combines state-level guidance published in the California State [Resilience Roadmap](#) and guidance from the Alameda County Public Health Department.

The State of California requires all businesses to:

1. Perform a detailed risk assessment and implement a site-specific protection plan (SPP)
2. Train employees on how to limit the spread of COVID-19, including how to screen themselves for symptoms and stay home when symptomatic
3. Implement individual control measures and screenings
4. Implement cleaning and disinfecting protocols
5. Implement physical distancing guidelines

As the COVID-19 pandemic evolves and new local or state Public Health Orders are issued, businesses may need to amend their Site-Specific Protection Plans from time to time to incorporate new requirements. The Alameda County Public Health Department's [COVID-19 website](#) will host updated information and guidance.

GUIDANCE FOR DEVELOPING YOUR BUSINESSES' COVID-19 SITE-SPECIFIC PROTECTION PLAN (SPP)

1. Perform a risk assessment of your business practices.
2. Use the template below to create your own SPP by filling in the required details, based on your individual business model, to ensure your business can protect the safety of employees and customers.
3. Finalize your SPP and physically post it at your place of business at a visible location near the entrance where staff and customers can easily review it without touching the document; and distribute copies of the SPP to all employees.
4. Signage also needs to be posted at each public entrance of each worksite to inform all employees and customers that they should:
 - Avoid entering or using the facility if you have COVID-19 symptoms;
 - Maintain a minimum six-foot distance from one another;
 - Sneeze and cough into a cloth or tissue or, if not available, into one's elbow;
 - Wash hands often;
 - Wear face coverings; and
 - Do not shake hands or engage in any unnecessary physical contact.

TOOLS FOR DEVELOPING YOUR SITE SPECIFIC PROTECTION PLAN

1. COVID-19 Site-Specific Protection Plan (SPP) Template

The Alameda County Public Health Department is providing a template that can be used by any business in Alameda County to create their own Site-Specific Protection Plan (SPP). It contains all of the standard content already written for you to re-open your business and prompts you to “fill in the blank” where unique information is required in order to complete your SPP. The template has been authorized by the County's Public Health Officer, so you can be confident you are safely re-opening your business if you use this template.

2. California COVID-19 Industry Guidance

Industry-specific guidance has been developed by California for businesses permitted to open per county health rules can be found [here](#).

3. Alameda County COVID Recovery

The Alameda County Public Health Department will be developing safe reopening guidance for businesses, employers, and employees, along with industry specific guidance and best practices. Guidance and resources will be posted [here](#).

GENERAL EMPLOYEE PROTECTIONS

Employers have an important role in slowing the community spread of COVID-19 by implementing measures to reduce the risk of workplace exposure. Administrative controls, such as remote work and paid sick leave are important preventive measures for controlling the overall spread of COVID-19. Employers should follow [Cal/OSHA](#) and [CDC guidance](#) regarding workplace measures to reduce the spread of COVID-19, make reasonable accommodations for people with underlying health conditions, and provide necessary equipment and supplies to prevent illness and injury--including access to cleaning and handwashing supplies and breaks for handwashing, provision of personal protective equipment if required by your industry, and appropriate training. All employers must comply with guidance issued by the [California Resilience Roadmap](#), all [Local Health Officer Orders](#), and applicable federal, California, and local provisions for paid sick leave for individuals who cannot safely work for reasons related to the COVID-19 pandemic. If you fail to do so, you may considered to be out of compliance with this Health Order.

RETURN TO WORK

The Alameda County Public Health Department (ACPHD) has a blanket [Isolation/Quarantine Order](#) in place. This means that someone testing positive for COVID-19 is required to isolate, meaning they MUST stay home and away from others for a period of at least 10 days based on the [Isolation instructions](#). ACPHD will follow up with every case reported to identify their contacts, and those contacts are required to quarantine, meaning they MUST stay home and monitor themselves for symptoms for 14 days after their last exposure. ACPHD is not providing return to work documentation for cases or contacts. To facilitate a faster return to work, employers should not require employees who have been isolated/quarantined under the Isolation/Quarantine Order to provide test results or a doctor's note to [return to work](#).

COVID-19 SITE-SPECIFIC PROTECTION PLAN (SPP)

Business name:

Facility address:

Approximate gross square footage of space open to the public:

This COVID-19 Site-Specific Protection Plan (SPP) was most recently updated on:

The person(s) responsible for implementation of this Plan is:

Name:

Title:

I, _____ certify that all employees have been provided a copy of it and have reviewed it and received training as required in this SPP.

Name:

Signature:

Alameda County Shelter in Place Order & Face Coverings Order

- Employer has read the [Alameda County Shelter in Place Order](#) to determine if the business is allowed to reopen.
 - Employer has read the [Alameda County Face Coverings Order](#) and is complying with and implementing measures identified in the Order.
-

Individual Control Measures and Screenings

- Employees whose work duties can be conducted remotely are doing so and will continue to do so until the Shelter in Place Order is lifted, with particular consideration for employees above the age of 60 and those with underlying health issues who are at increased risk for more severe disease if infected.
- All employees have been provided with temperature and/or symptom screenings at the beginning of their shift and all other employees entering the worksite at all times. The individual conducting the temperature/

symptom screening will avoid close contact with employees to the extent possible. Both screeners and employees wear face coverings during each screening. See screening guidance [here](#).

- Employees should be provided with all required protective equipment (i.e., face coverings) and the employer ensures this equipment is worn properly at all times.
- Employees are provided with and use protective equipment when offloading and storing delivered goods.
- Employees inspect deliveries and perform disinfection measures prior to storing goods in warehouses and facilities.
- Face coverings are required when employees are in the vicinity of others. Face coverings are not shared at this worksite.
- Employees take reasonable measures to communicate with the public that they are required to wear face coverings.
*Please note that children 12 years old or younger and those who cannot wear one because of medical reasons are exempt from wearing a face covering.
- Employees who are sick or exhibiting symptoms of COVID-19 are directed to stay home and follow the Alameda County Public Health Department's Criteria for Returning to Work after Isolation or Quarantine guidelines located [here](#).
*Please note that employees who self-quarantine and who are not ill do not need a doctor's note to return to work after staying home for 14 days. Requiring employees to obtain a doctor's note is impacting the medical system and preventing doctors from seeing patients who are ill. If any employee has been isolated because they were diagnosed with COVID-19, they may return to work once they meet the criteria described in ACPHD's return to work policy [here](#). Repeat testing for COVID-19 is not required before an employee can return to work.

