



**Contra  
Costa  
County**

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: March 31, 2020

Subject: AUTHORIZATION TO SUBMIT A FEMA REQUEST FOR PUBLIC ASSISTANCE TO CalOES AND TAKE RELATED ACTIONS

**RECOMMENDATION(S):**

ADOPT Resolution No. 2020/112 authorizing the County Administrator, or designee, to submit a Federal Emergency Management Agency, Request for Public Assistance claim, including executing a Project Assurances for Federal Assistance certification, to the California Governor's Office of Emergency Services (CalOES), and appoint authorized agents to submit information to CalOES on behalf of the County.

**FISCAL IMPACT:**

No immediate fiscal impact. However, this is the first step in seeking federal reimbursement for the County's response to the COVID-19 pandemic.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **03/31/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: March 31, 2020

David Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Timothy M. Ewell,  
(925) 335-1036

By: Jami Napier, Deputy

## FISCAL IMPACT: (CONT'D)

### BACKGROUND:

#### County Actions

Contra Costa County, along with Health Officers from the Bay Area, have announced a Public Health Order that requires residents to stay home to limit the spread of the novel coronavirus, also known as COVID-19. This order is in effect until April 7, 2020. It may be extended depending on recommendations from public health officials. This is a critical intervention to reduce harm from the spread of the coronavirus in our community. All Bay Area Health Officers observed quickly mounting cases and serious illnesses across the region. Because the virus spreads so easily, without dramatic intervention like this Order, it would result in so many people needing medical attention in a hospital setting that our hospitals will be overwhelmed. The County may not have enough beds or equipment to adequately care for the most seriously ill. And health care workers and other first responders, countywide, are also at risk. If those healthcare workers and first responders get sick there are fewer people to provide health care and first response services during the pandemic.

The County has activated the Emergency Operations Center (EOC) and several Department Operations Centers (DOC) to assist in the response to the pandemic. Those operations centers are the hub for procurement and distribution of services and equipment necessary to respond to the emergency. In support of this, the County Administrator, in his capacity of Administrator of Emergency Services (County Code Section 42-2.602) issued an emergency blanket purchase order in the amount of \$20 million on Friday, March 20, 2020 for the procurement of services and supplies necessary to facilitate the COVID-19 response within the County. Ratification of the emergency purchase order is scheduled on today's consent agenda.

#### Federal Disaster Relief Actions

On Friday, March 13, 2020, President Trump declared a nationwide emergency in response to the growing COVID-19 pandemic pursuant to Sec. 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"). That action provides access to the Federal Emergency Management Agency (FEMA) Public Assistance program, which allows for a 75% Federal cost share on certain emergency protective measures taken at the direction or guidance of public health officials in response to the COVID-19 pandemic. Qualifying expenditures are those that are not supported by the authorities of another federal agency (i.e. reimbursement for response activities funded by another Federal agency grant program). Examples of reimbursable activities include the activation of Emergency Operations Centers, National Guard costs, law enforcement and other measures necessary to protect public health and safety.

## **State Disaster Request and Presidential Authorization**

Following the President's action, Governor Newsom requested that the Federal government declare a major disaster in California due to COVID-19. The President approved the State's request on Sunday, March 22, 2020, which activated additional Federal resources directed to assist California, including deployment of mobile hospital units and a U.S. Navy hospital ship among other things.

## **Request for Public Assistance**

The Governor's Office of Emergency Services (CalOES) is facilitating the collection of FEMA Requests for Public Assistance (RPA) from agencies (public and private) impacted by the COVID-19 pandemic. CalOES has advised that RPA documents, which do not include a specific dollar amount of public assistance being requested, be filed no later than April 17, 2020. Filing of this document allows agencies, including the County, to be on record stating that costs have been incurred as part of the response effort and allows for a request to FEMA that a portion of those costs be reimbursed in the future. In addition, CalOES has requested that impacted agencies adopt required Project Assurances for Federal Assistance and a resolution designating agents that can act on behalf of the impact agency.

Today's action authorizes the County Administrator or designee, to complete and submit the documents discussed above to CalOES to ensure the opportunity for Federal cost reimbursement. Attached are form copies of the FEMA Request for Public Assistance (FEMA Form 009-0-49) and Project Assurances for Federal Assistance (CalOES Form 89) for reference. In addition, adoption of Resolution No. 2020/112 includes an Exhibit A, which is a Designation of Applicant's Agent Resolution for Non-State Agencies (CalOES Form 130). This is the portion of the resolution that formally appoints agents to make filings with the State on behalf of the County and appoints the County Administrator, County Finance Director and Chief Assistant County Administrators as the public officials with that authority.

## **CONSEQUENCE OF NEGATIVE ACTION:**

The County will be unable to submit a FEMA Request for Public Assistance by the required deadline to allow for future requests to the Federal government for reimbursement of costs incurred in response to the COVID-19 pandemic.

## **ATTACHMENTS**

Resolution 2020/112

Resolution No. 2020/112 - Exhibit A

FEMA Request for Public Assistance (FEMA Form 009-0-49)

Project Assurances for Federal Assistance (CalOES Form 89)