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Tem Eric Lucan, Chief of Police Mathew

10 McCaffrey, Public Works Director Chris

Blunk

11 **UNITED STATES DISTRICT COURT**

12 **NORTHERN DISTRICT OF CALIFORNIA**

13 MARIN COUNTY HOMELESS  
14 UNION, a local affiliate of the  
15 CALIFORNIA HOMELESSNESS  
16 UNION, on behalf of itself and those it  
17 represents; CAMP COMPASSION, a  
18 Homeless Union-affiliated encampment  
19 in Lee Gerner Park; Individual Plaintiffs  
20 JASON SARRIS; LEA DEANGELO;  
21 ZACH BOULWARE; CARRIE  
22 HEALON, LISA NICOLE JOHNSON;  
23 DONALD HOBBS; DEBORAH ANN  
24 MIROMONTES; LISA JOHNSON;  
25 CHARLES TALBOT; BETHANY  
26 ALLEN; MICHELANGELO MONTEZ;  
27 DEBORAH ANN MIRAMONTES;  
28 KALANI WELSCH, and other similarly  
situated homeless persons including  
current residents of Camp Compassion  
homeless encampment,

Plaintiffs,

v.

CITY OF NOVATO; CITY MANAGER  
ADAM MCGILL, MAYOR PAT  
EKLUND, MAYOR PRO TEM ERIC  
LUCAN, CHIEF OF POLICE  
MATHEW MCCAFFREY, PUBLIC  
WORKS DIRECTOR CHRIS BLUNK,

Defendants.

**CASE NO.: 4:21-cv-05401-YGR**

[Assigned to the Hon. Yvonne Gonzalez  
Rogers]

**DECLARATION OF MARY KAY  
SWEENEY IN SUPPORT OF CITY OF  
NOVATO'S MOTION TO MODIFY  
TEMPORARY RESTRAINING  
ORDER UNDER FRCP 65(B)(4)**

Hearing Date: July 26, 2021  
Time: 1:30  
Ctrm: 1

Colantuono, Highsmith & Whatley, PC  
790 E. Colorado Blvd., Suite 850  
Pasadena, CA 91101  
SCN/CMA CA 05474

**DECLARATION OF MARY KAY SWEENEY**

I, MARY KAY SWEENEY, declare and state as follows:

1. I am the Executive Director of Homeward Bound Marin. I make this declaration in support of the City of Novato’s Motion to Modify Temporary Restraining Order under FRCP 65(b)(4). The facts set forth herein are true of my own personal knowledge, and if called upon to testify thereto, I could and would competently do so under oath.

**Homeward Bound of Marin Organizational Overview**

2. Founded in 1974, Homeward Bound of Marin is the main provider of emergency shelter and supportive housing for people experiencing homelessness in Marin County, including veterans, seniors, working families, and individuals with incarceration histories, disabilities, or persistent mental illness.

3. A registered 501(c)3 nonprofit, our mission of “opening doors to safety, dignity, hope and independence,” is underscored by a vision that “everybody needs a place to call home.”

4. The overarching goal of Homeward Bound is to end homelessness for every person we serve. With 17 residential programs, our agency assists 1,000+ people annually. We also provide individualized counseling coupled with an array of social and employment services aimed at helping people become housed, self-sufficient, and able to lead fulfilling lives. Last year, our programs and services ensured 92% of families and 67% of single adults exited Homeward Bound for housing opportunities.

**New Beginnings Center Program Overview**

5. Opened in 2000 as the first shelter in the country built on a decommissioned military base, Homeward Bound of Marin’s 80-bed New Beginnings Center is the largest emergency homeless shelter in Marin County, serving veterans,

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1 seniors, and low-income adults.

2 6. Providing a safe place to stay for up to 200 people annually who find  
3 themselves facing a crisis of homelessness, The New Beginnings Center is also the  
4 only shelter in Marin County that prioritizes homeless veterans by setting aside 12  
5 beds exclusively for former service members, in partnership with the U.S. Department  
6 of Veterans Affairs.

