

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION AUTHORIZING THE COUNTY MANAGER, OR THE COUNTY MANAGER'S DESIGNEE, TO UTILIZE CORONAVIRUS RELIEF FUND PAYMENTS RECEIVED PURSUANT TO THE CARES ACT, AND OTHER AVAILABLE FUNDS AS APPROPRIATE, TO REIMBURSE CERTAIN EXPENDITURES INCURRED IN RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (the "Health Officer") declared a local health emergency throughout San Mateo County related to the novel coronavirus ("COVID-19") and the Board of Supervisors has ratified and extended this local health emergency ("Local Health Emergency"), which remains in effect throughout San Mateo County; and

WHEREAS, on March 3, 2020, and pursuant to Section 8630 of the California Government Code and Chapter 2.46 of the San Mateo County Ordinance Code, the San Mateo County Director of Emergency Services proclaimed a local emergency throughout San Mateo County related to COVID-19 and the Board has ratified and extended the proclamation of a local emergency ("Local Emergency"), which remains in effect; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency related to COVID-19 ("State of Emergency"), effective throughout the State of California; and

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space; and

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directed all individuals living within San Mateo County to shelter in their place of residence (“Original Shelter-in-Place Order”), and authorized individuals to leave their residences only for certain “Essential Activities,” Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Original Shelter-in Place-Order; and

WHEREAS, several times since March 16, 2020, including on June 4, 2020, the Health Officer issued revised Shelter-in-Place Orders extending the Original Shelter-in-Place Order due to evidence of continued significant community transmission of COVID-19 within the County and throughout the Bay Area; and

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order N-33-20, which, imposed a Statewide Shelter-In-Place Order requiring individuals to remain in their places of residence except as needed to maintain continuity of operations of critical infrastructure, access necessities such as food, prescriptions and healthcare, or engage in other authorized activities; and

WHEREAS, on May 8, 2020, Governor Newsom announced a plan to allow the limited reopening of some businesses beyond those in the category of essential critical infrastructure, which is part of the "Resilience Roadmap" for California, the multiphase plan to modify the Statewide Shelter-In-Place Order; and

WHEREAS, on June 16, 2020, the State approved the County’s request for a variance allowing the County to align with the Resilience Roadmap for California; and

WHEREAS, on June 17, 2020, the Health Officer rescinded the June 4, 2020 revised Shelter-in-Place Order and replaced it, effective immediately, with a new order aligning the County with the Statewide Shelter-in-Place Order/Resilience Roadmap, emphasizing individual behavior and the practices that businesses must follow as they resume operations, including limiting gatherings to no more than 50 people, outlining social distancing and face covering requirements, allowing for social bubbles, and

requiring businesses to implement a social distancing protocol and written health and safety plans, based on evidence of continued significant community transmission of COVID-19 within the County and throughout the Bay Area, and the Health Officer will continue to update San Mateo County orders in light of further updates to the guidelines issued by the Centers for Disease Control and Prevention (CDC) and the State; and

WHEREAS, on August 28, 2020, the State announced a Blueprint for a Safer Economy, which established a four-tier framework and system for restricting and lifting COVID-19 allowable activities based on COVID-19 case rates and test positivity in counties, under which the County was initially assigned by the State to the fourth (purple tier) associated with widespread transmission of COVID-19; and

WHEREAS, as the State and County continue with reopening, the County has thereafter moved from the fourth (purple) tier to the second (orange) tier, effective October 28, 2020, allowing fewer restrictions, COVID-19 continues to pose a fatal risk, such that, as of November 3, 2020, the Centers for Disease Control and Prevention (CDC) reported that COVID-19 has caused more than 230,893 deaths in the United States, and the State has reported that as of that date there were 934,672 positive COVID-19 cases in California, 17,686 people in the State who have died of COVID-19 causes, and 11,406 COVID-19 cases and 161 deaths in San Mateo County; and

WHEREAS, although the long-term societal and economic impacts of COVID-19 will not be known for some time, the continuing direct impacts to the local San Mateo County community have already been substantial, as residents throughout the County are confronting continuing and substantial income loss due to business and school closures, corresponding layoffs or loss of work hours and wages, and extraordinary out-of-pocket medical expenses; and

