

COVID-19 Update From EKA – April 1, 2020

EKA's media, Government, public relations and crisis support services teams are tracking the state, local and national government responses to the COVID-19 crisis. This update has been prepared for informational purposes only and is not offered, nor should be construed, as legal advice. Below are some of the significant government-related developments over the last 24 hours. All hyperlinks below are live and will bring you to the information mentioned.

COUNTY OF LOS ANGELES

Below is an overview of yesterday's Board of Supervisors Meeting

New Emergency Ops Ordinance

The Board voted unanimously today an [Ordinance](#) to put the county CEO in charge of coordinating emergency operations, a role that Sheriff Alex Villanueva had insisted should be his. The Board said the County had never officially put any sheriff in that role. It originally voted to update its plan for emergency preparedness in November after reviewing an ``after-action report'' on the devastating 2018 Woolsey Fire. The Sheriff, speaking remotely countered that the move amounted to creating an extra layer of bureaucracy at a time when the County can least afford it. The Sheriff criticized the idea of working by committee to address the crisis, ticking off his objections to what he characterized as ``groupthink.'' The County CEO Sachi Hamai pointed to the wealth of experience on the OEM team and made clear that dealing with emergencies isn't a one-person show. The CEO will now have ``responsibilities for coordinating disaster preparedness, response and recovery, including the maintenance, management, activation and operation of the County Emergency Operations Center.'' Under the revised ordinance -- originally drafted in the 1970s and last updated in 1993 -- the Sheriff will retain operational command and control over law enforcement activities. The emergency ordinance is effective immediately.

Temporary Moratorium Evictions

The Board approved the [Motion](#) that directed County Counsel, to take the following actions: Appropriately consider the impact of COVID-19 on property owners that may become delinquent on their 2019-20 Annual Secured Property Taxes second installment, as qualifying under "circumstances beyond a taxpayer's control," and consider cancellation of any penalty, costs or other charges resulting from that tax delinquency. The Board directed Departments to report back on updates on executive order regarding eviction moratorium and to exclude cities that already have one in place. Supervisor Kuehl asked for a report back regarding what authority L.A. County has over cities (i.e., concerning evictions) and Supervisor Ridley-Thomas requested that rent increases be prohibited to the extent permitted by state law and County code

Protecting Workers Of Los Angeles County

A new [Motion](#) by Supervisors Hahn and Solis was read-in during the meeting (introduced with no discussion) and passed on consent today that requires report back in seven days after consultation with labor representatives. The Motion only applies to unincorporated areas directs the Chief Executive Officer, in consultation with County Counsel, the Department of Workforce Development Aging and Community Services and the Department of Consumer and Business

Affairs, consult with labor representatives and report back in seven days on the feasibility of implementing the following health and safety protections for essential workers in unincorporated Los Angeles County, including:

1. The provision of paid sick leave policy requiring employers, located within the unincorporated areas of the County of Los Angeles and that fall under the jurisdiction of the County of Los Angeles, to provide its employees with 10 days or 80 hours of supplemental paid sick leave for COVID-19 related reasons for the term of the emergency, to ensure that workers who have symptoms can stay home to prevent the spread of COVID19 without an impact to their livelihood, consistent with recently enacted H.R. 6201 Federal Families First Coronavirus Response Act that addresses supplemental sick leave in response to the COVID-19 pandemic and other State and Federal codes and regulations.
2. The provision of "right of recall" for workers laid off due to the COVID19 pandemic to be first rehired and "worker retention" policies in case businesses file bankruptcies and/or are sold as a result of the COVID-19 crisis (e.g., hospitality industry consolidation).The provision of workplace health and safety measures for all those in essential services, including mandated paid time for and access to hand-washing and sanitizing, provision of protective gear, and appropriate training for those still at work, especially grocery workers, food service workers, delivery drivers, transit operators, and hospitality workers.
3. Directs the CEO, in collaboration with the Departments of Human Resources, Consumer and Business Affairs, Workforce Development Aging and Community Services and other relevant Departments to reach out and convene discussions with impacted Labor Unions and other impacted entities to partner on training and worker resources needs at County of Los Angeles related to COVID-19 response efforts, and report back at the next scheduled Board meeting.
4. The Department of Consumer and Business Affairs in collaboration and coordination with all other relevant Departments, regularly update newly established LA County Business and Worker Disaster Help Center @ <https://lacountyhelpcenter.org> in relation to above directives and additional future resources made available via County, State, and Federal actions.