Types of protective equipment provided to employees at this worksite location include:

Additional control measure you are implementing at this worksite include:

Cleaning and Disinfecting Protocols

- Thorough cleaning in high traffic areas is performed regularly. Commonly used surfaces are frequently disinfected.
- All shared equipment and touchable surfaces are cleaned and sanitized between each use.
- Customer entrances and exits, and points of sale are equipped with proper sanitation products, including hand sanitizer and/or sanitizing wipes.
- Hand washing facilities will be made available and will stay operational and stocked at all times and additional soap, paper towels, and hand sanitizer are supplied when needed.
- Hand sanitizer will be provided where businesses do not have indoor plumbing.
- Sanitizing supplies are provided to promote employees' personal hygiene. This may include tissues, no-touch trash cans, hand soap, adequate time for hand- washing, alcohol-based hand sanitizers, disinfectants, and disposable towels.
- Cleaning products are used that meet the Environmental Protection Agency (EPA)'s- approved for use against [COVID-19 list](#).
- Business hours and/ or other procedures have been modified to provide adequate time for regular, thorough cleaning, product stocking, or other measures.
- Employees are provided adequate time to implement cleaning practices before and after shifts.
- Hands-free devices have been installed, if possible, including motion sensor lights, contact-less payment systems, automatic soap and paper towel dispensers, and timecard systems.

Schedule for Disinfecting High Traffic Areas and Commonly Used Surfaces

Fill in the fields below with the schedule for how often each area is disinfected.

Mark N/A for all that do not apply to your specific worksite and add any that are missing to "Other".

Break rooms:

Restrooms:

Handrails/door handles/counters/shelving/buttons (elevator/door):

Shopping carts/baskets:

Handheld devices (payment portals, including ATM PIN pads, stylus):

Registers:

Scanners:

Telephones:

Time clocks:

Handwashing facilities:

Custom equipment and tools (i.e. pallet jacks, ladders, supply carts):

Conveyor belts:

Others:

Description of specific operational procedures being implemented to ensure there is adequate time for cleaning/disinfecting:

Additional measures that have been taken at this business location:

Physical Distancing Guidelines

- Employee breaks and break rooms are managed to allow employees to eat on premises in designated areas where they can remain 6 feet apart.
- All employees have been instructed to maintain at least six feet distance from customers and from each other, except employees may momentarily come closer when necessary to accept payment, deliver goods or services, or as otherwise necessary.
- Customers are permitted to bring their own bags, mugs, or other reusable items from home if they do not require handling by employees.
- Tape or other markings have been placed at least six feet apart in customer line areas on sidewalks or other walkways near public entrances with signs directing customers to use the markings to maintain distance.
- Limit the number of customers in the store at any one time to _____, which allows for customers and employees to easily maintain at least six feet distance from one another at all practicable times.
- All desks or individual workstations are separated by at least six feet or employees otherwise maintain six feet if workspace is limited. Physical partitions can be used if workstations and/or employees cannot physical distance.
- Employees are informed that they should not carpool to and from the jobsite except by workers living within the same household unit, or as necessary for workers who have no alternative means of transportation.
- If employers provide shuttles, symptom checks should be conducted before employees board the shuttle, and employees should physical distance while waiting in line and on the shuttle. Physical distancing on the shuttle can include reducing the shuttle capacity.

The following per-person limits have been placed on goods that are selling out quickly to reduce crowds and lines. If not applicable mark as "N/A".

Description of the layout of your worksite and how we accomplish physical distancing measures:

Food Facilities Guidance including Restaurants, Mobile Food Facilities, Stores/Convenience Stores

- Go to the Alameda County Department of Environmental Health [website](#) and review the Guidance for Food Facilities and Food Safety for Food Delivery and Pickup Guidance.
- Complete and implement the Restaurant Operating Procedures posted on the Alameda County Department of Environmental Health [website](#).
- If you've implemented additional measures specific to your food facilities business, include them below.

Additional measures taken:

Notification of COVID-19 Positive Case at your Worksite

- Alameda County Public Health is notified of all positive COVID-19 cases.
- If an employee is diagnosed with COVID-19, Alameda County Public Health will provide assistance in the assessment of potential worksite exposures, and any recommended testing, quarantine, or isolation instructions.
- Employers and employees are aware that they can contact Alameda County Public Health if a suspected exposure has occurred at:
Alameda County Public Health Department
(510) 268-2101
COVIDWorkplace@acgov.org

Training

Employees have been trained on the following topics:

- Information from the [Centers for Disease Control and Prevention \(CDC\)](#) on COVID-19, how to prevent it from spreading, and which underlying health conditions may make individuals more susceptible to contracting the virus.
- Self-screening at home, including temperature and/or symptom checks using CDC guidelines.
- The importance of not coming to work if employees have a frequent cough, fever, difficulty breathing, chills, muscle pain, headache, sore throat, recent loss of taste or smell, or if they or someone they live with have been diagnosed with COVID-19.
- The importance of seeking medical attention if an employees' symptoms become severe, including persistent pain or pressure in the chest, confusion, or bluish lips or face. Updates and further details are available on the CDC's webpage.
- The vulnerability of those 60 years of age or older and people with chronic medical conditions, and the need to practice particular caution to protect these groups.
- The importance of frequent handwashing with soap and water, including scrubbing with soap for 20 seconds (or using hand sanitizer with at least 60% ethanol or 70% isopropanol when employees cannot get to a sink or handwashing station, per CDC guidelines).
- Manufacturer's directions and Cal/OSHA requirements for safe use of personal hygiene and cleaning products.
- The importance of physical distancing, both at work and off work time (see Physical Distancing section above).
- Proper use of face coverings, including:**
 - Face coverings can help protect people near the wearer, but do not replace the need for physical distancing and frequent handwashing.
 - The importance of washing and/or sanitizing hands before and after using or adjusting face coverings.
 - Avoid touching eyes, nose, and mouth.
 - Face coverings to be washed after each shift.