7 7. The center operates as a housing-focused shelter, meaning all residents  
8 are expected to work with staff to develop plans for stable housing. At the New  
9 Beginnings Center, shelter is paired with intensive support services, individualized  
10 counseling, daily meals, transit assistance, and links to community resources to help  
11 people overcome their barriers to housing and move out of homelessness for good.

12 8. The New Beginnings Center also offers on-site programs for employment  
13 skills training, including Fresh Starts Culinary Academy, an award-winning 10-week  
14 intensive course in culinary basics certified by the American Culinary Federation, and  
15 paid apprenticeships in Janitorial and Building Maintenance as well as Landscaping  
16 and Garden Maintenance.

17 9. Even with the challenges presented by the COVID-19 health crisis, 63  
18 adults exited the New Beginnings Center for housing last year during the first twelve  
19 months of the pandemic.

20 **New Beginnings Center COVID Protocols**

21 10. Individuals who transfer to New Beginnings Center or who are admitted  
22 directly to New Beginnings Center are tested for Covid by an on-site nurse.

23 11. On site, everyone is assigned to a 3-person dorm where beds are spaced  
24 to allow for distancing. There are lockers and small closets for clothing and personal  
25 items. All items are treated for bed bugs before entry.

26 12. All program participants wear masks at all times throughout the facility,  
27 even if they are vaccinated.

28 13. People are regularly encouraged to be vaccinated. Clinicians conduct

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1 regular vaccinations on site and people can also access vaccines at Safeway, a short  
2 walk from New Beginnings Center.

3 14. In the dining room, participants sit at tables that are set up for social  
4 distancing (i.e. 2 to a table). The cafeteria style allows for staggered meals. Salads  
5 and fruit are individually wrapped.

6 15. Participants are allowed to have a night out only if they are vaccinated.

7 16. Though program participants are free to come and go during the day and  
8 evening, no visitors are allowed on site.

9 17. All CDC guidelines for homeless shelters are followed and we seek  
10 clarification for any open questions from the Marin County Public Health officials.

11 18. Since the COVID-19 pandemic began, Homeward Bound of Marin has  
12 not experienced any outbreaks or positive COVID-19 cases in our adult shelter  
13 participants, including people staying at the New Beginnings Center.

14 19. Attached hereto as Exhibit 4 is a true and correct copy of a letter from the  
15 Public Health Office dated July 7, 2021, which contains the latest guidance on  
16 COVID-19 protocols in homeless shelters.

17 20. Attached hereto as Exhibit 5 is a true and correct copy of the Site  
18 Specific Protection Plan for New Beginnings Center, which follows the Marin  
19 Recovers County Guidelines.

20 **New Beginnings Center Bedbug Protocols**

21 21. Similar to the hotel industry, the public transportation sector, and even a  
22 doctor’s waiting room, bedbugs are an occupational hazard that are sometimes found  
23 in homeless shelters. Homeward Bound’s staff is trained on how to prevent bedbugs,  
24 how to identify them, and how to treat areas that are found to have bed bugs.

25 22. In terms of prevention, all new clients are required to shower and launder  
26 all clothing (including clothes they are wearing at the time of the intake). Clients will  
27 be given sweatshirt and sweatpants to be worn after they shower and launder all  
28 personal clothing items. Clients’ bags and belongings are treated in the bed bug

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1 heating boxes. All mattresses have bedbug-proof covers on them. Shelter dorms are  
2 fully furnished, and linens are provided. No personal furniture or linens will be  
3 permitted in shelter for use or storage purposes.

4 23. If bedbugs are identified and found onsite, Homeward Bound’s  
5 Maintenance Team treats the area with nontoxic natural CedarCide spray. If bedbugs  
6 continue to be found even after this CedarCide treatment, then a professional pest  
7 control company will be brought in to address the issue (this last step is rarely  
8 needed).

9 24. Attached hereto as Exhibit 6 is a true and correct copy of Homeward  
10 Bound of Marin’s Bed Bud Prevention Policy Standard Operating Procedure.

