

COVID-19 Update From EKA – May 11, 2020

Stay At Home Order Day 54

Today is day 54 of the [statewide "Stay-at-Home" Order](#). 62 days ago, the World Health Organization declared COVID-19 a Pandemic. Safer at Home orders have been in place in Los Angeles since March 19 and are set to expire May 15.

If you have any COVID-19 government or communications questions, please reach out to any member of the EKA team. As always, feel free to share our COVID-19 updates. EKA's previous COVID-19 updates can be found [here](#).

LOS ANGELES COUNTY

County, State & City Requirements for Businesses Reopening for Curbside Pick-up

As detailed last week, certain types of businesses are now allowed to reopen for curbside pickup only, with adherence to distancing and infection control protocols. These "Early Stage 2 Businesses" must follow the guidelines issued by Los Angeles County and the State. If there are any conflicts between the various requirements, the more restrictive conditions are required to be followed. The requirements are as follows:

Los Angeles County Requirements

Early Stage 2 Businesses must be in compliance with the conditions laid out [the County's Checklist](#) for Retail Establishments Opening for Curbside Pickup, which is now available online on the Los Angeles County Department of Public Health (Public Health) webpage. The Checklist covers:

- Workplace policies and practices to protect employee health
- Measures to ensure physical distancing
- Measures to ensure infection control
- Communication with employees and the public
- Measures to ensure equitable access to critical services.

These five key areas must be addressed as businesses develop any reopening protocols. Early Stage 2 Businesses must implement all applicable measures listed in the Checklist and be prepared to explain why any measure that is not implemented is not applicable to the business. Public Health may update the Checklist as additional information and resources become available, so be sure to check the [Public Health webpage](#) regularly for any updates to this document.

The next three stages of the roadmap to recovery include the potential opening in phases to include higher-risk institutions and businesses such as movie theaters, schools, colleges and universities, followed later by conventions and spectator events, and finally to normal operations for all sectors. Each sector will have safe reopening protocols that must be adhered to. An interactive dashboard is available that provides an overview on COVID-19 testing, cases

and deaths along with maps and graphs showing testing, cases and death data by community poverty level, age, sex and race/ethnicity. To view Public Health's COVID-19 Surveillance Dashboard, click [here](#).

State of California Requirements

The State has posted [industry-specific guidance](#) on its webpage for Early Stage 2 Businesses to follow. The goal is a safe, clean environment for workers and customers. Businesses may use effective alternative or innovative methods to build upon the guidance. Each business should read the guidance that is relevant to its workplace, prepare a plan based on the guidance for its industry, and put it into action. When complete, the business can post the industry-specific Checklist in its workplace to show its customers and employees that it has reduced the risk and is open for business. Before reopening, all facilities must:

- Perform a detailed risk assessment and implement a site-specific protection plan
- 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
- Implement individual control measures and screenings
- Implement disinfecting protocols
- Implement physical distancing guidelines

More information is available on the [State's webpage](#).

Great Plates Delivered Initiative

The County announced participation in the State of California's 'Great Plates Delivered' Initiative. With a partnership between the LA County Department of Workforce Development, Aging and Community Services (WDACS) and the Office of Emergency Management, LA County will provide three home-delivered meals a day to qualifying older adults and adults over 60 who are high-risk as determined by the CDC. Click [here](#) for details and a full list of requirements.

Restaurants interested in participating in the 'Great Plates Delivered' program should fill out an interest form by clicking [here](#). Food providers are selected based on factors that include their ability to meet volume and nutritional standards, and prioritize local jobs, worker retention, worker health and safety. The County is finalizing additional criteria will be posted [here](#). For more information about the program, click [here](#).

Board of Supervisors

The [agenda](#) is out for tomorrow's Board of Supervisors meeting. There are several COVID-19 related items on the agenda.

Right of Recall

The Board is scheduled to considering the COVID-19 Right of Recall Ordinance and the COVID-19 County-Wide Worker Retention Ordinance introduced by Supervisors Janice Hahn and Solis. The ordinance application has been narrowed to janitorial, maintenance, security service, hospitality and commercial properties, however the current language applies to all of Los Angeles County.

