

COVID-19 Update From EKA – May 5, 2020

Stay At Home Order Day 48

Today is day 48 of the [statewide "Stay-at-Home" Order](#). Fifty-six 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](#).

State To Allow Additional Businesses To Reopen

Governor Newsom said yesterday that California's stay-at-home order would be eased later this week, allowing some "lower-risk" retail stores to reopen with restricted operations. The Governor said the State will release public health guidance for certain Stage 2 sectors, including some retail, manufacturing, and logistics businesses, which will mandate modifications that lower the risk of transmission. (Stage 2 businesses are described on [slides 7 and 8](#) of the Governor's roadmap) Businesses and employers in those sectors will be able to reopen as soon as Friday – if they can meet the guidelines provided by the State. Not all Stage 2 businesses will be able to open Friday with modifications. Some examples of businesses that can open with modifications include bookstores, clothing stores, florists and sporting goods stores. Some Stage 2 sectors, such as offices and dine-in restaurants, will be part of a later Stage 2 opening. The announcement for Friday does not include offices, seated dining at restaurants, shopping malls or schools. As the Governor noted last week, the State is working with school districts and the California education community to determine how best and safely to reopen. The Governor said the May 8 announcement does not move up the timeline. While the State will be moving from Stage 1 to Stage 2, counties can choose to continue more restrictive measures in place based on their local conditions. The text of the Governor's executive order can be found [here](#) and a copy can be found [here](#). The Governor [released a Report Card](#) showing how the State has made progress in fighting COVID-19 in a number of categories such as stabilized hospitalization and ICU numbers and acquiring PPE.

Reopening Regional Variation

The Governor said that while the State is moving into Stage 2 together, counties can move more quickly through Stage 2, if they attest that they meet the State's readiness criteria. Counties must create and submit a readiness plan which the State will make publicly available. The Governor signed an executive order directing the State Public Health Officer to establish criteria to determine whether and how, in light of local conditions, local health officers may implement public health measures less restrictive than the statewide public health directives. Counties must meet criteria including demonstrating they have a low prevalence of COVID-19, that they meet testing and contact tracing criteria, that their health care system is prepared in case they see a sudden rise in cases, and that they have plans in place to protect vulnerable populations. The State will outline these criteria in the coming days.

Los Angeles Reopening

Barbara Ferrer, director of the county Department of Public Health said County officials this week will discuss plans for reopening of businesses that have been closed. Dr. Ferrer did not say if L.A. County will fully go along with the State's loosening of restrictions. She said the county will allow businesses to reopen as quickly as possible wherever it can be safely done so. The Mayor said City and County officials are discussing plans to relax some Safer at Home orders to allow certain businesses to reopen. The Mayor said it would be some time before all businesses can resume and he did not provide a definite timeline on reopening. He did say he expected it to take longer than just a couple weeks. During his daily update, he said there wouldn't be a giant reopening. The Mayor said if the City and County reopen businesses too soon or incorrectly, it could undo all the social distancing and isolating everyone has been observing for at the last eight weeks and he warned that businesses could be closed again after reopening if the coronavirus spreads and cases continue to increase. He said he hopes he can announce this week what businesses could reopen, when and in what ways, but said he would only make that announcement if health professionals are comfortable with him doing so and if the county and neighboring cities agree.

LOS ANGELES COUNTY

L.A. County Worker Retention and Right of Recall Draft Ordinance

Los Angeles County has issued a revised draft of the "Worker Retention" and "Right of Recall" ordinance. The document incorporates feedback received from business and labor organizations on the prior drafts. Click [here](#) to view the draft ordinance that replaces all previous draft ordinances. If you would like to provide comments, click [here to email](#) them no later than Friday, May 8 at noon.

L.A. County Disaster Help Center

The County of Los Angeles launched a new Disaster Help Center to support a wider range of business owners and workers adversely affected by the COVID-19 health emergency. The Disaster Help Center's new, centralized call center and website include resources for nonprofit organizations, tenants, and landlords. The Center has also expanded its hours of operation. To access the Disaster Help Center online, click [here](#).