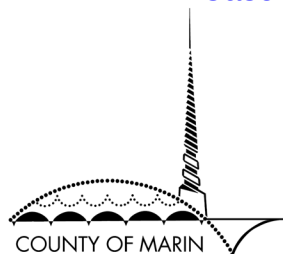
11 25. Attached hereto as Exhibit 7 is a true and correct copy of Homeward  
12 Bound of Marin’s Bed Bug Treatment Protocol

13  
14 I declare under penalty of perjury under the laws of the State of California that  
15 the foregoing is true and correct.

16  
17 Executed on July 22, 2021 at Novato, California.

18  
19   
20 \_\_\_\_\_  
21 MARYKAY SWEENEY

# **EXHIBIT 4**



DEPARTMENT OF  
**HEALTH AND HUMAN SERVICES**

Promoting and protecting health, well-being, self-sufficiency, and safety of all in Marin County.

July 7, 2021



Benita McLarin, FACHE  
DIRECTOR

Matthew Willis, MD, MPH  
PUBLIC HEALTH OFFICER

Lisa M. Santora, MD, MPH  
DEPUTY PUBLIC HEALTH OFFICER

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On June 8, 2021 Centers for Disease Control and Prevention (CDC) updated [Interim Guidance for Homeless Service Providers to Plan and Respond to Coronavirus Disease 2019 \(COVID-19\)](#). When California re-opened on June 15<sup>th</sup>, California Department of Public Health (CDPH) referred local health jurisdictions and homeless service providers to the CDC for ongoing guidance. CDPH endorses that homeless shelters are vulnerable settings at higher risk for COVID-19 transmission that requires masking for all persons regardless of vaccination status.

People experiencing homelessness are at increased risk for infection during community spread of COVID-19. In Marin County and nationwide, persons experiencing homelessness have lower rates of vaccination. Marin County Public Health has been partnering with county homeless service providers to increase access to and readiness for COVID-19 vaccine among persons experiencing homelessness.

CDC continues to recommend the following mitigation strategies to decrease the risk of COVID-19 transmission in congregate settings:

- Put in place plans on how to maintain physical distancing (remaining at least 6 feet apart) between all clients and staff/volunteers, regardless of vaccination status, while still providing necessary services.
- All staff and volunteers should wear a mask regardless of vaccination status.
- Use physical barriers to protect staff who will have interactions with clients with unknown infection status (e.g., check-in staff).
- In dining areas, create at least 6 feet of space between seats, and/or allow either for food to be delivered to client rooms or for clients to take food away. If eating throughout the facility (like on their cots), clients should still remain 6 feet apart from others.
- In general sleeping areas (for those who are not experiencing respiratory symptoms), try to make sure client's faces are at least 6 feet apart.
- Align mats/beds so clients sleep head-to-toe.

These mitigation strategies have reduced local sheltering capacity for persons experiencing homelessness. Marin County Public Health strongly recommends homeless service providers follow CDC interim guidance. Please contact me with any questions or concerns.

Sincerely,

Lisa M. Santora MD, MPH  
Deputy Public Health Officer  
[LSantora@marincounty.org](mailto:LSantora@marincounty.org)

# **EXHIBIT 5**





## COVID-19 Site-Specific Protection Plan Guidance & Template for Developing Your Own Plan (Appendix A)

### 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 (Revised Appendix A) applies to all businesses but gives a two week grace period to businesses already allowed to be operating under prior orders.** Please note that Essential and Outdoor Businesses, which were permitted to operate prior to May 18, 2020, and are currently following the Public Health Order's prior Appendix A "Social Distancing Protocol" may continue to conduct business consistent with that protocol until June 1, 2020. However, effective June 1, 2020, Essential and Outdoor Businesses shall comply with the updated Appendix A "COVID-19 Site-Specific Protection Plan Guidance & Template for Developing Your Own Plan."

### 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 [local Marin County public health policies](#).

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 if they have them
3. Implement individual control measures and screenings
4. Implement disinfecting protocols
5. Implement physical distancing guidelines

As the COVID-19 public health crisis continues to evolve and new Public Health Orders are issued both at the State and local levels, amendments to individual businesses' SPPs may be needed in order to incorporate new requirements. The Marin Recovers website will post and disseminate updated information and tools for you to use in developing any needed amendments.



