RESOLUTION NO. 2020-176

REOPENING PRINCIPLES

On Tuesday October 6, 2020, on motion of Supervisor Hagman, duly seconded by Supervisor Lovingood and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

WHEREAS, the San Bernardino County Board of Supervisors acknowledges the seriousness of the COVID-19 pandemic and the public health impact it is having in the United States, the State of California, and here in San Bernardino County; and

WHEREAS, as local elected officials, we live each day with the knowledge that the public entrusts us to make decisions that ensure their well-being; and

WHEREAS, as the State reopens the economy based on safety indicators, the County of San Bernardino appreciates the State's partnership with local government and the consideration given to the varying individual needs of California's diverse geographic regions; and

WHEREAS, San Bernardino County is the largest of more than 3,000 counties in the U.S., spanning more than 20,000 square miles, with both urban and rural communities, and is the twelfth largest county by population in the nation; and

WHEREAS, on March 19, 2020, California Governor Gavin Newsom issued Executive Order N-33-20, ordering all individuals in California to stay in their place of residence except as needed to maintain continuity of operations of federal critical infrastructure sectors, thereby reducing and stopping non-essential businesses from continuing operations; and

WHEREAS, the impacts of businesses being closed are felt widespread, especially in our county's rural communities; and

WHEREAS, churches and other communities of faith that contribute to the overall well-being of our community and provide essential services, such as counseling, substance abuse recovery, and other programs that care for our most vulnerable populations, have been adversely impacted; and

WHEREAS, California counties are required to adhere to Governor Newsom's orders, directives, criteria, requirements and guidelines as they relate to the COVID-19 pandemic; and

WHEREAS, as a State-mandated condition of receiving Coronavirus Aid, Relief and Economic Security (CARES) Act funding, San Bernardino County certified that we will continue to adhere to the Governor's "stay-at-home" requirements and other health requirements as directed in gubernatorial Executive Order N-33-20, and subsequent Executive Orders or statutes, and all California Department of Public Health orders, directives, and guidance in response to the COVID-19 emergency; and

WHEREAS, adhering to public health best practices, such as washing hands; social distancing; wearing a mask when unable to adequately distance; regular cleaning of frequently touched surfaces; avoiding touching of eyes, nose and mouth; and staying far away from others when sick, are most important to slowing the spread of COVID-19; and

WHEREAS, the biggest threat to our ability to slow the spread of COVID-19 is posed by large private and public gatherings where basic public health guidelines and best practices are not being implemented; and

WHEREAS, government, while critical to helping slow the spread of COVID-19 and promoting best practices, cannot take the place of personal responsibility and individual decision-making when it comes to implementing best public health practices or voluntary actions to participate in testing; and

WHEREAS, San Bernardino County recognizes the impact of COVID-19 varies by community, and many of our communities exist in remote and isolated parts of the county where the infection rate has been historically substantially lower than other parts of the county, necessitating that we adopt different strategies to minimize the spread of infection; and

WHEREAS, the County has increased our testing countywide, hospitalization and ICU trends remain low and stable, our hospitals have abundant surge capacity, and we have incentivized businesses that are permitted to reopen do it safely through a first-in-the-state COVID-Complaint Business Partnership program; and

WHEREAS, to mitigate the growing and disproportionate exposure to COVID-19 in our urban communities, the County has established testing sites in strategic locations and engaged community organizations to assist with executing an aggressive testing and outreach campaign; and

WHEREAS, our data demonstrates the diversity of infection rates and the limited spread over time within rural isolated areas in our community, and

WHEREAS, on August 28, 2020 Governor Newsom issued a new framework entitled "Blueprint for a Safer Economy" (Blueprint), to allow for the "safe progression of opening up more businesses in each county so impacts of any given change can be fully evaluated"; and

WHEREAS, this Blueprint originally, and specifically, requires California's counties to meet stated benchmarks in overall case rates and testing positivity rates in order to move into less-restrictive tiers that would allow for a measured reopening of businesses, schools and other activities; and

WHEREAS, on Monday, September 7, 2020 Governor Newsom announced an adjustment to this Blueprint, now including a benchmark on overall testing rates as an added criteria California counties must meet for the reopening of businesses, schools and other activities; and

WHEREAS, the case rate is now adjusted based on testing volume per 100,000 population, and if a county does not meet the State's median threshold, its case rate is adjusted by a specific factor thereby penalizing counties whose case rate is under the state threshold; and

WHEREAS, the statewide testing rate average is a non-fixed moving target; and

WHEREAS, Governor Newsom's adjustments and changes to stated goals and objectives in dealing with COVID-19 complicate county government's ability to manage this crisis, forcing San Bernardino County to change course, re-prioritize, reposition and re-adapt, at great time and expense, straining local personnel and resources; and

WHEREAS, the adjustments and changes burden our residents, especially parents and children, further slowing business and school reopenings, and penalizes counties who have little to no control over voluntary and individual decision making related to testing for COVID-19; and

WHEREAS, the changing criteria has had a devastating impact on businesses within the county who have made plans and significant investments toward reopening based on existing criteria only to have their reopenings suddenly and without warning delayed; and

WHEREAS, San Bernardino County is slowing the spread of COVID-19, has continued to locally reinforce all directives of the State, has made critical investments in testing and tracing capacity, and containment at State-regulated skilled nursing facilities; has made critical investments in support of local business, non-profits, schools, and disadvantaged communities; has lowered local hospitalization rates and has increased and sustained local hospital capacity.

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of the County of San Bernardino

As follows:

1. San Bernardino County requests Governor Newsom to make the process counties must follow to reopen business more stable and predictable; and

2. San Bernardino County requests that the testing metric be attached to a fixed number rather than the median testing number of 58 counties.

3. San Bernardino County asks that Governor Newsom allow communities that have experienced historically low rates of infection be permitted to reopen.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES:	SUPERVISORS:	Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales
NOES:	SUPERVISORS:	None
ABSENT:	SUPERVISORS:	None

* * * * *

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of October 6, 2020. #50 jm

LYNNA MONELL
Clerk of the Board of Supervisors

By _____ Deputy

BOARD OF SUPERVISORS COUNTY OF SAN BERNARDINO 1853 SAN BERNARDINO COUNTY, CA