

TO: Administration & Finance Committee

DATE: April 1, 2020

FROM: Rick Ramacier
General Manager

SUBJECT: County Connection Responses to
COVID-19 Stay At Home Orders

Background

In late February, we became aware that COVID-19 (Coronavirus or virus) had likely begun to community spread within Contra Costa County. We began making preliminary plans on how to address service, the employees, and safeguard the facility. By the week of March 9th, we increased the frequency of cleaning the buses and added fogging the buses at night. By the end of that week, we were setting up administrative employees that can work at home to do so. On Monday, March 16th, we stopped running the 600 series of routes, commonly referred to as school trippers. On that same day, Contra Costa County declared public transit an essential activity in support of essential business. They requested that keep running services in that vein as best we can.

Since that time, a number of things have been done in response to the virus. Some of those things may lie outside the stated authority of the General Manager to act under a non-crisis situation. This memo provides a summary listing of what has be done. It also lists items that the General Manger would like to ask the Board of Directors to ratify. They are organized by fixed route, paratransit, facilities, human resources, finances.

Fixed Route

- 1) When the schools were closed, we immediately stopped running the 600 series. This is consistent with existing policy stating to run the 600 series only when school is in session.
- 2) When BART pulled back their trains to a 9:00 pm close, we considered doing the same with our routes that run past 9:00 pm. Upon examining ridership, we decided not to do this for the time being as it appears folks are using the bus after 9:00 to get home from grocery store shifts and medical facility shifts. This could be reevaluated later.
- 3) The Planning Department has developed a service hierarchy. This orders all of the runs that make up the schedule in rank order. This ranking is based on ridership and meeting essential needs. This includes serving grocery stores, pharmacies, health care facilities, and more transit dependent areas. A run equates to an operator's piece of bid work. So, to give you an example, in the Sam Ramon Valley, under this crisis, the Route 21 ranks higher than the express services going to Bishop Ranch. Route 21 is the local route serving essential services. As the driver sick list grows, we cut low ranking runs in reverse order of the hierarchy. Everyday the web site is updated to announce these cuts. Every other day or so, the hierarchy is re-evaluated based on what is actually happening on the street. So, the hierarchy is somewhat dynamic. As of now we are typically cutting 15-20% of our service on any given day. Most importantly, the Union (ATU) is fully cooperating with us as we re-assigned operators to different runs on the fly so to speak.
- 4) We are ready to move to the Summer Bid with the operators once we learn that schools will not re-open in school year 19-20.
- 5) Ridership is now down consistently 80%. We have no problems practicing social distancing on the buses.

Paratransit

- 1.) Ridership dropped 80-85% from Friday, March 13th to Monday March 16th as many of the places these folks go to on paratransit closed.
- 2.) Over the past week and a half, we have ramped up providing transportation for the County's Meals on Wheels. On any given, between four and nine LINK operators are participating in this. In addition to meals, the packages have included toilet paper, water, and pet food.
- 3.) Our staff, working with Transdev staff continue to work on delivering grocery orders from stores to LINK passengers for whom, going to a grocery store may poses extra risks at this time. The various groceries stores have struggled with this so far. Should this progress, we will update the Board.
- 4.) We have been formally requested by the Contra Costa County Emergency Operations Center (EOC) to transport homeless and folks living in congregate living facilities to ordered COVID-19 tests or to locations here these folks are being quarantined or treated. The Centers for Disease Control (CDC) issued new guidelines to the County last week regarding the use of taxi's and social distancing. In short, the CDC ruled that taxi's do not provide adequate social distancing. So, the County has a need to use larger vehicles to provide these trips. Transdev has graciously accepted the assignment from us. They have found LINK drivers who have volunteered for this duty and they will section off these folks and three vehicles from the rest of the fleet and workforce. When the County needs to transport an individual from our area, they will contact Transdev dispatchers who will set up the trip. The County will be training folks on this special project on Thursday, April 1st, Friday April 2nd. The ATU (they represent the Transdev employees as well) is not at all happy about this, but they are fully cooperating.
- 5.) Transdev has been able to keep about half of their workforce assigned to out LINK contract busy. They are thinking about laying others off. I have asked them to wait on that. That is because I think it will be very hard to get them back quickly once things begin to open up again. Plus, their will likely a very bad back up at the DMV to re-license bus operators once the DMV opens up again. I will touch on the financial issues with this later on in this memo.

Facilities and Buses

- 1.) All buses are fogged with disinfectant every night. Every bus that returns to the yard after going out in the morning is re-fogged should it go back out late that day. Every bus that is brought into a maintenance bay for any reason also has the driver's compartment sprayed down with an additional alcohol based disinfectant.
- 2.) Within all buildings at the bus yard, all high contact areas (doorknobs, desktops, counters, etc.) are disinfected daily. All buildings are completely fogged every Tuesday and Friday.
- 3.) We are ordering cleaning supplies, masks, etc. when they are available to build up a four to six month supply.

Employee Items

This is copied from a memo from Human Resources to the General Manager:

Summary of Employment changes made due to COVID-19

- All attendance policies have been suspended as of March 16, 2020. Employees will not be penalized for calling in sick. Employees have been told to stay home if they are sick.
- We communicated that based on the order of the Health Officer of the County of Contra Costa to shelter in place except for Essential Business we, public transit, County Connection, are an essential function, As such we have maintained "Minimum Basic Operations".
- Hand washing education and reminders are running on our electronic bulletin boards.