# COVID-19 Site-Specific Protection Plan (SPP)

## Guidance for Developing Your Businesses'

### COVID-19 Site-Specific Protection Plan (SPP)

1. Perform a risk assessment of your business practices and use the Approved Business-Specific Protocols found at [MarinRecovers.org](https://www.marinrecovers.org)<sup>1</sup> as a guide for conducting your assessment.
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. Use the Approved Business-Specific Protocols published on the [Marin Recovers Website](https://www.marinrecovers.org) in developing your SPP. These protocols were developed for your specific business type (i.e., retail, restaurant, etc.) and have been (or will be once they are posted) approved for use by the County of Marin's Public Health Officer.
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.
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;
  - Wear face coverings, as appropriate; and
  - Do not shake hands or engage in any unnecessary physical contact.

Sign templates can be downloaded for use from the [Marin Recovers website](https://www.marinrecovers.org).

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## Tools for Developing Your Site-Specific Protection Plan

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

Marin Recovers is providing a template that can be used by any business in Marin 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. Business Specific Best Practices

Industry-specific Marin Recovers working groups comprised of Marin business owners have also helped to develop specific best practices for each type of business/industry which can be [found on the Marin Recovers website](https://www.marinrecovers.org). These best practices are based on State and industry guidelines and have been approved by the county's Public Health Officer. There is a section in the Template document that instructs you to cut/paste these best practices by business type (i.e., retail, restaurant, etc.) right into your SPP.

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<sup>1</sup> Each of the Industry specific Marin Recovers group is developing this specific guidance in real time. If they are not yet posted, please subscribe and you will be notified as soon as new content is posted.



# COVID-19 Site-Specific Protection Plan (SPP)

Business Name:

Homeward Bound of Marin

Facility Address:

New Beginnings Center

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

7/20/20

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

Name:

LaSaunda Tate

Title:

Director of Housing and Operations

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

Name:

LaSaunda Tate

Signature:

## 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 65 and others 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. Screening follows [CDC Guidelines](#).
- Employees are 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 should use face coverings.
- Employees who are sick or exhibiting symptoms of COVID-19 are directed to stay home and Centers for Disease Control guidelines will be followed for when that employee can return to work.

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

- Mask - both disposable and washable
- Hand Sanitizer
- Gloves
- Hand Soap
- CDC approved cleaning supplies
- Plexiglass for reception area
- Stanchion Post
- Hand Washing Station





# COVID-19 Site-Specific Protection Plan (SPP)

Additional control measures you are implementing at this worksite include:

1. Hand sanitizers on the entrances of the dorms.
2. Open windows for an hour every morning to air out the dorms from air particles spread overnight due to breathing and CPAP machine users.
3. Separated chairs and furniture in all common areas so residents are not tempted or forget to be 6ft apart. Including the smoking area.
4. Residents with service dogs wash their dog ' s paws when returning the facility.
5. Hand sanitizers is placed strategically in Cafeteria.
6. Discontinued use of large milk/beverage containers that many clients touch.
7. Dining Hall tables are staggered to automatically provide 6ft. distance.
8. Laundry machines are cleaned frequently -- at least every two hours
9. Computers in Housing Hub are 6ft apart as well as seating arrangement for the table
10. The temperatures are not only taken but logged. This is so we can spot temperature and symptom trends for clients and to ensure our thermometer is functional.
11. Encourage and remind residents to sanitize their phones when returning to the facility.

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## 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.



# COVID-19 Site-Specific Protection Plan (SPP)

## 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: Once a day. High use areas, cleaned at least once every two hours.	Scanners: N/A
Bathrooms: Once a day. High use areas, cleaned at least once every two hours.	Telephones: After every use for shared phones, or once every 3 hours by staff.
Handrails/door handles/counters/shelving: Once a day. High use areas, cleaned at least once every two hours.	Time clocks: After every use
Shopping carts/baskets: N/A	Handwashing facilities: Once a day. High use areas, cleaned at least once every two hours.
Hand/held devices (payment portals, including ATM PIN pads, stylus): N/A	Custom equipment and tools (i.e., pallet jacks, ladders, supply carts): Washer and Dryer: Once a day. High use areas, cleaned at least once every two hours and after every use.
Registers: N/A	Conveyor belts: N/A
Others:	



# COVID-19 Site-Specific Protection Plan (SPP)

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Description of specific operational procedures being implemented to ensure there is adequate time for cleaning/disinfecting:  
See the attached protocol.