Right of Recall Ordinance

- Employers that employ 25 or more in maintenance, security or janitorial services.
- Employer is defined as Commercial Property Employer and Hotel Employer.
- A hotel is defined as 50 keys and \$5 million in gross receipts.
- Employer must hire laid off employees by seniority.
- Offer of employment must be held for 5 days.
- There is an exemption for collective bargaining agreements if there is already waiver language.
- Establishes rebuttable presumption if the employee is laid off due to COVID-19.
- This measure is permanent and does NOT have a sunset date.

Citywide Worker Retention Ordinance: Employer must maintain hiring preferential list and hire from that list for 6 months after opening.

- Documentation for employment offers must be kept for 3 years.
- Employer must hire laid off employees based on seniority in that occupational classification after a change of ownership.
- Offer of employment must be held for 10 days.
- There is an exemption for collective bargaining agreements if there is already waiver language.
- This measure is permanent and does NOT have a sunset date.

As currently interpreted, the Ordinance will only apply to unincorporated areas of the County. To view the Motion, click [here](#).

Tenant Protections During the COVID-19 Crisis: The Board will hear a Motion by Supervisors Hahn and Ridley-Thomas to approve and authorize the Chair to execute an Amended and Restated Executive Order that incorporates the following provisions:

- Authorize the Director of Consumer and Business Affairs to issue guidelines to aid in the implementation of the Rent Stabilization Moratorium (Moratorium) including, but not limited to, guidance regarding the ways in which tenants can certify they are entitled to protection under the Moratorium, appropriate supporting documentation for tenants not entitled to self-certify under the Moratorium, notice requirements and procedures for utilizing dispute resolution services offered by the Department of Consumer and Business Affairs, among other clarifications;
- Commencing June 1, 2020, exclude from the Moratorium commercial tenants that are multi-national, publicly-traded or have more than 100 employees; and Require commercial tenants that have ten or more, but less than 100 employees or that lease space of 250,000 sq. ft or more, to have not more than six months following the end of the Moratorium period to pay the Landlords, in equal installments unless the Tenant and Landlord agree to an alternate payment arrangement, any rental amounts due and owing. (20-2549)

To read the Motion by Supervisors Hahn and Ridley-Thomas, click [here](#).

Responsible Banking: The Board will hear a recommendation by Supervisors Hahn and Kuehl to direct the Chief Executive Officer, in consultation with the Treasurer and Tax Collector, the Director of Consumer and Business Affairs and County Counsel, to report back to the Board in writing within 14 days on:

- The measures financial institutions are taking to provide maximum protection during the COVID-19 emergency, including, but not limited to:
- Requiring financial institutions already providing or seeking County banking business to disclose, within 30 days, the institution's contributions to meeting the County's goal of offering mortgage relief conditioned on rent suspension for rental properties in the County during the COVID-19 emergency and the subsequent recovery period;
- Requiring financial institutions already providing or seeking County banking business to disclose, every 30 days during the COVID-19 emergency, available foreclosure data for mortgage holding rental properties in the County; and
- Requiring an evaluation and publicly accessible scorecard of the performance of financial institutions already providing County banking services, specifically related to meeting the County's goals of both mortgage relief and rent relief to help landlords maintain rental properties and to help renters stay in their homes during the COVID-19 emergency and the subsequent recovery period; and

Other possible actions within the County's authority to require or incentivize rent suspension, including mortgage relief conditioned on rent suspension for rental properties during the COVID-19 emergency and the subsequent recovery period. (20-2528) To view the Motion, click [here](#).