WHEREAS, on March 27, 2020, the Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress and signed into law, which established

a \$150,000,000,000 Coronavirus Relief Fund (“CRF”) to provide restricted financial aid for state and local governments responding to the COVID-19 pandemic;

WHEREAS, the CARES Act provides that CRF funds may be used to cover costs that (1) are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) were not accounted for in the budget most recently approved as of March 27, 2020 for the State or local government; and (3) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020, and the County has received an allocation of CRF funds to use in compliance with these requirements; and

WHEREAS, since the onset of this crisis in March 2020, and prior to receipt of its allocation of CRF funds, the County has incurred, and this Board and the County Manager, as the Director of Emergency Services, have authorized, various expenditures, contracts and programs in order to respond to the COVID-19 public health emergency and to provide assistance and support to residents of the County impacted by COVID-19; and

WHEREAS, in some instances, the County has expended general funds, Measure K funds, or other funds, to pay for these and other expenses in connection with its response to the COVID-19 pandemic which would otherwise have been eligible for reimbursement using CRF funds and/or other available funds, as appropriate; and

WHEREAS, to the extent eligible for reimbursement with CRF funds, the County intends to use CRF funds to reimburse expenditures incurred due to the COVID-19 public health emergency between March 1 and December 30, 2020, which were initially paid with other funds.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND RESOLVED by the Board of Supervisors of the County of San Mateo that the County Manager, or the County Manager’s designee, is hereby authorized to utilize Coronavirus Relief Fund payments received pursuant to the CARES Act, as well as other available funds as appropriate, to

reimburse certain expenditures incurred in response to the COVID-19 public health emergency. This resolution does not bind the County to make or reimburse any particular expenditure, incur any indebtedness, or proceed with new programs or expenditures that were not previously approved by the Board; and

BE IT FURTHER RESOLVED that the expenditures which may be reimbursed using CRF funds, or other available funds to the extent appropriate, include, but are not limited to, the following:

- The utilization of \$2,000,000 in Measure K funds, on or about March 24, 2020, to the Silicon Valley Community Foundation to benefit San Mateo County individuals and families, non-profit organizations adversely impacted by Covid-19 (Resolution No. 20-136);

- Payments pursuant to the agreement with Interpersonal Frequency, LLC, on or about March 24, 2020, to build and update a public facing website informing the public of San Mateo County's COVID-19 virus preparation and response, for the term of March 17, 2020 through March 16, 2022, in an amount not to exceed \$400,000 (Resolution No. 20-161);

- Payments pursuant to the agreement with Eaton and Associates, on or about March 24, 2020, to provide technical consulting and emergency staffing in response to COVID-19 pandemic for the term of March 16, 2020 through June 30, 2020, to quickly expand the County's critical technology infrastructure such as network, server, physical computing, cybersecurity monitoring, and other services to support the surge in County employee telework in an amount not to exceed \$906,800 (Resolution No. 20-16);

- Payments pursuant to the agreement with the San Mateo Credit Union Community Fund, on or about April 21, 2020, for the administration and distribution of \$1,000,000 in Measure K funds to benefit San Mateo County small businesses adversely impacted by COVID-19 (Resolution No. 20-216);

- Payments pursuant to the agreement with the Boys & Girls Club of North San Mateo County, on or about May 19, 2020, to support an emergency child care program for essential workers in response to COVID-19 in an amount not to exceed \$50,750 (Resolution No. 20-307);

- Payments pursuant to the agreement with the Hispanic Foundation of Silicon Valley, on or about June 23, 2020, to assist in the transition of their educational excellence programming and services to an online platform during the COVID-19 pandemic in an amount not to exceed \$50,000 (Resolution No. 20-401); and

- Payroll and benefits expenses for specified public health and safety employees which were paid with monies from the County General Fund, or other funds, incurred between March 1 and December 30, 2020, including without limitation such personnel employed at Coastside Substation/patrol division, Maguire Main Jail, Jail Medical Services, Maple Street Correctional Center and Correctional Health Services, as permitted by U.S. Treasury Department CRF Guidance.

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