LAUSD Will Begin School Year August 18

Los Angeles Unified School District Superintendent Austin Beutner said that the district's 2020-2021 academic year will begin August 18, but it remains unclear how classes will be held amid the COVID-19 pandemic. The Superintendent said the remainder of this school year's classes would remain online. There are also discussions among LAUSD officials about holding virtual graduation ceremonies for high school seniors. Summer classes that will be taught online will begin in mid-June. Parents have also been offered training to help their children with online instruction.

Headspace App

Headspace and the L.A. County Department of Mental Health have partnered to provide support and resources during this challenging time. Anyone can sign up to access meditations, as well as sleep and movement exercises, designed to help care for the mind — all free through 2020. You'll need to be physically in Los Angeles County when you sign up. If you're not in Los Angeles County, you can use create a free account and use the Headspace Weathering the storm content. To sign up, click [here](#). The Los Angeles County Department of Mental Health can provide additional support at any time. To visit the Department of Mental Health website for more information and resources, click [here](#).

ORANGE COUNTY

Beaches

Governor Newsom said that San Clemente and Laguna Beach can reopen their beaches. Both cities' said the shorelines will be open for active use only, not for sunbathing or other passive uses. Laguna Beach will open its beaches for such use 6 a.m. to 10 a.m. on weekdays. The Orange County Board of Supervisors, which oversees most of Dana Point's beaches along with the State, will discuss an active-use plan today, but it is unclear if the Board will approve or reject the plan. In a related development, Newport Beach City Councilman Kevin Muldoon, on his own, filed a federal lawsuit challenging the Governor's beach closure order.

SACRAMENTO

Eviction Moratorium & 25% Reduction in Rent for 12-Months

[Assembly Bill 828](#), proposed in response to the COVID-19 pandemic, would force every rental property owner in California to reduce rents by 25% for 12-months. This bill will, if passed, force California's landlords to subsidize the rents of their tenants. The proposed bill severely restricts evictions for non-payment, illegal sub-let or assignment or to enforce written notice by tenant to terminate a tenancy, while the COVID-19 State of emergency declaration is in effect by prohibiting a state court, county sheriff, or any party to an unlawful detainer (eviction) case from commencing or proceeding with an unlawful detainer action. Assembly Bill 828 goes way beyond the current temporary State or various local eviction moratoriums. If passed, Assembly Bill 828 would:

- Allow courts to set rents and interfere with rental agreements already in place.
- Assume every tenant is facing a COVID-19 hardship and must be compensated for it with a 25% discount.
- Protect nuisance tenants (e.g., crime, destruction of property, etc.) by not requiring tenants to answer unlawful detainer complaints.
- Mandate that rental property owners demonstrate economic hardship to collect contracted rent.

If you want to contact your state representative regarding AB 828, you can find them by clicking [here](#).

California's "Stay Home. Save Lives. Check-In." Campaign

The Governor has called on everyone to check in with the older and at-risk adults in our lives today! Individuals like you, as well as volunteer organizations, health plans, government programs, and more, are generating tens of thousands of calls to check-in. To make these check-ins easier, the "Stay Home. Save Lives Check-In" campaign offers a checklist and additional resources to ensure that all the needs of your neighbors' and loved ones' lives are being met. Click [here](#) to see the checklist. One organization mobilizing check-in efforts is [Mon Ami](#). Mon Ami offers friendly phone or video calls, grocery runs, tech help over the phone, and virtual concerts and chair yoga classes. To find out how to get support, or give support, click [here](#) to reach the Mon Ami's website

Alcoholic Beverages

There are currently in place various emergency declarations, orders, and guidance issued by state and local public health authorities. These include measures that have resulted in the closure of some Department of Alcoholic Beverage Control (ABC) licensed businesses as well as significant restrictions on the operations of others. These restrictions have most impacted the consumption of alcoholic beverages in restaurants, bars, wineries, breweries, and other licensed premises with on-sale privileges. The ABC issued a notice regarding the reopening of licensed premises in violation of stay at home orders. To read the ABC notice, click [here](#).