Emergency Rental and Mortgage Relief: The Board is scheduled to hear a Motion regarding tenant protections. The recommendation by Supervisors Kuehl and Solis instruct County Counsel, in consultation with the Director of Consumer and Business Affairs, to report back to the Board in 10 business days on whether unpaid rent, due to the COVID-19 emergency, can be classified as consumer debt. It authorized the Chair to execute an Amended and Restated Executive Order that incorporates the following provisions:

- Extend the Moratorium Period through August 31, 2020, unless further extended or repealed by the Board, where, for cities that have applicable rent stabilization ordinances in place.
- This prohibition would apply to units subject to the respective city's local rent stabilization ordinance, and in cities where there are no applicable rent stabilization ordinances in place.
- This prohibition would apply to units that are subject to the County's rent stabilization ordinances
- Extend the County's Moratorium to evictions of commercial tenants who are affected by COVID-19 and located in incorporated cities within the County whose local eviction moratoria does not address commercial evictions; Clarify that the repayment period(s), as specified in the Moratorium, for unpaid rent due to a COVID-19 qualifying reason

begins after August 31, 2020, unless the Moratorium is further extended or repealed by the Board; and Authorize the Director of Consumer and Business Affairs to implement policies and procedures to aid in the implementation of the Moratorium. (20-2248)

Attachments: Motion by Supervisors Kuehl and Solis click [here](#).

Public Health

Public Health issued a five-stage [roadmap to recovery](#) that describes a phased approach to slowly relaxing select directives of the Safer at Home Order and a reopening process for certain business sectors. Phase two begins today and allows florists and some retailers to offer curbside pickup only. Car dealership showrooms can reopen with appropriate physical distancing and infection control measures. Trails and golf courses can also open, but pro shops will remain closed and everyone using them must adhere to physical distancing and use cloth face coverings. Later next week, additional restrictions may be lifted to include other retailers, manufacturers, and recreational facilities.

The next three stages of the roadmap to recovery include the potential opening in phases to include higher-risk institutions and businesses such as movie theaters, schools, colleges and universities, followed later by conventions and spectator events, and finally to normal operations for all sectors. Each sector will have safe reopening protocols that must be adhered to. Until the final stage five is reached, Health Officer Orders and directives will continue to ensure that we slow the spread of COVID-19 to prevent an overwhelming surge of COVID-19 cases at healthcare facilities. People who have underlying health conditions will still be at much greater risk for serious illness from COVID-19, so it will continue to be very important for the County's vulnerable residents to stay at home as much as possible, to have groceries and medicine delivered, and to know to call their providers immediately if they have even mild symptoms. An interactive dashboard is available that provides an overview on COVID-19 testing, cases and deaths along with maps and graphs showing testing, cases and death data by community poverty level, age, sex and race/ethnicity. To view Public Health's COVID-19 Surveillance Dashboard, click [here](#).

CITY OF LOS ANGELES

LA City Budget Update

The Budget and Finance Committee will be meeting today, and EKA will monitor the meeting. To review the CAO and CLA Joint Report on City's Financial Position in the Face of the COVID-19 Pandemic, click [here](#). To view the CLA's letter, which summarizes each department's budget, click [here](#). To view the Budget and Finance Committee Meeting Agenda, click [here](#).

LONG BEACH

City Council

Worker Recall, Worker Retention and Paid Supplemental Sick Leave Ordinances are on the City Council meeting agenda tomorrow. To view a link to the agenda, click [here](#).

- **Worker Recall:** The Ordinance would amend the Long Beach Municipal Code by adding Chapter 5.55, relating to COVID-19 worker recall; declaring the urgency thereof to make the Ordinance effective immediately as an emergency measure, and read the first time and laid over to the next regular meeting of the City Council for final reading for regular Ordinance.
- **Worker Retention:** The Ordinance would amend the Long Beach Municipal Code by adding Chapter 5.53, relating to COVID-19 worker retention; declaring the urgency thereof to make the Ordinance effective immediately as an emergency measure; and read the first time and laid over to the next regular meeting of the City Council for final reading for regular Ordinance.
- **Paid Supplemental Sick:** The Ordinance would amend the Long Beach Municipal Code by adding Chapter 8.110, relating to COVID-19 paid supplemental sick leave; declaring the urgency thereof to make the Ordinance effective immediately as an emergency measure; and read the first time and laid over to the next regular meeting of the City Council for final reading for regular Ordinance.

