



**DIRECTIVE OF THE DIRECTOR OF EMERGENCY SERVICES AND CITY COUNCIL OF THE CITY OF TRACY DIRECTING ALL INDIVIDUALS LIVING IN THE CITY TO SHELTER AT THEIR PLACE OF RESIDENCE EXCEPT TO PROVIDE OR RECEIVE CERTAIN ESSENTIAL SERVICES OR ENGAGE IN CERTAIN ESSENTIAL ACTIVITIES AND WORK FOR ESSENTIAL BUSINESSES AND GOVERNMENT SERVICES; DIRECTING ALL BUSINESSES AND GOVERNMENTAL AGENCIES TO CEASE NON-ESSENTIAL OPERATIONS AT PHYSICAL LOCATIONS IN THE CITY; PROHIBITING ALL NON-ESSENTIAL GATHERINGS OF ANY NUMBER OF INDIVIDUALS**

**DATE OF DIRECTIVE: MARCH 18, 2020**

**Please read this Directive.**

This Directive is issued by the City Manager of the City of Tracy ("City") in her capacity as the Director of Emergency Services in accordance with Section 3.24.050 of the Tracy Municipal Code ("TMC") and confirmed and ratified by a unanimous vote of the Tracy City Council at 7:00 p.m. on March 18, 2020.

WHEREAS, On March 4, 2020, Governor Gavin Newsom proclaimed the existence of a state of emergency in the great State of California related to the novel coronavirus (COVID-19) outbreak. At that time there were 53 confirmed COVID-19 cases in California, and

WHEREAS, On March 12, 2020, San Joaquin County Public Health Services, a division of the Health Care Services Agency declared the existence of a local health emergency in San Joaquin County relating to the novel coronavirus (COVID-19), and

WHEREAS, At 5:00p.m on March 12, 2020, City's Director of Emergency Services proclaimed the existence of a local emergency related to the spread and transmission of COVID-19 in the City, at which time the City Council of the City of Tracy was not in session, and

WHEREAS, The City Council ratified the continued existence of a local emergency related to COVID-19 on March 17, 2020 and adopted Proclamation 2020 finding that the presence and continued transmission of the COVID-19 constitutes extreme peril to the safety of persons and property, and

WHEREAS, Despite sustained efforts, the virus remains a threat, and further efforts to control the spread of the virus to reduce and minimize the risk of infection and otherwise mitigate the effects of COVID-19 are needed, and

WHEREAS, On March 16, 2020, the Departments of Public Health of the City and County of San Francisco, and Counties of Alameda, San Mateo, Contra Costa, Marin, Santa Clara, and Sonoma issued orders directing residents to shelter in place with certain exceptions to combat the spread and transmission of COVID-19, and

WHEREAS, On March 18, 2020, the Departments of Public Health of the Counties of San Benito, Santa Cruz, Monterey and Yolo issued similar orders directing residents to shelter in place with certain exceptions to further combat the spread and transmission of COVID-19, and

WHEREAS, The State and Federal Governments and Public Health Officials are issuing directives and guidance to the public to practice social distancing in order to combat the spread of COVID-19 and that individuals ages 65 and older, individuals with compromised immune systems, and individuals with chronic medical conditions such as heart disease, diabetes, and lung disease shall practice social isolation to protect their health and well-being, and

WHEREAS, As of 6:00 p.m. March 17, 2020, there were a total of 598 confirmed COVID-19 cases and 13 deaths in California, and

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WHEREAS, As of 5:30 p.m. March 18, 2020, the San Joaquin County Public Health Services issued a press release stating there are 14 confirmed cases of COVID-19 in the County and 2 deaths related to COVID-19, and

WHEREAS, The Director finds these facts and guidance support this Directive to slow the rate and spread of COVID-19 and that this Directive will be re-evaluated as further data becomes available;

**NOW THEREFORE, THE DIRECTOR AND CITY COUNCIL HEREBY ISSUE THE FOLLOWING DIRECTIVE TO BE EFFECTIVE AS OF 12:01 a.m on March 19, 2020 AND UNTIL 11:59p.m. on April 7, 2020 (SUBJECT TO EXTENSION), AS FOLLOWS:**

1. The intent of this Directive is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the maximum extent possible. When people need to leave their places of residence, whether to obtain or perform vital services, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times reasonably possible comply with **Social Distancing Requirements** as defined in Section 10 below. All provisions of this Directive should be interpreted to effectuate this intent.
2. All individuals currently living within the City of Tracy (the "**City**") are directed to shelter at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for **Essential Activities, Essential Governmental Functions**, or to operate **Essential Businesses**, all as defined in Section 10. Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter.
3. All businesses with a facility in the City, except Essential Businesses as defined below in Section 10, are required to cease all activities at facilities located within the City except **Minimum Basic Operations**, as defined in Section 10. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 10 below, including, but not limited to, when any customers are standing in line.
4. All public and private gatherings of any number of people occurring outside a household or living unit are discouraged, except for the limited purposes as expressly permitted in Section 10. Nothing in this Directive prohibits the gathering of members of a household or living unit in their home or residence.
5. All travel, including, but not limited to, travel on foot, bicycle, scooter, skateboard, motorcycle, automobile, or public transit, except **Essential Travel** and Essential Activities as defined below in Section 10, is discouraged. People must use public transit only for purposes of performing Essential Activities or to travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions. People riding on public transit must comply with Social Distancing Requirements as defined in Section 10 below, to the greatest extent feasible. This Directive allows travel into or out of the City to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.
6. This Directive is issued based on evidence provided by State, Federal, and County Public Health Officials of the increasing occurrence of COVID-19 within the San Joaquin County and throughout the State of California, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-

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19 specifically, and evidence that the age, condition, and health of a significant portion of the population of the City places them at risk for serious health complications, including death, from COVID-19. Due to the outbreak of the COVID-19 virus in the general public, which is now 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 COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus. Because even people without symptoms can transmit the disease, and because evidence shows the disease is easily spread, gatherings can result in preventable transmission of the virus. The scientific evidence shows that at this stage of the emergency, it is essential to slow virus transmission as much as possible to protect the most vulnerable and to prevent the health care system from being overwhelmed. One proven way to slow the transmission is to limit interactions among people to the greatest extent practicable. By reducing the spread of the COVID-19 virus, this Directive helps preserve critical and limited healthcare capacity in the City.

