

TO: Board of Directors

DATE: April 9, 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. 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) 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 has reached about half of the force, we have 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 50-60% 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.
- 3) 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. Given that this involves a fair amount of work and is made much more challenging if we practice social distancing while doing this, we are in process of evaluating just how best to proceed with this.
- 4) Ridership is now down consistently 80%. We have no problems practicing social distancing on the buses at this time. We are monitoring this very closely.

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.) We are providing transportation for the County's Meals on Wheels. At least 15 or more LINK operators are participating in this. We are doing this throughout central and east county. In addition to meals, the packages have included toilet paper, water, and pet food.
- 3.) 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 trained 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.
- 4.) Transdev has been able to keep most of their workforce assigned to out LINK contract busy. One of the goals to keep them from having to lay off operators that could be very hard to get back and properly licensed, quickly once things begin to open up again.

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.
- 4.) The buses are being installed with plexiglass shields to protect the operator from the passenger.

Summary of Employment changes made due to COVID-19 From Human Resources

- 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.

Since Monday, April 6th, we have sent our operators out with masks. This is in addition to the hand sanitizer and gloves they were being sent out with. We have overalls on order for any operator to wear that wants one.

The paratransit operators doing special County directed work have been provided PPE from the County.

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. After some meetings with MTC and the transit operators, we likely can expect to receive between \$8 million and \$10 million as our share. I will have more details by the time you meet on April 16, 2020.

We can estimate that we are losing roughly \$50,000 to \$60,000 in fixed route fares per week at this time. We have implemented temporary free fares as a social distancing practice. This allows for 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. We installed plexiglass shields to further protect the operators from potential passenger contact. Most 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.

As of now, it remains very difficult to estimate how the virus is having an impact on our operating expenses. Employees are either receiving pay for working or other compensation if they are out sick. We are saving on fuel. We have had to take on some minor expenses in setting up a few administrative employees to work at home. The equipment we have purchased to protect employees comes with a minor cost. And, we have experienced an uptick in cleaning supply costs. As we able to better identify and document our COVID-19 non-labor costs, and our labor costs related to the new temporary FMLA rules, etc., we will update you. My goal is to have a preliminary report on costs and expenses for the May A&F Committee meeting.

Transdev – like all contractors have across the country – has formally requested that we pay monthly billings as if they were running “full” services. At first this looked to be an emerging tough issue. However, with them taking a number of County requests for us, they are now able to keep people who are not calling sick busy. Thus, their billing are very likely to remain appropriate.

As of today, I have learned that County Connection may be eligible for some FEMA reimbursement for non-labor COVID-19 costs. This will be fully explored.

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.

A&F Committee Recommendation

The A&F Committee met on April 8, 2020 via teleconference. They reviewed this report and discussed it with the General Manager. They recommend the Board of Directors adopt Resolution No. 2020-019 ratifying the items listed above and to authorize the General Manager to act as needed as described in the last item just above.

RESOLUTION NO. 2020-019

BOARD OF DIRECTORS
CENTRAL CONTRA COSTA TRANSIT AUTHORITY
STATE OF CALIFORNIA

APPROVING ACTIONS TO ADDRESS THE IMPACTS OF THE COVID-19
PANDEMIC ON COUNTY CONNECTION OPERATIONS

WHEREAS, the County of Contra Costa and the Cities of Clayton, Concord, the Town of Danville, Lafayette, Martinez, the Town of Moraga, Orinda, Pleasant Hill, San Ramon and Walnut Creek (hereinafter "Member Jurisdictions") have formed the Central Contra Costa Transit Authority ("County Connection"), a joint exercise of powers agency created under California Government Code Section 6500 et seq., for the joint exercise of certain powers to provide coordinated and integrated public transportation services within the area of its Member Jurisdictions;

WHEREAS, on March 4, 2020, the Governor of the State of California ("Governor") proclaimed a State of Emergency to exist in California as a result of the threat of the COVID-19 outbreak;