VENTURA COUNTY

Stay-At-Home Order Extended

Ventura County Public Health extended the stay-well-at-home Order through the end of the month, according to a new public health order. The extension replaces the previous public health order set to expire May 15. Reopened retailers may offer curbside delivery only and must complete a risk assessment with the County before reopening. The stay-home Order stipulates all residents ages 75 and older, as well as residents between the ages of 70 and 74 with underlying health issues, to shelter in place at their residence and adhere to social distancing requirements. Residents younger than 70 are asked to stay home unless performing essential activities. To view the full list of guidelines for businesses to reopen, click [here](#).

SACRAMENTO

Extending Deadlines

The Governor issued an Executive Order that extends some critical deadlines that have been impacted by the COVID-19 pandemic. The Executive Order extends deadlines for certification requirements for various professions. Among other things, the Order also makes it clear that notaries public can use an expired Department of Motor Vehicle driver's license or identification card to confirm identification, consistent with prior action that extended expiration dates for driver's licenses and identification cards. The Order allows retired peace officers to temporarily be reemployed for up to a year if they left the agency in good standing. It also authorizes remote reporting under the Sex Offender Registration Act consistent with state public health guidance. The Order extends by 60 days certain procedural deadlines of the

Department of Industrial Relations, including the deadline for workers to file wage claims with the Labor Commissioner; the deadline for employers to appeal Cal/OSHA citations; and the deadline for Workers' Compensation Administrative Law Judges to issue decisions. The text of the Governor's Executive Order can be found [here](#), and a copy can be found [here](#).

California Clinics & Counties Get \$97 Million

The US Department of Health and Human Services has awarded \$97.3 million to [179 California health centers](#) to expand coronavirus testing in low-income communities. The grants are part of \$583 million the federal government is distributing to 1,385 health centers that receive funding from the Health Resources and Services Administration, a unit of HHS that seeks to improve health care access for uninsured and vulnerable Americans. The money comes from the federal Paycheck Protection Program and Health Care Enhancement Act, which provides funding for small businesses hurt by the pandemic and economic support for health care providers and testing efforts. The money can be used for a wide range of testing-related expenses and activities — including buying tests, paying for laboratory services, training personnel, purchasing vans for mobile testing, reaching out to patients, and acquiring technology for medical providers to track and report testing data.

NATIONAL

PPP Loans Could Become A Financial Burden

A new report from the Inspector General for the Small Business Administration finds that forgivable loans from the government intended to help small businesses weather the current economic fallout, could ultimately leave many weighed down by debt. The report finds the rules are not in line with the way the program was laid out in the law, and that they could be harming businesses desperately in need of the money for operational expenses in addition to payroll. The IG determined that "tens of thousands of borrowers" who participated in the first round of funding have used more than 25 percent of the money they were allocated to cover costs such as rent and utilities, meaning they are likely to be stuck with new debt. The report concluded that rules created by SBA, which dictate how forgivable loans offered by the Paycheck Protection Program can be spent, run counter to how Congress intended the program to be administered — and could be limiting the loans' utility. To view the SBA Inspector General report, click [here](#).

The IRS Wants Some People to Mail Back Their Stimulus Checks

The IRS has made some mistakes with the stimulus check program, and now Uncle Sam is asking for his money back. Recently, the IRS tried to clarify one of the more puzzling matters: What should you do if a stimulus check was issued to a dead person? It's unclear how many widows and other family members of the recently deceased are in this situation right now. But on May 6, the [IRS added new language](#) to its FAQ page for Economic Impact Payments (a.k.a. stimulus checks), stating that people who have died are not eligible for payments.