Local COVID-19 Ordinances and Regulations

To locate county-specific information on Social Distance Protocols for businesses and commercial eviction protections, click [here](#). With the speed at which Counties and City governments are issuing directives, EKA recommends consulting your County Public Health COVID-19 webpage for the most current local information. EKA has compiled the links to the County COVID-19 websites.

[Alameda COVID-19 Website](#)

[Alpine COVID-19 Website](#)

[Amador COVID-19 Website](#)

[Butte COVID-19 Website](#)

[Calaveras COVID-19 Website](#)

[Colusa COVID-19 Website](#)

[Contra Costa COVID-19 Website](#)

[El Dorado COVID-19 Website](#)

[Fresno COVID-19 Website](#)

[Glenn COVID-19 Website](#)

[Humboldt COVID-19 Website](#)

[Imperial COVID-19 Website](#)

[Inyo COVID-19 Website](#)

[Kern COVID-19 Website](#)

[Kings COVID-19 Website](#)

[Lake COVID-19 Website](#)

[Lassen COVID-19 Website](#)

[Los Angeles COVID-19 Website](#)

[Madera COVID-19 Website](#)

[Marin COVID-19 Website](#)

[Mariposa COVID-19 Website](#)

[Mendocino COVID-19 Website](#)

[Merced COVID-19 Website](#)

[Modoc COVID-19 Website](#)

[Mono COVID-19 Website](#)

[Monterey COVID-19 Website](#)

[Napa COVID-19 Website](#)

[Nevada COVID-19 Website](#)

[Placer COVID-19 Website](#)

[Plumas COVID-19 Website](#)

[Riverside COVID-19 Website](#)

[Sacramento COVID-19 Website](#)

[San Benito COVID-19 Website](#)

[San Bernardino COVID-19 Website](#)

[San Diego COVID-19 Website](#)
[San Francisco City/County COVID-19 Website](#)
[San Joaquin COVID-19 Website](#)
[San Luis Obispo COVID-19 Website](#)
[San Mateo COVID-19 Website](#)
[Santa Barbara COVID-19 Website](#)

[Santa Clara COVID-19 Website](#)
[Santa Cruz COVID-19 Website](#)
[Shasta COVID-19 Website](#)
[Sierra COVID-19 Website](#)
[Siskiyou COVID-19 Website](#)
[Solano COVID-19 Website](#)
[Sonoma COVID-19 Website](#)

[Stanislaus COVID-19 Website](#)
[Sutter COVID-19 Website](#)
[Tehama COVID-19 Website](#)
[Trinity COVID-19 Website](#)
[Tulare COVID-19 Website](#)
[Tuolumne COVID-19 Website](#)
[Ventura COVID-19 Website](#)
[Yolo COVID-19 Website](#)

CITY OF LOS ANGELES

The EKA team is tracking numerous Los Angeles City Council items that are scheduled to be heard this week. A few items of interest are listed below.

Item	Description	Council File
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May 5 Council Meeting Agenda Items

16	Renew Mayor's Declaration of a Local Emergency	20-0291
20	Consideration of motion relative to establishing the Senior Meal Delivery fund as a temporary loan for COVID-19 response.	20-0530
32	Motion and resolution relative to establishing a grant program for local equity applicants or licensees to assist with startup and ongoing costs, provide technical and business development assistance, and to provide workforce development assistance to local Social Equity Program applicants and participants.	20-0521

May 6 Council Meeting Agenda Items

1	Present and adopt ordinance to prohibit rent increases for rental units subject to the Rent Stabilization Ordinance (RSO)	20-0407
2	Motion to request City Attorney to prepare and present Ordinance that will provide tenants with a private right of action against any landlord who violates the City's residential tenant protection ordinance and prohibits landlords from trying to take tenants' stimulus money.	20-0522
3	Communication from City Attorney and Ordinance First Consideration relative to amending the Los Angeles Municipal Code to: provide tenants with a private right of action against any landlord who violates the City's residential tenant protection ordinance, prohibit landlords from trying to take tenants' stimulus	20-0147-S19 20-0479 20-0522