Other worksite training measures taken:



Order No. 20-14b - Appendix B-1
Updated 7/16/20
Small Construction Project Safety Protocol

Updates are in red

1. Any construction project meeting any of the following specifications is subject to this Small Construction Project Safety Protocol (“SCP Protocol”), including public works projects unless otherwise specified by the Health Officer:
 - a. For residential projects, any single-family, multi-family, senior, student, or other residential construction, renovation, or remodel project consisting of 10 units or less. This SCP Protocol does not apply to construction projects where a person is performing construction on their current residence either alone or solely with members of their own household.
 - b. For commercial projects, any construction, renovation, or tenant improvement project consisting of 20,000 square feet of floor area or less.
 - c. For mixed-use projects, any project that meets both of the specifications in subsection 1.a and 1.b.
 - d. All other construction projects not subject to the Large Construction Project Safety Protocol set forth in Appendix B-2.
2. The following restrictions and requirements must be in place at all construction job sites subject to this SCP Protocol:
 - a. Comply with all applicable and current laws and regulations including but not limited to OSHA and Cal-OSHA. If there is any conflict, difference, or discrepancy between or among applicable laws and regulations and/or this SCP Protocol, the stricter standard shall apply.
 - b. Designate a site-specific COVID-19 supervisor or supervisors to enforce this guidance. A designated COVID-19 supervisor must be present on the construction site at all times during construction activities. A COVID-19 supervisor may be an on-site worker who is designated to serve in this role.
 - c. The COVID-19 supervisor must review this SCP Protocol with all workers and visitors to the construction site.
 - d. Establish a daily screening protocol for arriving staff to ensure that potentially infected staff do not enter the construction site. If workers leave the jobsite and return the same day, establish a cleaning and decontamination protocol prior to entry and exit of the jobsite. Post the daily screening protocol at all entrances and exits to the jobsite. More information on screening can be found online at: <https://www.cdc.gov/coronavirus/2019-ncov/community/index.html>.
 - e. Practice social distancing by maintaining a minimum six-foot distance between workers at all times, except as strictly necessary to carry out a task associated with the construction project.



Order No. 20-14b - Appendix B-1
Updated 7/16/20

- f. Where construction work occurs within an occupied residential unit, separate work areas must be sealed off from the remainder of the unit with physical barriers such as plastic sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative entry/exit door to the entry/exit door used by residents. Available windows and exhaust fans must be used to ventilate the work area. If residents have access to the work area between workdays, the work area must be cleaned and sanitized at the beginning and at the end of workdays. Every effort must be taken to minimize contact between workers and residents, including maintaining a minimum of six feet of social distancing at all times.
- g. Where construction work occurs within common areas of an occupied residential or commercial building or a mixed-use building in use by on-site employees or residents, separate work areas must be sealed off from the rest of the common areas with physical barriers such as plastic sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative building entry/exit door to the building entry/exit door used by residents or other users of the building. Every effort must be taken to minimize contact between worker and building residents and users, including maintaining a minimum of six feet of social distancing at all times.
- h. Prohibit gatherings of any size on the jobsite, including gatherings for breaks or eating, except for meetings regarding compliance with this protocol or as strictly necessary to carry out a task associated with the construction project.
- i. Cal-OSHA requires employers to provide water, which should be provided in single-serve containers. Sharing of any of any food or beverage is strictly prohibited and if sharing is observed, the worker must be sent home for the day.
- j. Provide personal protective equipment (PPE) specifically for use in construction, including gloves, goggles, face shields, and face coverings as appropriate for the activity being performed. At no time may a contractor secure or use medical-grade PPE unless required due to the medical nature of a jobsite. Face coverings must be worn in compliance with Section 7 of the Health Officer's Order No. 20-13, dated June 5, 2020, or any subsequently issued or amended order.
- k. Strictly control "choke points" and "high-risk areas" where workers are unable to maintain six-foot social distancing and prohibit or limit use to ensure that six-foot distance can easily be maintained between individuals.
- l. Minimize interactions and maintain social distancing with all site visitors, including delivery workers, design professional and other project consultants, government agency representatives, including building and fire inspectors, and residents at residential construction sites.



Order No. 20-14b - Appendix B-1
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- m. Stagger trades as necessary to reduce density and allow for easy maintenance of minimum six-foot separation.
- n. Discourage workers from using others' desks, work tools, and equipment. If more than one worker uses these items, the items must be cleaned and disinfected with disinfectants that are effective against COVID-19 in between use by each new worker. Prohibit sharing of PPE.
- o. If hand washing facilities are not available at the jobsite, place portable wash stations or hand sanitizers that are effective against COVID-19 at entrances to the jobsite and in multiple locations dispersed throughout the jobsite as warranted.
- p. Clean and sanitize any hand washing facilities, portable wash stations, jobsite restroom areas, or other enclosed spaces daily with disinfectants that are effective against COVID-19. Frequently clean and disinfect all high touch areas, including entry and exit areas, high traffic areas, rest rooms, hand washing areas, high touch surfaces, tools, and equipment
- q. Maintain a daily attendance log of all workers and visitors that includes contact information, including name, phone number, address, and email.
- r. Post a notice in an area visible to all workers and visitors instructing workers and visitors to do the following:
 - i. Do not touch your face with unwashed hands or with gloves.
 - ii. Frequently wash your hands with soap and water for at least 20 seconds or use hand sanitizer with at least 60% alcohol.
 - iii. Clean and disinfect frequently touched objects and surfaces such as work stations, keyboards, telephones, handrails, machines, shared tools, elevator control buttons, and doorknobs.
 - iv. Cover your mouth and nose when coughing or sneezing, or cough or sneeze into the crook of your arm at your elbow/sleeve.
 - v. Do not enter the jobsite if you have a fever, cough, or other COVID-19 symptoms. If you feel sick, or have been exposed to anyone who is sick, stay at home.
 - vi. Constantly observe your work distances in relation to other staff. Maintain the recommended minimum six feet at all times when not wearing the necessary PPE for working in close proximity to another person.
 - vii. Do not carpool to and from the jobsite with anyone except members of your own household unit, or as necessary for workers who have no alternative means of transportation.
 - viii. Do not share phones or PPE.
- s. In the event of a confirmed case of COVID-19 at any jobsite, the following must take place:
 - i. Immediately remove the infected individual from the jobsite with directions to seek medical care.
 - ii. Each location the infected worker was at must be decontaminated and sanitized and work in these locations must cease until decontamination and sanitization is complete.
 - iii. The Alameda County Public Health Department must be notified immediately by email at COVIDWorkplace@acgov.org or by phone at (510) 268-2101. Any