In fact, the IRS says any checks issued to dead people should be sent back or repaid. Here's exactly what the agency said in their [FAQ section](#). "A Payment made to someone who died

before receipt of the Payment should be returned to the IRS by following the instructions in the Q&A about repayments. Return the entire Payment unless the Payment was made to joint filers and one spouse had not died before receipt of the Payment, in which case, you only need to return the portion of the Payment made on account of the decedent. This amount will be \$1,200 unless adjusted gross income exceeded \$150,000."

WHAT WE'RE READING

A Politically Connected Firm Gets An \$800-Million Mask Contract With California. Then It Falls Apart

A nearly \$800-million deal California struck with a politically connected vendor of medical masks has collapsed after state officials said the company failed to deliver most of the supply, renewing questions over how the State is vetting vendors during the coronavirus crisis. The scale of the contract with Bear Mountain Development Co. LLC came to light Friday when state officials, pressed by The Times, confirmed details of the deal, which is one of the largest made by California in its scramble for protective equipment. To read the full story, click [here](#).

Is California's Stay-At-Home Order Violating Your Civil Rights? Tom McClintock Wants To Help
Arrested for peacefully protesting at the State Capitol? Or for leaving your house in defiance of Gov. Gavin Newsom's stay at home order? Rep. Tom McClintock sees authorities potentially violating your constitutional rights, and wants to help. He is offering to assist anyone who needs help in challenging actions of state and local officials, alleging they may have violated constituents' constitutional rights or civil liberties. To read the full story, click [here](#).

Freight Industry Takes Hits During The Pandemic, But The Trains Keeping Chugging Along

The sounds of traffic and airplanes have quieted across much of Los Angeles County and California as health orders keep people indoors. But if you listen closely, you'll still hear the whistle of trains as they cart and transport food, consumer products, chemicals and livestock to and from manufacturers, stores and ports across the country. At the Burlington Northern Santa Fe Railway, or BNSF, transit hub in La Mirada, Russ Abbott, a locomotive engineer, said that when the pandemic first hit, his only clue that life outside the railroad had changed was his quicker commute between home and work. To read the full story, click [here](#).

[Newsom Warns Defiant Counties They Could Lose Coronavirus Cash For Reopening Early](#)

Gov. Gavin Newsom's administration sent a clear warning this week to rural counties defying his State's stay-at-home Order to fight the spread of the novel coronavirus: Keep it up, and you'll lose disaster funding. Mark Ghilarducci, director of the California Governor's Office of Emergency Services, sent nearly identical letters dated May 7 to Yuba, Sutter and Modoc counties, where local officials lifted restrictions and allowed gyms, restaurants, shopping malls, hair salons and other businesses to open their doors again, ahead of the State's plans. To read the full story, click [here](#).

Governor Newsom's Latest Announcement Hints LA Dining Rooms Won't Be Reopening Anytime Soon

[Earlier this week](#), California Gov. Gavin Newsom outlined a four-stage plan to gradually reopen California from his stay-at-home Order. Starting Friday, clothing retailers, bookstores, music stores, florists, sporting goods retailers, and others will reopen for curbside pickup. Today, he partially detailed the next phase of guidelines, though restaurant-specific details were notably absent from the announcement. Those guidelines will be laid out on Tuesday, according to Newsom, who also hinted that some restaurant dining rooms in California could potentially reopen as soon as next week. To read the full story, click [here](#).

More Tenants Paid Rent on Time in May, But Activists Press On With Strikes

More households paid their rent in the first week of May than were expected, a sign that expanded unemployment benefits and stimulus payments are helping some people make their bills. To read the full story, click [here](#).

To Survive Coronavirus, San Francisco Restaurants Could Take Over Parking Spots, Outdoor Plazas

The future of San Francisco restaurants could see dining rooms spill out onto parking spaces, alleyways and public plazas — that's the hope of the Golden Gate Restaurant Association, and the idea is already gaining traction with city leaders. "There's a range of things that the city should be exploring doing for restaurants as we reopen. Trying to activate public space to allow for social distancing makes a ton of sense," said supervisor Rafael Mandelman. To read the full story, click [here](#).

