

Judge agrees to extend temporary restraining order preventing the State and Federal Government from moving infected Novel Coronavirus patients to Fairview Developmental Center

COSTA MESA, CA – A federal judge today ruled that a Temporary Restraining Order preventing the State and Federal Government from moving infected Novel Coronavirus patients to Fairview Developmental Center should be extended for a week, directing the parties to meeting and confer and giving the city an opportunity to present more information.

“We are grateful that the judge saw through the inconsistencies in the federal and state positions, and has extended the restraining order to see if the government can comply with its own protocols for quarantine and isolation of people with serious, communicable and possibly deadly disease., Mayor Katrina Foley said. “While we have nothing but compassion for those who are suffering from this virus, the health and welfare of our community is our top priority. Bringing those infected into this densely populated area is simply the wrong approach.”



The city requested and was granted a temporary restraining order last Friday by the Honorable U.S. District Judge Josephine Staton, after the city learned that federal and state authorities were considering moving between 30 to 50 infected individuals to Fairview.

City officials contend that transporting persons infected with or exposed to the Coronavirus to any place within Costa Mesa until an adequate site survey has been conducted would be irresponsible. In addition, the city contends the populations of Costa Mesa and surrounding communities puts these infected patients in a much too-densely populated area.

The city contends that any designated site that has been determined suitable for this purpose will need all necessary safeguards and precautions put in place, and the public and local government informed of all efforts to mitigate risk of transmission of the disease.

The City still has not received critical information needed to keep the public safe and to be an effective partner in responding to any emergency arising from the use of Fairview to isolate Coronavirus patients.

Information needed by the city includes:

- The identities of the lead agencies, their roles, and

the incident commanders for each agency; operational details of how FDC will be used: when it is expected to begin operations as an isolation location, how long it is expected to be used for this purpose, will the site be expanded, what is the maximum number of patients to be housed, will the number of buildings used on site will change over time, and whether state and federal agencies have considered or identified overflow sites.

- The city is also requesting how information will be shared among the different levels of government, how requests for resources and mutual aid will be made, how media and public inquiries will be handled, and how emergencies will be communicated.

- The city is requesting general safety information that first responders need to be aware of how far the Coronavirus can travel, how far it can be transmitted by airborne means, whether there will be physical barriers preventing access to Fairview, how tall and secure those barriers will be, how far they will be from the buildings and publicly accessible areas, and how the facility will be guarded.

- The city also wants to know the conditions of the facilities and plans to maintain and repair them given the aging and obsolete infrastructure. The City also must know how will the housing, feeding, and movement of Fairview support personnel happen, when will patients be moved on and off the facility, what the testing procedures for patients includes, and protocols for removal to local hospitals, if necessary.