	money, require landlords to use only the tenant notice form provided by HCIDLA, and provide penalties for violations of the same.	
4	Consideration of motion that instructs LAHSA to explore opportunities for contracting with local restaurants to provide the meal catering services for the various homeless shelters and temporary housing coming online in response to the COVID-19 outbreak.	20-0487
5	Adopt the resolution to include in the City's 2019-20 Federal Legislative Program support for legislation and/or administrative action that would provide assistance to independently-owned restaurants and restaurant employees by: fixing the Paycheck Protection Program by extending the maximum loan amount to three months after restaurants can legally reopen to full capacity, reinstating the \$500 million gross revenue cap on Paycheck Protection Program loans, and increasing the length of time restaurant owners have to repay their loans to 10 years from two years; launching a Restaurant Stabilization Fund that provides up to \$100 billion in grants to independent restaurants; creating new tax rebates that encourage employment; and ensuring that business interruption insurance covers COVID-19 related interruptions.	20-0002-S50
6	Adopt the Resolution to include in the City's 2019-20 Federal Legislative Program support of an economic stimulus bill and/or any administrative action that would assist local and State governments in economic recovery as a result of the COVID-19 pandemic.	20-0002-S51
7	Adopt the Resolution to include in the City's 2019-20 State Legislative Program SUPPORT for legislation to suspend or lift the provisions of Costa-Hawkins.	20-0002-S53
8	Adopt the accompanying Resolution to include in the City's 2019-20 Federal Legislative Program SPONSORSHIP AND/OR SUPPORT for any legislation or administrative action that would suspend credit card interest, fees, and penalties for at least four months after the conclusion of the COVID-19 pandemic.	20-0002-S54
9	Communication from CLA and Finance Dept relative to the budgetary impacts of a one year gross receipts tax holiday for the restaurant industry.	20-0147-S48
10	Consideration of Motion relative to overcrowded, multi-generational households for COVID-19 testing and availability of personal protective equipment.	20-0486

11	Consideration of Motion relative to low-cost or no-cost changes to streamline City processes for various departmental approvals that the City requires for Food and Beverage businesses.	20-0499
12	Consideration of Motion relative to hotels that have received economic incentives from the City and their participation in the Project Roomkey program.	20-0478
13	Consideration of Motion relative to allowing the roll-over of Neighborhood Council (N.C.) funds, and expediting N.C. teleconference meetings and NC COVID-19 related grant processing.	20-0416
16	Consideration of Motion relative to requesting an Ordinance to require any person leaving their home to wear masks during the COVID-19 quarantine emergency situation.	20-0429
17	Consideration of Motion relative to the status of Project Roomkey and the strategy to reach the 15,000 room goal.	20-0488

NATIONAL

PPP Loan Forgiveness

United States Senators Doug Jones and Tim Scott wrote to the Small Business Administration and Treasury Department saying that Paycheck Protection Program borrowers, as well as their lenders, are operating without an adequate understanding of how their loans will be forgiven. The Senators urged SBA and Treasury to provide clarity to PPP borrowers on how they will obtain forgiveness, including technical matters related to full-time-equivalent employees, tipped wages and seasonal employees. To read the letter, click [here](#).

Business Roundtable

The Business Roundtable, an association of chief executive officers of leading companies in the United States has created a [COVID-19 portal](#). The Business Roundtable released its proposed framework, which seeks consistent guidelines on workplace and public safety with the goal of building confidence among workers and consumers that they can safely return to work and public activity. The framework appears as an attachment to a letter to Vice President Pence urging the federal government to provide guidance and direction on critical issues businesses face as they resume normal commercial activities. The Business Roundtable specifically requests guidance from the CDC on recommended approaches to protect worker and customer safety. To view the letter originally sent in April, click [here](#).