---

Additional measures that have been taken at this business location:  
See the attached protocol.

---

## 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.
- Customers are not permitted to bring their own bags, mugs, or other reusable items from home.
- 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.
- All desks or individual workstations are separated by at least six feet or employees otherwise maintain six feet if workspace is limited.

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"

N/A

---

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

NBC is an 80 bed dormitory style facility. NBC provides: basic health care, around the clock counseling, relapse prevention workshops, a dining hall that serves three meals a day and other services as necessary to help residents move into and maintaining long term housing. Upon entering the building, there is a receptionist area behind pexiglass that allows for physical distancing. Also, each quad for sleeping has 3 of the 4 beds being utilized to accomplish physical distancing.

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# COVID-19 Site-Specific Protection Plan (SPP)

## Business/Industry (i.e., retail, restaurant) Best Practices

- Go to [Marin Recovers](#) website and find the list of specific best practices for your type of business and copy/paste them into the section .
- If you've implemented additional measures specific to your business type, include them here as well.

### Best Practices for:

#### Facility layout considerations

1. Use physical barriers to protect staff who will have interactions with clients with unknown infection status (e.g., check-in staff). For example, install a sneeze guard at the check-in desk or place an additional table between staff and clients to increase the distance between them to at least 6 feet.
  2. In meal service areas, create at least 6 feet of space between seats, and/or allow either for food to be delivered to clients or for clients to take food away.
  3. In general sleeping areas (for those who are not experiencing respiratory symptoms), try to make sure client ' s faces are at least 6 feet apart.
  4. Align mats/beds so clients sleep head-to-toe.
  5. For clients with mild respiratory symptoms consistent with COVID-19:
    - o Prioritize these clients for individual rooms.
    - o If individual rooms are not available, consider using a large, well-ventilated room.
    - o Keep mats/beds at least 6 feet apart.
    - o Use temporary barriers between mats/beds, such as curtains.
    - o Align mats/beds so clients sleep head-to-toe.
    - o If possible, designate a separate bathroom for these clients.
    - o If areas where these clients can stay are not available in the facility, facilitate transfer to a quarantine site.
  6. For clients with confirmed COVID-19, regardless of symptoms:
    - o Prioritize these clients for individual rooms.
    - o If more than one person has tested positive, these clients can stay in the same area.
    - o Designate a separate bathroom for these clients.
    - o Follow CDC recommendations for how to prevent further spread in your facility.
    - o If areas where these clients can stay are not available in the facility, assist with transfer to an isolation site.
-





# COVID-19 Site-Specific Protection Plan (SPP)

## Notification of COVID-19 Positive Case at your Worksite

- County of Marin Public Health is notified of all positive COVID-19 cases.
- If an employee is diagnosed with COVID-19, Marin 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 call Marin Public Health if a suspected exposure has occurred at 415-473-7191.

## 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 employee's symptoms become severe, including persistent pain or pressure in the chest, confusion, or bluish lips or face. Updates and further details are available on CDC's webpage.
- The vulnerability of older adults 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 do not protect the wearer and are not personal protective equipment (PPE).
  - 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:

Dr. Golden and her team from Marin Health and Human Services provided a walk through of our facility and provided suggestions on how to make the site more safe. Also, a member of her team attended a virtual "House Meeting" and showed staff and residents how to properly wash hands, wear mask, and protect themselves.

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## Compliance and Documentation

- This worksite is regularly inspected for compliance with this Site-Specific Protection Plan (SPP) and any deficiencies are documented and corrected.
- All new business operations will continue to be accessible to consumers and employees with disabilities, complying with the Americans with Disabilities Act, Title III which covers private business entities.