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requirements specified by the County health officials must be completed, including full compliance with any tracing efforts by the County.



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Large Construction Project Safety Protocol

Updates are in red

1. Any construction project meeting any of the following specifications is subject to this Large Construction Project Safety Protocol (“LCP Protocol”), including public works projects unless otherwise specified by the Health Officer:
 - a. For residential construction projects, any single-family, multi-family, senior, student, or other residential construction, renovation, or remodel project consisting of more than 10 units.
 - b. For commercial construction projects, any construction, renovation, or tenant improvement project consisting of more than 20,000 square feet of floor area.
 - c. For construction of Essential Infrastructure, as defined in section 15.c of the Order, any project that requires 20 or more workers at the jobsite at any one time.
2. The following restrictions and requirements must be in place at all construction job sites subject to this LCP Protocol:
 - a. Comply with all applicable and current laws and regulations including but not limited to OSHA and Cal-OSHA. If there is any conflict, difference or discrepancy between or among applicable laws and regulations and/or this LCP Protocol, the stricter standard will apply.
 - b. Prepare a new or updated Site-Specific Health and Safety Plan to address COVID-19-related issues, post the Plan on-site at all entrances and exits, and produce a copy of the Plan to County governmental authorities upon request. The Plan must be translated as necessary to ensure that all non-English speaking workers are able to understand the Plan.
 - c. Provide personal protective equipment (PPE) specifically for use in construction, including gloves, goggles, face shields, and face coverings as appropriate for the activity being performed. At no time may a contractor secure or use medical-grade PPE, unless required due to the medical nature of a job site. Face Coverings must be worn in compliance with Section 7 of the Health Officer Order No. 20-13, dated June 5, 2020, or any subsequently issued or amended order.



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- d. Ensure that employees are trained in the use of PPE. Maintain and make available a log of all PPE training provided to employees and monitor all employees to ensure proper use of the PPE.
- e. Prohibit sharing of PPE.
- f. Implement social distancing requirements including, at minimum:
 - i. Stagger stop- and start-times for shift schedules to reduce the quantity of workers at the jobsite at any one time to the extent feasible.
 - ii. Stagger trade-specific work to minimize the quantity of workers at the jobsite at any one time.
 - iii. Require social distancing by maintaining a minimum six-foot distance between workers at all times, except as strictly necessary to carry out a task associated with the project.
 - iv. Prohibit gatherings of any size on the jobsite, except for safety meetings or as strictly necessary to carry out a task associated with the project.
 - v. Strictly control “choke points” and “high-risk areas” where workers are unable to maintain minimum six-foot social distancing and prohibit or limit use to ensure that minimum six-foot distancing can easily be maintained between workers.
 - vi. Minimize interactions and maintain social distancing with all site visitors, including delivery workers, design professional and other project consultants, government agency representatives, including building and fire inspectors, and residents at residential construction sites.
 - vii. Prohibit workers from using others’ phones or desks. Any work tools or equipment that must be used by more than one worker must be cleaned with disinfectants that are effective against COVID-19 before use by a new worker.
 - viii. Place wash stations or hand sanitizers that are effective against COVID-19 at entrances to the jobsite and in multiple locations dispersed throughout the jobsite as warranted.
 - ix. Maintain a daily attendance log of all workers and visitors that includes contact information, including name, address, phone number, and email.
 - x. Post a notice in an area visible to all workers and visitors instructing workers and visitors to do the following:
 - 1. Do not touch your face with unwashed hands or with gloves.
 - 2. Frequently wash your hands with soap and water for at least 20 seconds or use hand sanitizer with at least 60% alcohol.
 - 3. Clean and disinfect frequently touched objects and surfaces such as workstations, keyboards, telephones, handrails, machines, shared tools, elevator control buttons, and doorknobs.