Centers for Disease Control and Prevention

The CDC updated their advice regarding "Symptom-Based Strategy to Discontinue Isolation". The CDC says that in the context of community transmission, continued testing is impractical. The CDC now says that the current available evidence suggests relying on time-since-illness-

onset and time-since-recovery to establish the end of isolation. Practical application of a symptom-based strategy cannot prevent all infections. To read the decision memo, click [here](#). Other new CDC updates include:

- [Ten Ways Healthcare Systems Can Operate Effectively during the COVID-19 Pandemic](#)
- [Discontinuation of Isolation for Persons with COVID -19 Not in Healthcare Settings](#)
- [Interim Infection Prevention and Control Guidance for Veterinary Clinics Treating Companion Animals During the COVID-19 Response](#)
- [General Business Frequently Asked Questions](#)

WHAT WE'RE READING

Agency Guidance May Not Be Enough: Keeping Workers Safe and Avoiding Employer Workplace Liability During the COVID-19 Pandemic

Employers face a number of serious ethical and legal questions as they begin to weigh reopening their workplaces. Under the federal Occupational Safety and Health Act (OSHA) as well as state law, [employers have a duty](#) to provide a safe workplace, which includes not exposing job applicants and employees to an unreasonable risk of contracting the COVID-19 virus. Employers should be guided by best practices outlined by the governors and responsible agencies like the Department of Labor (DOL) (which administers OSHA), the Centers for Disease Control and Prevention (CDC), and the Equal Opportunity Employment Commission (EEOC). However, compliance with these guidelines, while essential, will not necessarily relieve employers of the risk of litigation and liability. To read the full story, click [here](#).

Workers' Compensation Claims During the Pandemic and Mitigating the Risk

While essential workers continue to make their way into the office amid the pandemic, many other Californians have been ordered to shelter in place. At first blush, non-essential businesses may view this as leading to a decrease in workers' compensation claims because they no longer have employees physically reporting to the office. There could be a decrease in claims for businesses that are closed or have reduced their workforce, which appears to be part of the reason for Insurance Commissioner Ricardo Lara's [Order of April 13, 2020](#), requiring that some insurers refund premiums. However, essential businesses to which employees still report to work and non-essential businesses that require employees to work from home may not see a decrease and could experience an uptick in workers' compensation claims. To read the full story, click [here](#).

Governor's Promise To Immediately Feed Seniors Hasn't Yet Delivered

It's the latest example of an ambitious statewide coronavirus plan that was announced before it was ready to launch. Cities and counties were caught off-guard, even though they have to implement it. The total cost could reach billions of dollars per month. To read the full story, click [here](#).

California Reneges On PPE For Dentists

In mid-March, Gov. Gavin Newsom's administration appeared to throw a lifeline to thousands of dentists who were terrified they'd have to close their offices, leaving cavities unfilled, cleanings unscheduled and dental diseases undetected. As one of the , the dentists needed personal protection equipment just like California's hospitals. State officials promised to deliver masks that would go a long way to helping dentists continue to provide at least some level of basic services for the next three months. To read the full story, click [here](#).

Higher Fares, Longer Waits, No Booze: How Coronavirus Will Change The Way We Fly

Higher ticket prices, temperature checks before boarding, and no inflight alcohol: Airline travel in the post-coronavirus era will look very different from the low-cost "getaway" trips of the past — and you should probably pack your lunch. Airlines are keen to see passenger volume return, and have been making significant changes to prevent the spread of the disease. In an industry that has seen a decline in traffic by 95 percent, and two airlines already forced into bankruptcy, the pressure to get it right is enormous. To read the full story, click [here](#).

What Will California Do About The Rent?

Landlords, renter groups and state lawmakers grapple with who should pay as missed rents pile up in wake of the coronavirus. To read the full story, click [here](#).

As Garcetti Trumpets 'Tests For All,' L.A. County Officials Firm On Limited Testing Strategy

One test promises to detect coronavirus in your saliva from the comfort of your own home. Another do-it-yourself kit instructs folks on how to insert a Q-tip like swab into each nostril, swish around several times, then FedEx to a lab for analysis. Blood tests are offered in mall parking lots, in alleys behind doctors' offices, by myriad companies pitching a quick answer to the all-consuming question: Have I been infected with COVID-19? To read the full story, click [here](#).

