



Contra
Costa
County

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: February 7, 2023

Subject: TERMINATION OF LOCAL COVID-19 EMERGENCY DECLARATION

RECOMMENDATION(S):

TERMINATE, effective February 28, 2023, the local emergency throughout Contra Costa County proclaimed by the Board of Supervisors on March 10, 2020, due to the COVID-19 pandemic, consistent with the end of the statewide state of emergency.

FISCAL IMPACT:

No fiscal impact. The local emergency was declared to recognize the impact of COVID-19 on Contra Costa County, provide flexibility to the County in its response efforts and to maintain eligibility for the County, and its cities, to pursue disaster relief funds to help cover costs related to the emergency response. In October 2022, Governor Newsom announced that the State's COVID-19 state of emergency would be terminated as of February 28, 2023. This action would ensure that Contra Costa County continues to maintain alignment with the State of California on its COVID-19 emergency response posture.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/07/2023** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Diane Burgis, District III Supervisor
Ken Carlson, District IV Supervisor
Ken Carlson, District IV Supervisor
Federal D. Glover, District V 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: February 7, 2023

, County Administrator and Clerk of the Board of Supervisors

By: Antonia Welty, Deputy

Contact: Timothy M. Ewell, (925) 655-2043

cc:

BACKGROUND:

On Tuesday, March 10, 2020, the Board of Supervisors declared a countywide emergency in response to the COVID-19 pandemic and subsequently requested that Governor Newsom include the County in the State's emergency declaration. [\(D. 3\)](#) Later that week, 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 provided 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. Later, the 75% federal cost share was increased to 100% for eligible costs through June 30, 2022. 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) facilitated the collection of FEMA Requests for Public Assistance (RPA) from agencies (public and private) impacted by the COVID-19 pandemic. CalOES 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 requested that impacted agencies adopt required Project Assurances for federal Assistance and a resolution designating agents that can act on behalf of the impacted 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. The County subsequently filed its RPA with FEMA, which was approved on April 17, 2020 and serves as the basis for the County's FEMA reimbursement eligibility.

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 federal and state resources over the course of the pandemic, including mobile field hospital equipment, and took delivery of those resources at the Craneway Pavilion in Richmond, which served as a 250-bed alternate care site supporting the capacity of the County's hospital and clinic system. In addition, the state has provided for several COVID-19 testing centers strategically placed throughout the County.

County Reopening and Restoration of Procurement Policies

On June 14, 2021, the County Administrator released reopening guidance for County departments following the Governor's termination of the "Stay At Home" order and retiring of the "Blueprint for a Safer Economy" both effective on June 15, 2021. This was to maintain continued County alignment with the State's COVID-19 response efforts. Specifically, department heads were provided guidance on face covering/workplace safety policies, emergency procurement procedures and restoration of employee travel. Most notably at the time, departments were directed to reopen lobbies of County facilities to the public.

In addition, the County Administrator authorized a two-phase restoration of pre-COVID procurement policies and procedures in recognition of ramp up time required to transition from an emergency procurement posture back to normal operations. Ultimately, full restoration of pre-COVID purchasing policies and procedures were effective October 31, 2021.

Announcement of Governor's Termination of COVID-19 Emergency Declaration

On October 17, 2022, [Governor Newsom announced](#) that California's COVID-19 state of emergency would end on February 28, 2023. In a press release announcing the termination, the Governor's office stated that the lead time...*"give(s) the health care system needed flexibility to handle any potential surge that may occur after the holidays in January and February, in addition to providing state and local partners the time needed to prepare for this phaseout and set themselves up for success afterwards."* The termination of the state of emergency does not mean that the State will discontinue assistance to the County on its cost recovery claims by CalOES for the period covered during the state of emergency. It is anticipated that the recovery process, as in most

disasters, will continue for several years following conclusion of the state of emergency.

Today's action requests that the Board of Supervisors terminate the local, County COVID-19 emergency declaration, consistent with termination with the statewide emergency declaration. The County Administrator's Office and the Health Services Department will continue to provide the Board with updates on the cost recovery and COVID-19 response transition process going forward.

CONSEQUENCE OF NEGATIVE ACTION:

The County's COVID-19 emergency declaration would remain in place even after the termination of the State of California's COVID-19 emergency declaration.

ATTACHMENTS

Press Release: Governor Newsom to End the COVID-19 State of Emergency, October 17, 2022