# COVID-19 Site-Specific Protection Plan (SPP)

## Exhibit A – Physical Distancing for Operating Indoors<sup>2</sup>

Effective date this business is permitted to operate indoors: Never closed - Essential Service

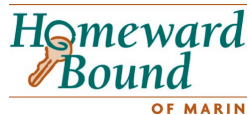
The number of individuals allowed indoors at any one time is limited to 70 residents and 10 Staff which allows customers and employees to easily maintain at least six-foot distance from one another at all practicable times.

- An employee will be assigned during all operating hours to ensure that the maximum number of customers indoors is not exceeded.

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<sup>2</sup> Not all businesses are permitted to operate indoors yet. The State and County Public Health Orders provide specific direction as to when and what type of businesses are permitted to operate indoors. Please incorporate Exhibit A into your Worksite Specific Plan when your business type is permitted to do so.

## **EXHIBIT 6**



Adult Shelter Programs

# Standard Operating Procedure

**Subject:** BED BUG PREVENTION POLICY AND PROCEDURES

**Effective:** 3/31/2019

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**Purpose:** This policy is in place to provide guidance to program participants and staff on how to prevent and treat bed bugs in shelter. Bed bugs are considered a public health issue and all participants and staff are required to abide by this policy. Failure to adhere to the policy may result in being exited from shelter.

**Policy:** Upon arrival, Individuals accessing a shelter bed are required to abide by the bed bug prevention policy.

## **Prevention:**

**The first and most important step of any bed bug prevention or treatment plan is to remain calm.** Communicate the bed bug policy and prevention to clients at the time of intake. People hate to be surprised, so educate and normalize expectations of living in a congregate setting. Let clients know that bed bugs are common in shelters, and that our shelter has a plan for dealing with bed bugs. Remind clients that they are required to report any bed bug sightings to staff immediately.

### **1. During the intake process, all clients are required to shower and launder all clothing**

(including clothes they are wearing at the time of the intake). Clients will be given sweatshirt and sweatpants to be worn after they shower and launder all personal clothing items.

**a. Clients who come to shelter with freshly laundered clothing** are still required to change into the provided sweatpants and sweatshirt and tumble dry all clothing in a loosely filled dryer set on high for 30 minutes.

**2. Shelter dorms are fully furnished, and linens are provided.** No personal furniture or linens will be permitted in shelter for use or storage purposes. Clients in need of equipment in connection to a disability may submit a Reasonable Accommodation form to request an exception to this policy.

## **Treatment:**

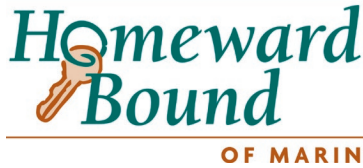
**1. Any time bed bugs are detected** (waking up with bites; seeing live bugs; or dark red or black spots on bedding, carpets, walls and furniture) **or suspected, staff or participants should**

**immediately contact a supervisor to request an inspection.** *The longer an infestation exists, the more persistent and difficult it will be to resolve.*

- 2. The dorm(s) / mattress will be examined and if bed bugs are confirmed, steps will be taken to immediately to treat the dorm or infested area(s).** Once bed bugs are detected staff should not touch items in a dorm or any infected area. Gloves and masks are always required when working with personal items and treatment products.
  
- 3.** All personal items will be removed for treatment. Any items must be bagged and removed from the premises; may need to be thrown away. The infestation will initially be treated with \*CedarCide spray. If signs of infestation persist, an exterminator will be brought in.
  
- 4.** Clients with bed bugs need to wash all their clothes and once dry, continue to run them in a hot dryer for 90 minutes. Clothing can be put in clean plastic bags and sealed shut until room/house has been treated. Shoes should be washed also and if they can't be washed, they must be sprayed.
  
- 5.** Members who are infected need to place clothing into a plastic bag that is tied tightly, prior to showering in warm, soapy water for at least 15 minutes and washing hair twice. Upon exiting the shower, members will put on clean, freshly laundered (or new) clothes *that have not been in the infected area and were sealed inside a tightly tied plastic bag until exiting the shower*, before leaving the house or returning to a treated part of the house.
  
