



# San Bernardino County

## Legislation Text

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**File #: 2495, Agenda Item #: 1**

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### **REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO AND RECORD OF ACTION**

**June 30, 2020**

#### **FROM**

**GARY McBRIDE, Chief Executive Officer, County Administrative Office**

#### **SUBJECT**

Selective Sector Closing of Bars in Counties on the County Monitoring List

#### **RECOMMENDATION(S)**

1. Provide direction and guidance regarding the State recommendation to counties on the County Monitoring List to close bars, pubs, brew pubs and breweries (unless offering sit-down, dine-in meals) until those establishments are allowed to resume operation per State guidance in order to slow the community spread of COVID-19.
2. Provide direction on proactive measures to encourage compliance by all entities or establishments with orders and guidelines from federal, state and local authorities in order to slow the community spread of COVID-19.

(Presenter: Gary McBride, Chief Executive Officer, 387-5417)

#### **COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

#### **FINANCIAL IMPACT**

There is no financial impact as a result of this item. The CEO will report back to the Board on any estimated future costs of implementing direction received from the Board pursuant to this item.

#### **BACKGROUND INFORMATION**

As a result of climbing COVID-19 positivity rates and hospitalizations, the State took action to immediately close bars in seven counties: Fresno, Imperial, Kern, Kings, Los Angeles, San Joaquin, and Tulare. The State chose to close bars in counties that had transmission and hospitalization rates outside of the State's targets for a period of 14 days or more. Further, the State is recommending that counties who have rates above the State targets for a period of more than three days, but less than 14 days, also close bars pursuant to a local health order. As of Sunday, June 28<sup>th</sup> when the State took these actions the County had been on the State list for 7 days. Should the County's transmission and hospitalization data continue to trend negatively, the County will hit the 14 day mandatory State shutdown threshold on this coming Sunday, July 5<sup>th</sup>.

Pursuant to the State closures and recommended closures, the direction from the State to affected establishments is as follows:

- Brewpubs, breweries, bars, and pubs, should close until those establishments are allowed to resume

operation per state guidance and local permission, unless they are offering sit-down, dine-in meals. Alcohol can only be sold in the same transaction as a meal.

- Dine-in restaurants, brewpubs, breweries, bars, and pubs that provide sit-down meals should follow the dine-in restaurant guidance and should continue to encourage takeout and delivery service whenever possible.
- Brewpubs, breweries, bars, and pubs that do not provide sit-down meals themselves, but can contract with another vendor to do so, can serve dine-in meals provided both businesses follow the dine-in restaurant guidance and alcohol is only sold in the same transaction as a meal.
- Venues that are currently authorized to provide offsite sale of beer, wine, and spirits to be consumed off premises and do not offer sit-down, dine-in meals should follow the guidance for retail operations and offer curbside sales only, until local and/or statewide rules allow additional retail activity.
- Producers of beer, wine, and spirits should follow the guidance for manufacturing operations.
- This guidance is not intended for concert, performance, or entertainment venues. Those types of establishments should remain closed until they are allowed to resume modified or full operation through a specific reopening order or guidance. Establishments that serve full meals must discontinue this type of entertainment until these types of activities are allowed to resume modified or full operation.
- Brewpubs, breweries, bars, and pubs in counties unaffected by this order and whose health officer has approved further reopening may follow the guidance for restaurants, wineries, and bars on the [COVID-19 County Roadmap website. <https://covid19.ca.gov/roadmap-counties/>](https://covid19.ca.gov/roadmap-counties/)

The California Department of Public Health indicated the following rationale for shutting down bars in particular in an effort to reduce transmission:

A bar, foundationally, is a social setting where typically not only small groups convene, but also where groups mix with other groups. Physical movement within the establishment, duration of time spent in the establishment, and the degree of social mixing within individuals and groups are all greater in bars than in other hospitality sectors. Further, alcohol consumption slows brain activity, reduces inhibition, and impairs judgment, factors which contribute to reduced compliance with recommended core personal protective measures, such as the mandatory use of face coverings and maintaining six feet of distance from people outside of one's own household. Louder environments and the cacophony of conversation that are typical in bar settings, also require raised voices and greater projection of oral emitted viral droplets. The sector's workforce faces higher exposure to disease transmission because of the environment in which they work, compounded by the necessity for patrons to remove face coverings to consume drinks, especially while seated at a bar or moving around and mixing. In their totality, these factors present a higher likelihood of transmission of the coronavirus within groups, between groups, and among the workforce. These factors have led to an increasing concern by public health professionals within California and throughout the nation identifying bars as the highest risk sector of non-essential business currently open. There is a growing body of evidence tracing large COVID-19 outbreaks in both urban and rural states, to bars.

Beyond higher risk of transmission in bar settings, contact tracing, a key measure needed to control spread, is also more challenging in bars. Undertaking contact tracing of a droplet-spread communicable disease based on exposure at a bar is extremely difficult because of the constant mixing among persons, including unknowing prolonged and close contact, and lack of record-keeping of patron attendance. Unlike other sectors where tracking who comes in and out of a setting and where duration of visits are shorter, bars are particularly challenged to do these tasks as well as necessary, even under the best of modifications.

Bars generally attract a younger adult population. While younger adults without co-morbidities tend to have less severe symptoms and overall disease outcomes, increased cases, even in this cohort, will lead to increased hospitalizations and deaths. As the virus spreads more broadly in this population, younger individuals become a source of spread to more vulnerable adults and the broader community, a factor that is complicated by the fact that younger individuals have a higher likelihood of asymptomatic or mildly symptomatic infection.

According to the most recent San Bernardino County data (which can be viewed on the dashboard at the County's website) San Bernardino's COVID positive inpatient hospital volume has increase by 157% (136 to 349) from the end of May through June 26<sup>th</sup>. During that same time the number of COVID suspected inpatients increased by 33% (73 to 97).

**PROCUREMENT**

Not Applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Michelle D. Blakemore, County Counsel, 387-5455) on June 29, 2020; Public Health (Corwin Porter, Interim Director, 387-9146) on June 29, 2020; Finance (Stephenie Shea, Administrative Analyst, 387-4919) on June 29, 2020 and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on June 29, 2020.