High Road Training Partnerships

The Board approved a [motion](#) directing the Acting Director of Workforce Development, Aging and Community Services, in collaboration with the Chief Executive Officer and the Director of Public Social Services, to develop and report back to the Board in 120 days with a plan for using pre-apprenticeships and apprenticeships (Countywide Apprenticeship Plan) to help close the talent gap between the supply of skilled and trained workers and demand for this talent through the operation of the County's workforce systems. Supervisor Barger moved to add aerospace industry and Supervisor Solis noted the likely broader effort and directed the County look at other industries and re-hiring, including green jobs

Taking Urgent Public Health Action on COVID-19 to Protect Individuals and Staff in Custodial Facilities

The Board approved a [motion](#) by Supervisors Ridley-Thomas and Kuehl that ratifying the Executive Order of the Chair of the Board of Supervisors following Proclamation of Existence of

Local Health Emergency Regarding COVID-19 and instructing all Department/District Heads to implement all assessment, assistance and monitoring efforts as applicable. Supervisor Ridley-Thomas commented about jails and hygiene and urgency to prevent spread in jails and that the County health officer will complete a needs assessment as relates to jails, preventing COVID spread in facilities, etc.

Strengthening Consumer Protections During Declared States of Emergency

The Board approved a [motion](#) by Supervisor Ridley-Thomas that directs the Director of Consumer and Business Affairs, in collaboration with County Counsel, to review existing consumer protections regarding price gouging and any issues pertaining to the County's ability to enforce consumer protection law during declared states of emergency including, but not limited to, diseases such as coronavirus, and report back to the Board within 30 days with recommended improvements, including recommended changes to existing County ordinances. The item was approved as amended with additional Instruction to Dept of Consumer Affairs & County Counsel to review existing instructions to safeguard consumers and report back In 30 days AND will Delegate authority to Dept regarding investigations and protections

Protecting Retail Grocery, Drug Store and Food Delivery Platform Workers During COVID-19 Crisis

The Board voted to have the County's lawyers draft an emergency ordinance to protect retail grocery, drug store and food delivery workers during the coronavirus pandemic. Supervisors Mark Ridley-Thomas and Janice Hahn co-authored a [Motion](#) proposing requirements for keeping stores clean and workers safe. The Motion calls for an ordinance that would require employers to sanitize and stock bathrooms with necessary supplies, clean stores and shopping carts between uses, provide security to enforce social distancing and provide access to COVID-19 testing, among other standards. In addition to brick-and-mortar grocery stores that remain open, the anticipated ordinance would also cover shoppers and delivery people for companies like Instacart, DoorDash and Shipt. The Motion calls for those companies to be required to register with the County and report the number of working drivers. Companies could be prohibited from penalizing or retaliating against workers during the emergency, while workers would be allowed to initiate "non-contact" deliveries. The Board directed its lawyers to draft an emergency ordinance considering all of the above requirements and more. Any such ordinance would sunset after the coronavirus crisis has passed.

Restaurants selling grocery items

According to the [Los Angeles Times](#), restaurants that have turned empty dining rooms into ad hoc corner markets — selling pantry staples, dry goods and more to stay afloat amid a forced shutdown — can continue to do so for takeout or delivery, according to an email from the Los Angeles Public Health Department. "Public Health is allowing restaurants to offer grocery items as part of their menu for takeout, pickup and delivery," a department representative wrote in the email sent to The Times on Tuesday.

Health Officer

The Board of Supervisors authorized the County's health officer to take the lead in assessing conditions in county jails and issuing orders to protect staffers and inmates amid the COVID-19 pandemic. The Board's vote ratified an executive order signed last week directing the various

health departments to work with the L.A. County Sheriff's Department and Office of Inspector General to make the assessment and come up with recommendations to both limit new bookings and safely release inmates, when possible.

Other Motions Approved

1. [Advocating for In-Home Supportive Services Providers During COVID-19 Crisis](#)
2. [Public Health Guidelines for Restaurants](#)

The next Board meeting will be held remotely on April 14. Click [here](#) to view the CEO website & cluster agendas.

LAUSD

In recognition of the requests to limit public meetings and gatherings, the Los Angeles Unified School District Board of Education has canceled the following upcoming meetings:.