- 6.** If space permits, members may need to be relocated to a cot temporarily until the dwelling is treated and bed bugs are gone.
  
- 7.** Staff should always be cautious of bed bugs, fleas, lice and other pests while walking through common areas and dorms. If you think you have encountered any pests while on the job or off, please talk to your supervisor immediately. If members are not cooperative, your supervisor may involve the leadership team or outside agencies.

***\*CedarCide is a pesticide originally developed for sand fleas in the Middle East. It has proven very effective in killing bed bugs and their eggs and is nontoxic to humans. When using, thoroughly spray all surfaces of a piece of furniture before moving it into a vehicle or household. Always follow the instructions on the product.***

# **EXHIBIT 7**



**Bed Bug Protocol**  
**(Your room will be treated with Cedar Oil Spray)**

Treatment 1 will be: \_\_\_\_\_

Treatment 2 will be: \_\_\_\_\_

**PLEASE CAREFULLY READ AND DO THE FOLLOWING:**

1. Put everything in your room that can be washed into a pile:
  - A. Clothes in drawers (including undergarments, socks, etc.)
  - B. Clothes in closets, all bedding (comforters, sheets, etc.)
  - C. Curtains, bedbug cover (if plastic, leave by the side of your bed and it will be sprayed)
  
2. Put everything that is in the pile, into a plastic bag to be washed.
  - a. Tie all bags shut.
  - b. Take only the bag that will be washed immediately to the washroom.
    - i. **Leave all the other bags in your room until the clothes are ready to go directly into the washer.**
    - ii. **IMPORTANT - Immediately take used plastic bag to the dumpster. Do not throw the bag away inside of the building.**
  - c. Take ready to be washed items to the washroom and place items directly into the washer, washing items on the warmest water temperature your clothes can tolerate.
  - d. Once clothes are washed, immediately place clean clothes into the dryer on the highest heat. This heat will kill the eggs that survived the washing.
  - e. **Once the clothes are dry, put them directly into a plastic bag and seal tightly.** These bags can be stored outside until treatment in your room is completed.
  - f. Repeat steps A-E with the next set of clothing to be washed.
  - g. Any books or items you wish not to be treated must be stored in secure plastic bins. You are responsible for purchasing and storing these items on a continual basis. No items can be stored in public areas.
  
3. Please Note: Cedar Oil Spray treatments can damage surfaces of computers and screens as well as other electronics. Please cover these items during the treatment to protect them.
  - h. All areas between furniture must be clear of debris.
  - i. No food items can be left opened in the room.
  - j. Homeward Bound of Marin is not responsible for damages to any items in the room due to any type of treatment that is used to address bedbugs.

Staff: \_\_\_\_\_ . I checked room # \_\_\_\_\_ and it has been completely cleared from all items to be washed and dried. All items are currently stored in bags.  
Date: \_\_\_\_\_ .

**CERTIFICATE OF SERVICE**

*Marin County Homeless Union v. City of Novato, et al.*

United States District Court, Northern District

Case No. 4:21-cv-05401-YGR

I, McCall L. Williams, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 790 East Colorado Boulevard, Suite 850, Pasadena, California 91101. My email address is: MWilliams@chwlaw.us. On July 23, 2021, I served the document(s) described as **DECLARATION OF MARY KAY SWEENEY IN SUPPORT OF CITY OF NOVATO’S MOTION TO MODIFY TEMPORARY RESTRAINING ORDER UNDER FRCP 65(B)(4)** on the interested parties in this action as follows:

**BY ELECTRONIC TRANSMISSION:** I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court, Northern District by using the CM/ECF system on July 23, 2021. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the USDC, Northern District CM/ECF system.

I declare that I am employed in the offices of a member of the State Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on July 23, 2021, at Pasadena, California.

/s/McCall Williams  
McCall L. Williams

Colantuono, Highsmith & Whalley, PC  
790 E. Colorado Blvd. Suite 850  
Pasadena, CA 91101

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