Newsom Undermines His Own Credibility

When California legislators, decades ago, gave governors the power to declare emergencies and quickly deal with them, they probably had in mind sudden events such as earthquakes, wildfires or perhaps riots. They probably didn't envision a governor assuming almost dictatorial power over the social and economic lives of every Californian for the indefinite future, as Gavin Newsom did when the COVID-19 pandemic struck the State. Newsom shut down much of the State's economy and commanded Californians to shelter in place. To read the full story, click [here](#).

How to reopen society using medical science and logic

As of the first week of May, more than 66,000 Americans have died from the COVID-19 pandemic. Given that three to four weeks typically elapse before death, thousands more who are already infected will also succumb to the virus. That said, the direct toll from the infection has markedly declined throughout the [United States](#), including the epicenter of [New York](#). The curves have been flattened — the stated goal of the isolation has been accomplished — for both hospitalizations per day and deaths per day. To read the full story, click [here](#).

California's Coronavirus Testing Still A Frustrating Patchwork Of Haves And Have-Nots

Months into the spread of the novel coronavirus in the United States, widespread diagnostic testing still isn't available. California offers a sobering view of the dysfunction blocking the way nationally.

It's hard to overstate how uneven the access to critical test kits remains in the nation's largest State. Even as some Southern California counties are opening drive-through sites to make testing available to any resident who wants it, a rural northern county is testing raw sewage to determine whether the coronavirus has infiltrated its communities. To read the full story, click [here](#).

California Legislators Return For Grim Session Upended By Coronavirus

Legislators return to the state Capitol on Monday for the first time in nearly two months, confronting an urgent need to deal with coronavirus legislation and a [formidable budget deficit](#). They must handle bills ranging from compensation for sick essential workers to planning for a November election that's likely to be done mostly by mail. They also must work with Gov. Gavin Newsom to address a shortfall that could total \$35 billion. To read the full story, click [here](#).

What Happens If A Coronavirus Vaccine Is Never Developed? It's Happened Before

As countries lie frozen in lockdown and billions of people lose their livelihoods, public figures are teasing a breakthrough that would mark the end of the crippling coronavirus pandemic: a [vaccine](#). But there is another, worst-case possibility: that no vaccine is ever developed. In this outcome, the public's hopes are repeatedly raised and then dashed, as various proposed solutions fall before the final hurdle. To read the full story, click [here](#).

Can Bankruptcy Help Businesses Survive Covid-19?

This morning, retail stalwart J.Crew announced that it had filed for bankruptcy. The announcement triggered [concerns](#) that other companies might soon follow suit, accelerating the economic crisis underway. Other commentators, however, think that the government is doing too much to help companies avoid bankruptcy. [Peter DeMarzo, Arvind Krishnamurthy, Joshua Rauh](#), three prominent economists at Stanford, are among the critics. They argue that the government would be better served by instead providing financial support for companies, such as J.Crew, that have already filed for bankruptcy. To read the full story, click [here](#).

FDA Reverses Policy That Let Over 100 Antibody Tests On Market Without Review

The Food and Drug Administration is walking back [a widely criticized policy](#) that allowed more than 100 coronavirus antibody tests on the market without agency review. Manufacturers of antibody tests must now apply for emergency use authorization within 10 business days after their products hit the market, under a policy announced Monday. If a test does not meet the FDA's specificity and sensitivity criteria, its manufacturer must suspend distribution. To read the full story, click [here](#).

Mnuchin to Issue \$3 Trillion in Debt After Virus Hobbles Economy

Treasury Secretary Steven Mnuchin plans to boost U.S. borrowing from April through June by an unprecedented \$3 trillion to support an economy entering a recession caused by the

coronavirus. The Treasury said the increase is driven by new stimulus spending legislation and tax receipt deferrals, steps taken to help the economy overcome social distancing measures that shuttered businesses. To read the full story, click [here](#).

President Trump Criticism Of China

President Trump accused the Chinese government of making a "horrible mistake" in its coronavirus response and of then orchestrating a cover-up that allowed the pathogen to spread around the world. To view the video, 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.