All The Power, No Accountability. That's Trump's COVID Success

Jared Kushner, President Donald Trump's trusted senior adviser and son-in-law, pronounced the federal coronavirus response a "[great success](#)" last week. Mission accomplished, he seemed to be saying. And there's a good reason for Trump and Kushner to see things that way. To read the full story, click [here](#).

UCSF Medical Workers Question Federal Distribution Of COVID-19 Medicine

The distribution of a promising drug by the federal government to hospitals with COVID-19 patients has raised hackles among medical professionals after UCSF and many other medical centers with critical patients weren't given a single dose. The experimental drug, remdesivir, reduced coronavirus symptoms in clinical trials and was approved last week by the US Food and Drug Administration under what is called an emergency use authorization, but only two of the 25 medical centers that got the drug were in California. To read the full story, click [here](#).

The Risks - Know Them - Avoid Them

It seems many people are breathing some relief, and I'm not sure why. An epidemic curve has a relatively predictable upslope and once the peak is reached, the back slope is also predictable. Assuming we have just crested in deaths at 70k, that would mean that if we stay locked down, we lose another 70,000 people over the next 6 weeks as we come off that peak. That's what's going to happen with a lockdown. As states reopen, and we give the virus more fuel, all bets are off. I understand the reasons for reopening the economy, but I've said before, if you don't solve the biology, the economy won't recover. To read the full story, click [here](#).

IRS: Prisoners Getting Coronavirus Relief Checks Should Return Them

The [Treasury Department](#) is asking the relatives of deceased and incarcerated family members who mistakenly received [economic](#) stimulus payments intended to help Americans weather the coronavirus pandemic to return the funds to the federal government. To read the full story, click [here](#).

Fed's Kashkari Says Monthly Jobs Report Likely To Understate COVID Job Losses

The US Labor Department's monthly employment report to be released on Friday is likely to understate the number of jobs lost during the coronavirus pandemic because many people are not actively looking for new work, Minneapolis Federal Reserve Bank President Neel Kashkari said Thursday. Kashkari, asked what the jobs report might show during an interview on NBC's Today Show, said the reported unemployment rate could be as high as 17%, but the true unemployment rate may be as high as 23%. "That bad report tomorrow is actually going to understate how bad the damage has been," he said. To read the full story, click [here](#).

FDA Clears First Home Saliva Test for Coronavirus

The Food and Drug Administration said on Friday that it [had granted emergency authorization for the first at-home saliva collection kit](#) to test for the coronavirus. The test kit was developed by a Rutgers University laboratory, called RUCDR Infinite Biologics, in partnership with Spectrum Solutions and Accurate Diagnostic Labs. To read the full story, click [here](#).

Tests Show UVC Lamps Could Light The Way In Virus Fight

Could a new type of ultraviolet lamp be used in stations, airplanes and schools to kill dangerous viruses, becoming a gamechanger in the COVID-19 fight? Researchers at Columbia University have been working on such uses for years, and the current pandemic could confirm the value of their efforts. To read the full story, click [here](#).

CDC Scientists Overruled In White House Push To Restart Airport Fever Screenings For COVID-19

The White House is pushing a return to relying on temperature screening of air travelers to detect coronavirus despite vehement objections from the nation's top public health agency, internal documents obtained by USA Today show. The discord underscores the diminished standing of the Centers for Disease Control and Prevention as local governments, businesses and community leaders seek direction on how to reopen safely. Emails show CDC scientists, who have owned up to initial missteps in the federal response, trying to persuade the administration to reconsider. To read the full story, click [here](#).

White House Considers More Coronavirus Aid As Jobs Picture Worsens

The White House has begun informal talks with Republicans and Democrats in Congress about what to include in another round of coronavirus relief legislation, officials said on Sunday, while predicting further U.S. jobs losses in the coming months. To read the full story, click [here](#).

Note: This update has been prepared for informational purposes and is compiled from publicly available sources and is not intended to be legal or tax advice. All hyperlinks are live and will bring you to the information mentioned.