7. This Directive also is issued in light of the existence of 14 cases of COVID-19 in the County, as well as at least two deaths in the County, as of 5 p.m. on March 18, 2020, including a significant and increasing number of suspected cases of community transmission and likely further significant increases in transmission. Widespread testing for COVID-19 is not yet available but is expected to increase in the coming days. This Directive is necessary to slow the rate of spread.
8. This Directive 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 12, 2020, the March 17, 2020 Tracy City Council Proclamation of Existence of a Local Emergency Related to COVID-19, and Governor Newsom's March 12, 2020 Executive Directive N-25-20.
9. This Directive comes after the release of information and guidance from the County Health Officer, the Centers for Disease Control and Prevention, the California Department of Public Health, and other public health officials throughout the United States and around the world, including a variety of prior Directives to combat the spread and harms of COVID-19.
10. Definitions and Exemptions.
  - a. For purposes of this Directive, individuals may leave their residence only to perform any of the following "**Essential Activities.**" But people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.
    - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.
    - 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, and products necessary to maintain the safety, sanitation, and essential operation of residences.
    - iii. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, walking, hiking, skateboarding, bicycling or running.
      1. Groups of more than ten individuals are discouraged from gathering

at parks.

- iv. To perform work providing essential products and services at an **Essential Business** or to otherwise carry out activities specifically permitted in this Directive, including **Minimum Basic Operations**.
  - v. To care for a family member or pet in another household.
- b. For purposes of this Directive, individuals may leave their residence to work for or obtain services at any “**Healthcare Operations**” including hospitals, clinics, dentists, pharmacies, 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 shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. “Healthcare Operations” does not include fitness and exercise gyms and similar facilities.
- c. For purposes of this Directive, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “**Essential Infrastructure**,” including, but not limited to, public works construction, development or construction of any housing (in particular affordable housing or housing for individuals experiencing homelessness), development or construction of any commercial and industrial facilities, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.
- d. For purposes of this Directive, 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 Directive. Further, nothing in this Directive shall prohibit any individual from performing or accessing “**Essential Governmental Functions**,” as determined by the governmental entity performing those functions. Each governmental entity shall identify and designate appropriate employees or contractors to continue providing and carrying out any Essential Governmental Functions. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section, to the extent possible.
- e. For the purposes of this Directive, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.
- f. For the purposes of this Directive, “**Essential Businesses**” means:
- i. Healthcare Operations and Essential Infrastructure;
  - ii. Grocery stores, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;

- iii. Food production, food processing, and 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. Newspapers, television, radio, and other media services;
  - vi. Gas stations and auto-supply, auto-repair, and related facilities;
  - vii. Banks and related financial institutions;
  - viii. Hardware stores;
  - ix. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
  - x. Businesses providing mailing and shipping services, including post office boxes;
  - xi. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
  - xii. Laundromats, drycleaners, and laundry service providers;
  - xiii. Restaurants and other facilities that prepare and serve food, but only for 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 Directive 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;
  - xiv. Businesses that supply products needed for people to work from home;
  - xv. Businesses that supply other essential businesses with the support or supplies necessary to operate;
  - xvi. Businesses that ship or deliver groceries, food, goods or services directly to residences;
  - xvii. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Directive;
  - xviii. Home-based care for seniors, adults, or children;
  - xix. Residential facilities and shelters for seniors, adults, and children;
  - xx. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
  - xxi. Childcare facilities providing services that enable employees exempted in this Directive to work or enables individuals to engage in Essential Activities as permitted.
- g. For the purposes of this Directive, “**Minimum Basic Operations**” include the following, provided that employees 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 the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions.
  - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
- h. For the purposes of this Directive, “**Essential Travel**” includes travel for any of the

following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section below.

- i. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.
- ii. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
- 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 jurisdiction.
- v. Travel required by law enforcement or court order.
- vi. Travel required for non-residents to return to their place of residence outside the City. Individuals are strongly encouraged to verify that their transportation out of the City remains available and functional prior to commencing such travel.

- i. For purposes of this Directive, residences include hotels, motels, shared rental units and similar facilities.
- j. For purposes of this Directive, "**Social Distancing Requirements**" includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

11. This Directive shall become effective at 12:01 a.m. on March 19, 2020 and will continue to be in effect until 11:59 p.m. on April 7, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Director.

12. Copies of this Directive shall promptly be posted on the City's website ([www.cityoftracy.org](http://www.cityoftracy.org)) and provided electronically to any member of the public requesting a copy of this Directive.

13. If any provision of this Directive to the application thereof to any person or circumstance is held to be invalid, the remainder of the Directive, 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 Directive are severable.

**IT IS SO DIRECTED:**

Director of Emergency Services

Dated: March 18, 2020

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