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4. Cover your mouth and nose when coughing or sneezing or cough or sneeze into the crook of your arm at your elbow/sleeve.
 5. Do not enter the jobsite if you have a fever, cough, or other COVID-19 symptoms. If you feel sick, or have been exposed to anyone who is sick, stay at home.
 6. Constantly observe your work distances in relation to other staff. Maintain the recommended minimum six-foot distancing at all times when not wearing the necessary PPE for working in close proximity to another person.
 7. Do not share phones or PPE.
- xi. The notice in section 2.f.x must be translated as necessary to ensure that all non-English speaking workers are able to understand the notice.
- g. Implement cleaning and sanitization practices in accordance with the following:
- i. Frequently clean and sanitize, in accordance with CDC guidelines, all high-traffic and high-touch areas including, at a minimum: meeting areas, jobsite lunch and break areas, entrances and exits to the jobsite, jobsite trailers, hand-washing areas, tools, equipment, jobsite restroom areas, stairs, elevators, and lifts.
 - ii. Establish a cleaning and decontamination protocol prior to entry and exit of the jobsite and post the protocol at entrances and exits of jobsite.
 - iii. Supply all personnel performing cleaning and sanitization with proper PPE to prevent them from contracting COVID-19. Employees must not share PPE.
 - iv. Establish adequate time in the workday to allow for proper cleaning and decontamination including prior to starting at or leaving the jobsite for the day.
- h. Implement a COVID-19 community spread reduction plan as part of the Site-Specific Health and Safety Plan that includes, at minimum, the following restrictions and requirements:
- i. Prohibit all carpooling to and from the jobsite except by workers living within the same household unit, or as necessary for workers who have no alternative means of transportation.
 - ii. Cal-OSHA requires employers to provide water, which should be provided in single-serve containers. Prohibit any sharing of any food or beverage and if sharing is observed, the worker must be sent home for the day.
 - iii. Prohibit use of microwaves, water coolers, and other similar shared equipment.
- i. Assign a COVID-19 Safety Compliance Officer (SCO) to the jobsite and ensure the SCO's name is posted on the Site-Specific Health and Safety Plan. The SCO must:
- i. Ensure implementation of all recommended safety and sanitation requirements regarding the COVID-19 virus at the jobsite.
 - ii. Compile daily written verification that each jobsite is compliant with the components of this LCP Protocol. Each written verification form must be copied, stored, and made immediately available upon request by any County official.



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- iii. Establish a daily screening protocol for arriving staff, to ensure that potentially infected staff do not enter the construction site. If workers leave the jobsite and return the same day, establish a cleaning and decontamination protocol prior to entry and exit of the jobsite. Post the daily screening protocol at all entrances and exit to the jobsite. More information on screening can be found online at: <https://www.cdc.gov/coronavirus/2019-ncov/community/index.html>.
 - iv. Conduct daily briefings in person or by teleconference that must cover the following topics:
 - 1. New jobsite rules and pre-job site travel restrictions for the prevention of COVID-19 community spread.
 - 2. Review of sanitation and hygiene procedures.
 - 3. Solicitation of worker feedback on improving safety and sanitation.
 - 4. Coordination of construction site daily cleaning/sanitation requirements.
 - 5. Conveying updated information regarding COVID-19.
 - 6. Emergency protocols in the event of an exposure or suspected exposure to COVID-19.
 - v. Develop and ensure implementation of a remediation plan to address any non-compliance with this LCP Protocol and post remediation plan at entrance and exit of jobsite during remediation period. The remediation plan must be translated as necessary to ensure that all non-English speaking workers are able to understand the document.
 - vi. The SCO must not permit any construction activity to continue without bringing such activity into compliance with these requirements.
 - vii. Report repeated non-compliance with this LCP Protocol to the appropriate jobsite supervisors and a designated County official.
- j. Assign a COVID-19 Third-Party Jobsite Safety Accountability Supervisor (JSAS) for the jobsite, who at a minimum holds an OSHA-30 certificate and first-aid training within the past two years, who must be trained in the protocols herein and verify compliance, including by visual inspection and random interviews with workers, with this LCP Protocol.
- i. Within seven calendar days of each jobsite visit, the JSAS must complete a written assessment identifying any failure to comply with this LCP Protocol. The written assessment must be copied, stored, and, upon request by the County, sent to a designated County official.
 - ii. If the JSAS discovers that a jobsite is not in compliance with this LCP Protocol, the JSAS must work with the SCO to develop and implement a remediation plan.
 - iii. The JSAS must coordinate with the SCO to prohibit continuation of any work activity not in compliance with rules stated herein until addressed and the continuing work is compliant.
 - iv. The remediation plan must be sent to a designated County official within five calendar days of the JSAS's discovery of the failure to comply.



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- k. In the event of a confirmed case of COVID-19 at any jobsite, the following must take place:
 - i. Immediately remove the infected individual from the jobsite with directions to seek medical care.
 - ii. Each location the infected worker was at must be decontaminated and sanitized, and work in these locations must cease until decontamination and sanitization is complete.
 - iii. The Alameda County Public Health Department must be notified immediately by email at COVIDWorkplace@acgov.org or by phone at (510) 268-2101. Any requirements specified by the County health officials must be completed, including full compliance with any tracing efforts by the County.
- l. Where construction work occurs within an occupied residential unit, any separate work area must be sealed off from the remainder of the unit with physical barriers such as plastic sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative entry/exit door to the entry/exit door used by residents. Available windows and exhaust fans must be used to ventilate the work area. If residents have access to the work area between workdays, the work area must be cleaned and sanitized at the beginning and at the end of workdays. Every effort must be taken to minimize contact between workers and residents, including maintaining a minimum of six feet of social distancing at all times.
- m. Where construction work occurs within common areas of an occupied residential or commercial building or a mixed-use building in use by on-site employees or residents, any separate work area must be sealed off from the rest of the common areas with physical barriers such as plastic sheeting or closed doors sealed with tape to the extent feasible. If possible, workers must access the work area from an alternative building entry/exit door to the building entry/exit door used by residents or other users of the building. Every effort must be taken to minimize contact between worker and building residents and users, including maintaining a minimum of six feet of social distancing at all times.



Order No. 20-14b – Appendix C: Additional Businesses & Activities Permitted

[Revised July 19, 2020]

General Requirements

The “Additional Businesses” listed below may begin operating, subject to the requirements set forth in the Health Officer Order no. 20-14b (the “Order”) and to any additional requirements set forth below or in separate industry-specific guidance by the Health Officer. These businesses were selected to implement a measured expansion of commercial activity based on health-related considerations including the risks of COVID-19 transmission associated with types and modes of business operations, the ability to substantially mitigate transmission risks associated with the operations, and related factors, such as the following:

- **Increase in mobility and volume of activity**—the overall impact the reopening will have on the number of people leaving their homes and traveling to work at or access the business;
- **Contact intensity**—the type (close or distant) and duration (brief or prolonged) of the contact involved in the business;
- **Number of contacts**—the approximate number of people that will be in the setting at the same time;
- **Modification potential**—the degree to which mitigation measures can decrease the risk of transmission.