WHEREAS, on March 11, 2020, the Director-General of the World Health Organization characterized and declared that the global outbreak of COVID-19 as a pandemic, in light of the 13-fold increase of cases outside China, and the tripling of affected countries within the prior two weeks and the anticipated acceleration of the disease throughout the world;

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency due to the COVID-19 outbreak;

WHEREAS, despite sustained efforts at the national, state, and local levels, COVID-19 continues to spread and remains a serious and ongoing threat to public health;

WHEREAS, the Governor issued Executive Order N-25-20 (March 12, 2020) and Executive Order N-29-20 (March 17, 2020), effective immediately, to relieve legislative bodies from certain requirements of the Brown Act in an effort to mitigate the spread of COVID-19 and to facilitate essential government functions;

WHEREAS, on March 16, 2020, the public health officers of seven Bay Area jurisdictions, including the County of Contra Costa, issued legal orders directing residents to shelter at home for three weeks beginning on March 17, 2020 through April 7, 2020, and which orders limit activity, travel and business functions for only the most essential needs;

WHEREAS, on March 31, 2020, the public health officers of seven Bay Area jurisdictions, including the County of Contra Costa, issued legal orders extending the shelter at home order through May 3, 2020;

WHEREAS, the impacts of COVID-19, and the shelter at home orders, have resulted in a 80% decrease in County Connection ridership, with a corresponding decrease in fare revenue that constitutes a fiscal emergency;

WHEREAS, due to the immediate need to address the COVID-19 pandemic, emergency action was taken prior to a hearing contemplated under the California Environmental Quality Act (CEQA), Public Resources Code Section 21080.32(d);

WHEREAS, CEQA exempts specific actions necessary to prevent or mitigate an emergency, including a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to essential public services. (Pub. Res. Code §21080(b)(4); CEQA Guidelines §15269(c);

WHEREAS, it is necessary and appropriate to ratify certain temporary immediate actions taken by the General Manager in response to the rapidly changing operational needs of County Connection due to the COVID-19 pandemic;

WHEREAS, it is necessary and appropriate to temporarily suspend Board procedural policies, including the requirement that a public hearing be held prior to implementing a major reduction in service or change in fares; and

WHEREAS, it is necessary and appropriate to reaffirm the authority of the General Manager to take all necessary and appropriate action during the period of the COVID-19 pandemic to maintain County Connection's public transportation system in operation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Central Contra Costa Transit Authority approves the following actions to address the impacts of COVID-19 on County Connection operations as follows:

1. Ratify the following necessary immediate actions taken by the General Manager in response to the impacts of COVID-19 on County Connection operations:
 - a. Temporary reduction in weekday bus trips until further notice.
 - b. Temporary implementation of free fares on fixed routes and paratransit service.
 - c. Changes to paratransit operations, including engaging such operations in Meals on Wheels and County emergency operations, as needed, along with corresponding increases in compensation for such activities.
 - d. Temporary modification of administrative procedures and personnel rules and policies, in order to expand paid administrative and sick leave until further notice.

2. Authorize the General Manager to suspend and/or modify administrative procedures, personnel rules and policies, and procurement policies, to expand paid administrative and sick leave, to expand the leave donation program bank, and to take all other actions necessary and appropriate to protect County Connection employees and the public during the declared national, state, and local emergencies resulting from the COVID-19 pandemic.
3. Approve the suspension of the rules pertaining to the requirement that a public hearing must be held prior to implementing a major reduction in service or change in fares, during the period of the COVID-19 pandemic.
4. Authorize the General Manager to modify transit service and fares, as necessary and appropriate, in response to the COVID-19 pandemic.
5. Authorize the General Manager, or his designee, to prepare and submit applications on County Connection's behalf to federal, state, and local government entities for funding and/or reimbursement related to the fiscal impacts of the COVID-19 pandemic on the County Connection's operations.
6. Require the General Manager to provide periodic reports to the Board of Directors, at every subsequent regular Board meeting, regarding the impacts of the COVID-19 pandemic on County Connection operations, and the actions taken by County Connection in response.

Regularly passed and adopted this 16th day of April 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Candace Andersen, Chair, Board of Directors

ATTEST:

Lathina Hill, Clerk to the Board