- In Administration we have limited the number of employees in the office. Employees are encouraged to work from home when possible. The lobby is closed.
- Employees who have been diagnosed with Covid-19 or placed in quarantine by Public Health Officials will receive up to two weeks pay and will not be asked to utilize their paid leave during this time, To date, this has not been exercised by any of our employees.
- We have cancelled all Employee events until further notice (i.e. Bus Rodeo).
- Hand sanitizer has been distributed to all operators 2 times. Gloves and wipes are distributed to all operators at the dispatch window daily.
- The Employee Assistance Program (EAP) is available for all employees and their dependents at any time.
- We identified 19 employees aged 65 and over. On March 23, 2020 we gave all employees 65 and over the option to be off work with pay for two week. All have exercised this option.
- Effective April 2, 2020 we will institute the Families First Coronavirus Act. This expands current FMLA guidelines to include any Covid-19 related reason. A Doctor's certification is not required . The first 80 hours of leave are unpaid, however the employee has the option to utilize any accrued time they may have available. The second 80 hours (or two weeks) are paid for by the employer.

The new FMLA guidelines will apply to those who have unsupervised children at home due to school closures as well as those over the age of 65 who are considered at risk for COVID-19.

For the Transdev employees that have volunteered to provide the County requested trips of homeless congregate living folks, I informed Transdev that they may bill us a \$5 dollar an hour surcharge on the contract marginal rate. They are to use that provide extra compensation to these employees.

The combination of the federal CARES act (the act that contains the public transit relief funding) and SB89 (a state piece of legislation providing \$1 billion in various relief funds) in California appear to provide a level of unemployment equal to \$1,050 per week through July 31, 2020. This would effectively mean that anyone making less than \$25 per hour would be economically better off on unemployment through that timeframe. Our unions are very aware of that. We have no plans to lay anyone off at this time.

Financial Implication

At this time, it is very hard to tabulate the financial implications to County Connection of the COVID-19 crisis and our subsequent response to it. Much of will be tied to the resulting economic slow down and how long that lasts. While staff has begun to look at how various sales tax loss scenarios will impact us, it's varies greatly depending of the level of loss (20% to 50%) and time frame (four to six months or more).

The federal CARES act will provide us with some revenue backfill. I should have a better idea on Friday the 3rd as to what our expected shared of that revenue could be. I will share specific piece of information with all board members via email when I have it.

We can estimate that we are losing roughly \$50,000 to \$60,000 in fixed route fares per week at this time. We are in the second week of a two week free fare trial. We went to free fares as a social distancing practice. This promotes rear door boarding reducing exposure to the bus operator and negates the need for fare revenue collection which creates its own challenges with respect to social distancing. Many transit operators are doing the same.

We also not collecting paratransit fares at this time for the same reasons noted above. The estimated fare revenue loss here is between \$10,000 and \$12,000 per week.

We have added expenses related to employees staying home sick, taking advantage of the new FMLA rules, and related to us allowing folks 65 and older to go home with two weeks pay. I will work to provide you with an estimate of those costs when by the time you meet (by phone) on April 8th.

Transdev – like all contractors have across the country – has formally requested that we pay monthly billings as if they were running “full” services. The legality of this is unknown. Rather, I have given them my commitment to work with them on resolving this at some future point in return for them not yet laying off any of their employees that work on our contract. To date, we have found a number of important tasks for them to keep roughly half of their LINK workforce busy. As for the rest, I continue to seek opinions from the Federal Transit Administration (FTA). The CARES Act funding for transit lists keeping employees on the payroll as a top example of an encouraged and allowable expense for these funds.

Our CFO has provided you with a COVID-19 influenced forecast scenario with his April budget submittal. I believe it strikes a reasonable although hardly certain approach given the lack of information we have to work with at this point.

Action Requested

As you can see, we have taken a number of actions – decisions made in the moment – to respond to the challenges presented us by COVID-19. Some of these, ordinarily would have been subject to board action. Therefore, I would respectfully ask that the Board of Directors ratify these at it’s meeting on April 16, 2020. This would done via resolution draft by Legal Counsel. The items it might contain are listed below:

- Using the planning department run hierarchy to reduce service to match available employees.
- Offering free fares on both fixed route and paratransit for duration of the declared emergency in Contra Costa County.
- Implementing the new temporary rules for FMLA.
- Using paratransit to deliver Meals on Wheels and other similar type services as asked for by the County or one of member jurisdictions.
- Offering to pay Transdev, a surcharge for the provision County EOC directed service on our behalf that contains extra risks as noted above.
- Using paratransit or fixed route to respond to formal requests from the Contra Costa County EOC as best determined by the General Manager.
- Working with Transdev to find creative ways to keep them busy and to justify billings to County Connection. And, return for Board consideration at a later date, should that be necessary.
- Compensating employees with two weeks pay who go home sick or quarantine with COVID-19 symptoms.
- Granting the General Manager formal authority to continue to make decisions to respond to the changing demands and challenges presented by COVID-19. The General Manager would be required to keep the full board informed and updated regularly between monthly board meetings. The General Manager would be required to consult with the Board Chair before taking any action that could result in an expenditure beyond the General Manger’s authority.

I respectfully ask that send a Resolution covering the points above for ratification at the April 16, 2020 board meeting.