To mitigate the risk of transmission to the greatest extent possible, before resuming operations, each Additional Business must:

Prepare, post, implement, and distribute to their Personnel a written Site-Specific Protection Plan as specified in Section 15.h of the Order and set forth in Appendix A, and required by the State of California outlined in its [guidance](#) that addresses all applicable best practices set forth in relevant Health Officer directives, including how it will comply with all applicable Statewide guidance issued by the State of California, which is hereby incorporated by reference and should be treated as if issued by the Health Officer.

As used in this Appendix C, “Personnel” means the following people who provide goods or services associated with the Additional Business in the County: employees; contractors and sub-contractors (such as those who sell goods or perform services onsite or who deliver goods for the business); independent contractors (such as “gig workers” who perform work via the Additional Business’s app or other online interface); vendors who are permitted to sell goods onsite; volunteers; and other individuals who regularly provide services onsite at the request of the Additional Business.

Each Additional Business must comply with Social Distancing Requirements as well as all relevant [state guidance](#) and local directives. Where a conflict exists between the state guidance and local public health directives related to the COVID-19 pandemic, the most restrictive provision controls.



List of Additional Businesses

For purposes of the Order, Additional Businesses include the following based on the summarized health risk related rationale:

- (1) **Retail Stores**. Retail stores not otherwise authorized to operate by an Order of the Health Officer may operate in the County of Alameda, subject to applicable industry guidance issued by the State of California (<https://covid19.ca.gov/pdf/guidance-retail.pdf>), and all of the following conditions:
 - a. **Curbside/Outside Pickup**. All retail stores may, and are encouraged to, operate for curbside or other outdoor pickup in lieu of or in addition to indoor retail as allowed below, subject to applicable industry guidance issued by the State of California (<https://covid19.ca.gov/pdf/guidance-retail.pdf>) and all of the following conditions:
 - i. If a store is not open for indoor shopping, it may display and sell goods on tables outside the store with required permits and licensing, subject to safety protocols and provided that such displays do not cause congestion or block the path of travel. Customers may not enter a store not open for indoor shopping.
 - ii. The store must implement measures to prevent customers from blocking pedestrian access or causing vehicle congestion while picking up goods.
 - iii. The store must employ reasonable measures to require customers to comply with Social Distancing Requirements at the pickup areas, including but not limited to marking locations at six-foot intervals for customers to stand while waiting in line.
 - iv. The store must limit the number of employees in enclosed areas, to ensure at least six feet of separation between employees to limit COVID-19 transmission, and shall comply with the requirements of the Retail Industry Guidance published by the California Department of Public Health (“CDPH”) and the Department of Industrial Relations (“DIR”) (<https://covid19.ca.gov/pdf/guidance-retail.pdf>), as may be amended from time-to-time.
 - b. **Indoor Retail**. All retail stores may open for indoor shopping, subject to applicable industry [guidance](#) and any restrictions issued by the State of California and the following conditions:
 - i. The store must limit its indoor occupancy to the lower of 50% of the store’s normal maximum occupancy or the number of people who can maintain at least six feet of physical distance from each other in the store at all times.
 - ii. The store must employ reasonable efforts to ensure that its customers and employees comply with Face Coverings and Social Distancing Requirements while in the store.
 - iii. The store must limit the number of employees in enclosed areas, to ensure at least six feet of separation between employees to limit COVID-19 transmission, and shall comply with the requirements of the Retail Industry Guidance published by the California Department of Public Health (“CDPH”) and the Department of Industrial Relations (“DIR”) (<https://covid19.ca.gov/pdf/guidance-retail.pdf>), as may be amended from time-to-time.
 - iv. Stores open for indoor shopping may move their goods outside for display and sale with required permits and licensing, subject to safety protocols and provided that such displays do not cause congestion or block the path of travel.



(Added May 18, 2020; Amended to add Indoor Retail June 18, 2020; Amended to add reference to additional State restrictions July 19, 2020)

(2) **Manufacturing.** Manufacturing businesses permitted to operate under the state Resilience Roadmap (<https://covid19.ca.gov/roadmap/>), as it is amended from time-to-time, may operate in the County of Alameda. Manufacturers must place limitations on the number of employees in enclosed areas, to ensure at least six feet of separation between employees to limit COVID-19 transmission, and shall comply with the requirements of the Manufacturing Industry Guidance published by CDPH and DIR (<https://covid19.ca.gov/pdf/guidance-manufacturing.pdf>), as it is amended from time-to-time.

(Added May 18, 2020)

(3) **Logistics and Warehousing.** Logistics and warehousing facilities permitted to operate under the state Resilience Roadmap (<https://covid19.ca.gov/roadmap/>), as it is amended from time-to-time, may operate in the County of Alameda. Logistics and warehousing facilities must place limitations on the number of employees in enclosed areas, to ensure at least six feet of separation between employees to limit COVID-19 transmission, and shall comply with the requirements of the Logistics and Warehousing Facility Industry Guidance published by CDPH and DIR (<https://covid19.ca.gov/pdf/guidance-logistics-warehousing.pdf>), as it is amended from time-to-time.

(Added May 18, 2020)

(4) **Limited Services.** Businesses providing “limited services,” with limited person-to-person contact and permitted to operate under the State Resilience Roadmap, including dog walkers and pet grooming services, may operate in the County of Alameda. Limited services providers shall comply with Site-Specific Protection Plan set forth in the Order and with the requirements set forth in the Limited Services Industry Guidance published by CDPH and DIR (<https://covid19.ca.gov/pdf/guidance-limited-services.pdf>).