- April 2, Committee of the Whole – Canceled April 14, Regular Board Meeting Including Closed Session Items 10 a.m. - Canceled April 14, Regular Board Meeting 1 p.m. - Canceled April 16, Parent Engagement Committee – Canceled April 21, Curriculum and Instruction Committee – Canceled April 21, Continuous Data Improvement Committee – Canceled April 23, Early Education Committee – Canceled April 28, Regular Board Meeting Including Closed Session Items 10 a.m. - Canceled April 28, Regular Board Meeting - Charter Items 1 p.m. - Canceled April 29, Successful School Climate Committee - Canceled
- Board Meetings may be scheduled during this time as Special Meetings with the appropriate notice within the requirements of the Open Meeting Act. During this time, Board Members may participate by teleconference. Meeting rooms will be open to the public but subject to strict occupancy guidelines. Any meetings that take place will have public portions available for viewing on the internet and broadcast on television by KLCS-TV.

LONG BEACH

Work Long Beach

The City of Long Beach has launched a program that matches people who are unemployed or underemployed with potential employers. The online platform, hosted by Pacific Gateway and called "[Work Long Beach](#)," allows individuals to offer a full range of skills for the hours that they choose to work. This virtual labor market is built around control for work-seekers, and for businesses, it delivers a flexible, quality workforce aligned with ever-changing local needs. Due to impacts of the COVID-19 pandemic, the program is currently matching out-of-work childcare professionals with families and essential personnel, including low-income families and those in public safety and healthcare. With strict adherence to health guidelines, all workers will be screened for health safety in addition to standard background clearance. Qualified childcare workers may immediately begin the registration process by calling (562) 570-3702. Click [here](#) for more information.

SACRAMENTO

California Schools

Affirming a prediction that Gov. Gavin Newsom made exactly two weeks ago, California's State Superintendent of Public Instruction Tony Thurmond is recommending that the state's public schools plan to provide distance learning to students through the end of their school year. "Due to the current safety concerns and needs for ongoing social distancing, it appears that our students will not be able to return to school campuses before the end of the school year," Thurmond [wrote in a letter](#) sent to the state's 58 county superintendents of schools. He emphasized that while school campuses may be closed, schools are not.

Legislation

[Senate Bill 850](#), which was introduced in January, is now receiving a great deal of attention due to COVID-19. The legislation, also referred to as the Fair Scheduling Act of 2020, would require grocery stores, restaurants and retail stores to provide employees with 21-day work schedules, at least seven calendar days in advance. An [article by Kelly Scott](#) states Employers must pay a worker not exempt from overtime a "modification pay" for each previously scheduled shift that the employer cancels or moves to another date or time, each previously unscheduled shift that the employer requires an employee to work, and for each on-call shift for which an employee is required to be available but is not called into work.

Water Resources & Air Resources Control Boards

The [California State Water Resources Control Board](#) and the [California Air Resources Board](#) have provided direction for complying with regulatory requirements during the COVID-19 response. The State Water Board and the nine Regional Water Resource Control Boards (Water Boards) issued a [statement](#) reminding the regulatory community that compliance with Board orders and other regulatory requirements was of the utmost importance and considered to be an "essential" function during the COVID-19 response. Nevertheless, the Water Boards recognized that there might be instances in which timely compliance is not possible but limiting that to those activities that would be "inconsistent with current governmental directives or guidelines related to COVID-19." When those occur, companies are to notify the appropriate Water Board immediately and provide the following information:

- The specific Water Board order, regulation, permit, or other requirements that cannot be timely met,
- The inconsistent COVID-19 directive or guideline,
- An explanation of why the responsible entity cannot timely meet the Water Board order or requirement, and
- Any action that the entity will take in lieu of complying with the specific Water Board order or requirement.
- The Water Board says that staff will do their best to respond within 24-48 hours.

CARB's Response

CARB Chair Mary Nichols, and Executive Officer, Richard Corey, issued a [message](#) with CARB's response to the pandemic. With respect to regulatory deadlines, CARB's message is that these remain in effect and continue to apply. Nichols and Corey state that CARB is focusing on business continuity and while some delay may occur, the objective is to maintain, regulatory activities and enforcement, among other things. CARB has not established a process to consider enforcement discretion or to evaluate compliance issues during the COVID-19 response.

Although the situation may change as the pandemic response evolves, the message from California is that environmental compliance is a high priority and non-compliance will not

typically be excused. Because this is a very dynamic set of circumstances, it is important to regularly check for updates and contact the agencies if issues arise.

