



**Contra  
Costa  
County**

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: April 14, 2020

Subject: Authorize Certification by the County Administrator to the Secretary of the Treasury for Direct Distribution of CARES Act Funding

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the County Administrator, or designee, to file a certification with the Secretary of the Treasury acknowledging restrictions on the use of Coronavirus Relief Fund allocation funds authorized by the Coronavirus Aid, Relief, and Economic Security (CARES) Act and authorizing a direct allocation to the County from the US Treasury.

**FISCAL IMPACT:**

The CARES Act allows for local jurisdictions with populations over 500,000 to receive a direct allocation of a portion of the State allocation from the Coronavirus Relief Fund. The State of California is estimated to receive an allocation of \$15.3 billion of the \$150 billion available in the Fund. Of that amount, local jurisdictions with populations over 500,000 can claim 45% of the State allocation to receive directly from the US Treasury. The County is tracking information from the National Association of Counties (NACo) and the Government Finance Officer's Association (GFOA) and will provide a future update to the Board as revenue estimates are provided related to the CAREs Act.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **04/14/2020** ☒ 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: April 14, 2020

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

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

By: June McHuen, Deputy

## **BACKGROUND:**

Contra Costa County, along with Health Officers from the Bay Area, have announced Public Health Orders that requires residents to stay home to limit the spread of the novel coronavirus, also known as COVID-19. This initial order was in effect until April 7, 2020, but was extended on March 31, 2020 to last through May 3, 2020. The March 31, 2020 order also expanded and clarified certain activities to be deemed non-essential to include use of shared recreational facilities and most construction activities. These critical interventions have been designed 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 these orders, it would result in so many people needing medical attention in a hospital setting that County 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. The Board of Supervisors subsequently ratified the County Administrator's action on March 31, 2020. Similarly, the County Administrator has entered into several agreements, including service contracts, license agreements and leases to support the activities responding to COVID-19.

## **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.

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. On March 31, 2020, the Board of Supervisors took action to adopt Resolution No. 2020/112 authorizing the County Administrator to submit the RPA documents discussed above to CalOES to ensure the opportunity for Federal cost reimbursement.

In addition to FEMA reimbursement, the County is eligible for a direct allocation from the Coronavirus Relief Fund from the CARES Act to local governmental entities with populations over 500,000. The Chief Executive of each jurisdiction eligible for a direct allocation of funds is required to file a certification with the Secretary of the Treasury within thirty (30) days of passage of the Act. The certification will provide that the funds received will cover only those that (1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (2) were not accounted for in the budget most recently approved as of the date of enactment of this section for the State or government; and (3) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. Today's action authorizes the County Administrator, as the Chief Executive of Contra Costa County, or designee, to make that certification to ensure federal CARES Act funds are received by the County timely.

### **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. Contra Costa County was a recipient of mobile field hospital equipment and took delivery of those resources at the Craneway Pavilion in Richmond, which will serve as a 250-bed alternate care site supporting the capacity of the County's hospital and clinic system.

### **CONSEQUENCE OF NEGATIVE ACTION:**

The County Administrator will not have authorization to make the required certification to the Secretary of the Treasury to secure a direct allocation of Coronavirus Relief Funds.