(Added June 5, 2020)

(5) **Places of Worship and Providers of Religious Services and Cultural Ceremonies.** Places of worship may hold in-person religious services and cultural ceremonies, subject to applicable guidance issued by the State of California (<https://covid19.ca.gov/pdf/guidance-places-of-worship.pdf>) and the County of Alameda incorporated into this Appendix C by this reference, and any additional restrictions issued by the State, and in accordance with the following:

- a. Providers of religious services and cultural ceremonies are strongly encouraged to continue to provide streaming services to allow remote participation by vulnerable populations and those that choose not to come in person to services and ceremonies.
- b. In-person religious services and cultural ceremonies may be held outdoors, provided that the number of attendees does not exceed 100 persons, or 25 percent of the capacity of the area in which the gatherings take place, whichever is less. Providers of religious services and cultural ceremonies are strongly encouraged to limit in-person participation smaller numbers, e.g., as little as 25 or fewer. In-person religious services and cultural ceremonies may not be held indoors, by order of the State of California.
- c. In-person religious services and cultural ceremonies can involve extended periods of close contact, increasing the risk of transmission of COVID-19 at these events. As such, it is recommended that event organizers consider maintaining contact information of attendees at



services or ceremonies and that this information be kept by the event's organizer for at least 21 days after the event. The purpose of this recommendation is to assist ACPHD with effective contact tracing in case of an outbreak that may have affected people attending the event.

(Added June 18, 2020; Amended to add reference to additional State restrictions July 19, 2020)

(6) First Amendment Activities. Individuals may participate in in-person, outdoor political gathering or protests as long as physical distancing of six feet between persons or groups of persons from different households or Social Bubbles is maintained at all times. All persons participating in permitted constitutionally protected activities should comply with Health Officer Order No. 20-13 (the "Face Covering Order").

(Added June 18, 2020)

(7) Outdoor Dining. Restaurants and other food facilities may provide outdoor sit-down meals, subject to the applicable requirements set forth in the Dine-In Restaurants Guidance published by CDPH and DIR (<https://covid19.ca.gov/pdf/guidance-dine-in-restaurants.pdf>), and the following requirements and limitations in addition to those required elsewhere in the currently operative Order:

- a. Restaurants providing outdoor dining must have all necessary permits required to provide outdoor food service. Outdoor seating arrangements must limit the number of patrons at a single table to no more than six individuals who are part of a single household, living unit, or Social Bubble.
- b. Tables must be arranged to ensure at least six feet distance between each table, such that no customer is sitting within six feet of any other customer at a separate table.
- c. Lounge areas, like fire pits, can be occupied as long as six-foot distancing between separate households, living units, or Social Bubbles can be maintained at all times.
- d. Entertainment events are not allowed.
- e. Outdoor dining, placement of outdoor seating arrangements, and food service must be in compliance with local laws, regulations, and permitting requirements, including:
 - i. For restaurants and other food facilities reopening after having been completely closed for a month or longer, the operator will ensure prior to opening that:
 1. All equipment, plumbing, and ventilation systems are operational.
 2. All food stored on-site during closure has been maintained at proper temperatures and is not contaminated (if in doubt, food shall be discarded).
 3. All expired food shall be discarded.
 4. Any insect or rodent infestation is abated.
 5. The facility is thoroughly cleaned.
 6. Staff are up-to-date on food handler training or certification.
 - ii. For all restaurants and other food facilities regardless of whether they were ever closed:
 1. If not previously performed, clean and sanitize dining areas and all other areas that have not been in use.



2. Post near each entrance door(s) and near restroom door(s) in a manner readily visible to the public and employees both the written Site-Specific Protection Protocol required by this Order. Food facilities may use the "Cal/OSHA COVID-19 General Checklist for Dine-in Restaurants" ("General Checklist") found at <https://covid19.ca.gov/pdf/checklist-dine-in-restaurants.pdf> as the framework for the written health and safety plan, checking the applicable boxes. The Site-Specific Protection Plan (Appendix A) can be found at <http://acphd.org/media/587169/health-officer-order-20-14-a-appendix-a-protection-plan-guidance-and-template-english.pdf>
3. Designate COVID-19 supervisor/person(s) in charge to ensure the implementation of the food facilities' Site-Specific Protection Plan. The designated COVID-19 supervisor/person(s) in charge must always be present on-site during business hours.
 - f. Facilities that currently offer curbside pickup, takeaway, and/or delivery service are strongly encouraged to continue that practice in addition to providing outdoor dining. Lines for pickup or takeaway must be in a separate area other than the outdoor dining area and must prevent patrons from unnecessarily accessing the outdoor dining area.
 - g. If the restaurant has a host stand, it must be located at the entry of the outdoor dining area so as to prohibit patrons from unnecessarily walking through the outdoor dining area.
 - h. Guardians of children twelve or younger are required to ensure their children comply with Social Distancing Requirements at all times.
 - i. Alcohol may be sold to patrons in conjunction with a meal, but it may not be sold independently.
 - j. Bar areas must remain closed to customers, except that restaurants with outdoor, unenclosed bar areas may use those areas for additional outdoor dining space, provided that they do not keep or serve alcohol from an outdoor bar.
 - k. Bathrooms should be sanitized frequently.
 - l. Hand sanitizer or hand washing stations should be made available in the outdoor dining area.
 - m. Patrons are required to wear a face covering except when eating or drinking at a dining table. Patrons may remove face coverings to eat or drink while seated at a table outdoors, but they must wear face coverings in all of the following circumstances:
 1. While waiting in line;
 2. While going to or from their table;
 3. When ordering their meals or otherwise interacting with employees;
 4. While seated at a table and waiting for food, drinks or checks to arrive;
 5. After meals and beverages have been consumed;
 6. While inside a facility to use a restroom or to order or pick up food from a quick-service operation; and
 7. At other times that a facility requires face coverings to be worn.

(Added June 18, 2020; Amended to expand direction on Face Coverings July 19, 2020)



(8) Outdoor Non-Contact Fitness Classes. Outdoor fitness classes with up to 12 people, including the instructor are allowed under the following conditions:

- a. The instructor and all participants must wear face coverings at all times, except when engaged in high-intensity aerobic activity.
- b. The instructor and all participants must arrange themselves to provide adequate social distancing of at least 6 feet at all times. Greater distance is recommended for high-intensity aerobic activity.
- c. No member of the class may share equipment, and equipment should be sanitized between uses.
- d. The instructor of or organizer for the classes must obtain any required use authorizations from the owner or manager of the outdoor space, including permits for using parks required by any city, county, or district before undertaking the fitness classes.
- e. It is recommended that the instructor of or organizer for fitness classes consider maintaining contact information of attendees and that this information be kept by the event's organizer for at least 21 days after the event. The purpose of this recommendation is to assist ACPHD with effective contact tracing in case of an outbreak that may have affected people attending the event.