"Stay Home. Save Lives. Check-In." campaign

Governor Newsom announced the "Stay Home. Save Lives. Check-In." campaign urging Californians to help combat social isolation and food insecurity among Californians who are over the age of 65 – a community that is uniquely vulnerable to COVID-19. To learn more, click [here](#).

NATIONAL

Infrastructure bill

President Trump said Tuesday that a \$2 trillion infrastructure package should be part of Congress's next response to the COVID-19 pandemic, reviving a 2016 campaign pledge to ramp up construction projects despite public health guidance that Americans should stay home and isolated to the greatest extent possible. [Read the full story here](#)

CARES Act

The [CARES Act](#) provides many benefits and potential benefits to small businesses, as Congress works to keep people employed and small businesses operating. Below is a high-level overview of the CARES:

IRS & Stimulus Money

New information from the IRS shines more light on what people can do to get their checks from the Government as quickly as possible. For Americans [eligible for stimulus cash](#) under the new relief law, the fastest way to receive it is to make sure you have filed a tax return for 2019 or 2018 with bank information so the Government can deposit the money directly. The IRS says it will use people's 2019 returns to calculate eligibility and automatically send the money to those who qualify. If they haven't filed a 2019 return, it'll be based on the 2018 return. For more information, click [here](#).

Small Business Loan Programs

[Paycheck Protection Loans](#) - For businesses with fewer than 500 employees, including sole proprietors and nonprofits, the CARES Act provides almost \$350 billion in Small Business Act (SBA) loans from February 15, 2020 through June 30, 2020. These Paycheck Protection Loans (PPL) can be used to provide working capital to cover payroll and other operating expenses up to \$10M. In some circumstances, the first 8 weeks of expenses may be forgiven, tax free, and certain payments can be deferred. Click [here](#) for more information on the Paycheck Protection Program.

[Expanded SBA's Disaster Loan Program](#) - These loans are available between January 31, 2020-December 31, 2020. Businesses are also eligible for a one-time grant of up to \$10,000. More businesses will qualify under the new rules, as approval requirements have been relaxed and payments can be deferred. Click [here](#) for more information on the program.

[Federal Reserve Action](#) –The Federal Reserve moved to backstop all credit markets. A key component is the assistance in loan renewal and an exception from trouble debt classification for

certain loans. You need to utilize the Fed's measures in working with your banks to address your current financing and any new debt or renewals.

Payroll Tax Credit and Deferral

[Employee Retention Credits](#) - The CARES Act includes a one-year credit against an employer's 6.2% share of Social Security payroll taxes for any employer who is forced to suspend or close operations due to COVID-19, as long as the employer continues to pay employees during the shutdown. Businesses that remain(ed) open, but for which gross receipts during any quarter in 2020 were less than 50% of what they were for the same quarter in 2019, will be entitled to a credit each quarter.

[Payroll Tax Credits](#) – The Families First Coronavirus Response Act provides payroll tax credits for the required sick leave paid and the required family leave paid.

[Deferral of Employer Payroll Taxes](#) - The CARES Act allows the employer's share of the 6.2% Social Security tax that would otherwise be due from the date the Act passes to December 31, 2020, to be paid half (50%) on December 31, 2021, with the other half (50%) due on December 31, 2022. The same rule applies to a self-employed individual with respect to half (50%) of their self-employment tax.

[Qualified Improvement Property](#) - The CARES Act makes a technical correction to TCJA with respect to qualified improvement property, making it 15-year property instead of 39-year property, which also makes it available for 100% bonus depreciation. This change is retroactive to January 1, 2018, so if you have QIP property you may be able to amend prior years' returns and reap the benefits of the greater deduction earlier. Click [here](#) for more information on the IRS programs

CONNECTING EKA CLIENTS & RESOURCES

In these unprecedented times, many public agencies are facing tremendous pressure as citizen demand for information and requests for benefits and services rapidly increase. If you need help, we can connect you to the proven providers of best-practice solutions that can scale quickly to meet citizen/public service requirements. This includes:

- Customer service agents in a distributed, low-risk, work at home model, to take calls and email from citizens and provide authorized information, triage requirements for required actions, and otherwise support access to agency services.
- Using that same distributed network concept to proactively reach out to designated citizens to either inform, or gather needed information.
- Digital and AI-enabled tools, such as chatbots, to mobilize agency web sites and portals for quick response and decrease the workload on human contact centers.

If you are interested in this offer, please reach out to Marcus Allen at Marcus@ekapr.com, who will initiate the request with our client.