(Added June 18, 2020)

(9) Outdoor Museums, Outdoor Historical Sites, and Publicly Accessible Gardens. Outdoor museums, outdoor historical sites, and publicly accessible gardens may open subject to applicable requirements set forth in the Outdoor Museums Guidance published by CDPH and DIR (<https://covid19.ca.gov/pdf/guidance-outdoor-museums.pdf>) and the following limitations in addition to those required elsewhere in the Order:

- a. Members of the public are not allowed to access any indoor facilities associated with outdoor museums, outdoor historical sites, or publicly accessible gardens, except to use restrooms, which must be frequently cleaned. All business and transactions involving members of the public must occur outdoors.
- b. Businesses operating under this category must implement measures to ensure that social distancing of at least six feet is maintained at all times other than between members of the same household.

(Added June 18, 2020)

(10) Dog Parks. Individuals may take their dogs to dog parks (both enclosed and unenclosed), and all dog parks may open, subject to the following conditions:

- a. Face coverings must be worn by all people in the dog park, subject to the limited exceptions in the Face Covering Order (e.g., for young children over the age of 2), including as that order is amended from time to time;
- b. Pet owners are urged to use on-leash dog parks or keep their dogs on a leash, particularly if the dog is not under voice control—pet owners who choose to let their dogs be off leash in an off-leash dog park should prevent their dog from interacting with other people or animals to the greatest extent feasible;



- c. People in the dog park should maintain at least six feet of physical distance from people or animals other than those in their same household, living unit, or Social Bubble;
- d. People must bring their own water for themselves and their pets, and must not use common water facilities in the park;
- e. People should bring their own bags for picking up and disposing of pet waste;
- f. Signage must be posted at each dog park to inform people that they must: avoid entering the location if they have a cough or fever, maintain a minimum six-foot distance from one another, wear a face covering at all times, and not shake hands or engage in any unnecessary physical contact (sample signs are available online at <https://covid-19.acgov.org/covid19-assets/docs/business-flyer-covering-order-2020.04.20.pdf>); and
- g. People must follow any other rules and regulations adopted by the operator of the dog park.

(Added June 18, 2020)

- (11) **College Sports.** College sports teams may train or hold non-contact practices, conditioning, or drills outdoors in groups of up to 12 team members and one coach.
- a. Team members and coaches should maintain a separation of at least six feet from other individuals and avoid the use of shared equipment, and all shared equipment should be sanitized between uses.
 - b. Coaches shall wear face coverings at all times. Team members shall wear face coverings except when engaged in distance running or other high-intensity aerobic activity.
 - c. Participants should limit their participation to one sport or activity and shall remain members of one stable group of up to 12 team members and one coach.
 - d. Locker rooms, weight rooms, or other indoor facilities may not be used at this time.

(Added June 18, 2020)

- (12) **Professional Sports.** Beginning at 8:00 a.m. on July 20, 2020, professional sports teams that wish to resume practices, games, or tournaments and broadcasting of those events in the County of Alameda, without in-person spectators, may submit to the Health Officer a proposed plan detailing the sanitation, social distancing, health screening, and other procedures that will be implemented to minimize the risk of transmission among players, staff, media, broadcast crew, and any others who will be in the facility. The plan must include a proposal for interval testing (without using County resources) of all players, coaching staff, trainers, and others who will be present in the facility. Plans must be submitted to COVIDRecovery@acgov.org. Subject to the advance written approval of the Health Officer or the Health Officer's designee, the team may then resume activities consistent with the approved plan, including any conditions to approval of the Health Officer or the Health Officer's designee. Teams, games, exhibitions, and tournaments must also comply with any applicable Health Officer directives to the extent they are consistent with the approved plan; in the event of an inconsistency, the approved plan controls. Finally, crew, athletes, coaching staff and other workers should also abide by protocols agreed to by labor and management, to the extent they are at least as protective of health as the approved plan. The requirements of this section apply to both home teams and visiting teams.

(Added July 19, 2020)



- (13) **Zoos.** Beginning at 8:00 a.m. on July 20, 2020, zoos may open subject to applicable requirements set forth in the Outdoor Museums Guidance published by CDPH and DIR (<https://files.covid19.ca.gov/pdf/guidance-zoos-museums.pdf>) and the following limitations in addition to those required elsewhere in the Order:
- a. Facilities in this category must ensure that attendance remains below the lesser of: (i) 50% of the maximum capacity for the outdoor space that is permitted to open; or (ii) the capacity based on the ability of Personnel and patrons to comply with the Social Distancing Requirements.
 - b. Facilities must employ reasonable efforts to ensure that visitors and employees comply with Face Covering and Social Distancing Requirements while visiting.
 - c. Facilities must ensure that members of the public are not allowed to access any indoor areas associated with the facility, except to use restrooms, which must be frequently cleaned. Facilities must also provide hand-washing or sanitizing stations at reasonable intervals.
 - d. Facilities must implement measures to ensure that social distancing of at least six feet is maintained at all times other than between members of the same household.
 - e. Facilities may not provide food or beverage sales, except in outdoor areas that allow for social distancing. Purchasers of food or beverages must leave the area of sale upon purchase, and may not congregate or use common dining areas like picnic tables.
 - f. Facilities must close, and must not permit members of the public to access, interactive outdoor exhibits like petting zoos or other interactive exhibits, outdoor rides, playgrounds, or theaters.
 - g. Facilities must not be made available for special events or parties.
 - h. All business and transactions involving members of the public must occur outdoors.

(Added July 19, 2020)